



***Editorial***

## ***Empowerment***

An Australian indigenous person said in a recently held conference on human rights education that when we talk of empowerment we have to ask the question, who is willing to give up power?

Present societal realities speak of the weak and the strong, the abused and the abuser. They vividly project the unending conflict between those who have and those who do not have power.

In a situation where powerholders, be they government or private persons, dominate with almost impunity those with less power (normally the poor and the disadvantaged sections of society), the related question is, what is empowerment for? Is it meant to counter/confront those who traditionally wield power? Or, is it meant to decrease the power of the latter in order to increase the power of the traditionally weak in society?

Empowerment and human rights education are two sides of the same coin. They are both aimed at realizing human rights and facilitating change in society to obtain justice for all.

Human rights education has been serving a number of functions - to protect one's rights from being violated, to prevent such violations from occurring, and to realize human rights. It is designed at least to minimize human rights violations and widen the space for human rights realization.

International human rights instruments define what human rights are, provide mechanisms through which these rights can be realized, and also provide redress to those whose rights are violated. They identify at the same time those who have the obligation to uphold and realize human rights. Empowerment in relation to the human rights instruments means making people become aware of their rights and enabled to use the available mechanisms for realizing them.

But will these instruments, assuming they are put into effect to a reasonable degree, be able to address the question on who will give up power? In other words, will they give answers to the question on how to change society in order to realign power? Most likely not. They can only provide steps toward this end. Ultimately, it is a question the people as a whole in a given society will have to answer. In the meantime, human rights education will have to continue to support the people's search for an answer. This in itself is empowerment.

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.

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# 50 Years is Enough

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The myth that people are safe from persecution for having a different thinking from that of the government must be broken. The crime of thought control is being committed in many countries around the world. And this crime exists not only in north Korea as many would have us believe but also in south Korea. This crime is committed through the National Security Law (NSL).

December 1, 1998 marks the 50th year of the National Security Law in south Korea. The NSL has its roots in the Japanese colonial period, modeled after the "Chian-yuji-bop" or Law on Public Order and Security, which was used by Japanese colonial authorities to suppress and punish Korean independence activists. With the division of Korea into north and south, the establishment of the south Korean government by Syng-man Rhee, and the resulting widespread communist hysteria from the Korean War, the NSL was used to imprison countless laborers, students, artists, writers and innocent citizens.

In stark contrast to the NSL is the Universal Declaration of Human Rights (UDHR). December also marks the 50th Anniversary of the UDHR. In articles 18 and 19, governments declare that "Everyone has the right to freedom of thought, conscience, and religion" and that "everyone has the right to freedom of opinion and expression." This declaration was written to reemphasize the basic rights of all people as human beings.

Fifty years after the enactment of the NSL, and in spite of the recent inauguration of the new 'human rights' president, who himself was imprisoned and sentenced to death under it, this law continues to exist. The human rights community around the world expected the abolishment of this law with the coming into power of Kim Dae-jung. Instead, the NSL has been used to arrest over 300 people since February in an alarming continuity of past practices.

The NSL provides that any organization that aspires to assume government power or overthrow the state is

an "anti-state organization" (ASO) and subject to criminal prosecution. Under this definition, the government of north Korea is an ASO, as are arbitrarily designated human rights, labor, or reunification organizations. All members of an ASO are subject to prosecution under the NSL, and abetting, praising, or encouraging an ASO is also considered a criminal act. Under this vague definition, people who are in possession of books by Marx, Gramsci, Cummings, etc., can be sentenced to prison.

Writers, artists, students, and activists have been arrested almost daily for disagreeing with government policies. Innocent citizens with supposed 'knowledge of security crimes' are also imprisoned. In short, the NSL violates the freedoms of thought and opinion, the very cornerstones of a democratic society.

A recent NSL case in July 1998 is the "Youngnam Committee Case" in which 17 people were arrested for allegedly forming a branch of the north Korean labor party and taking orders from north Korea. The name of this so-called committee was changed 3 times during the course of the investigation, and other extreme irregularities have been found in the evidence and investigation process (illegal wiretapping for a period of over 4 years was used to produce questionable evidence). Authorities cited the participation of those arrested in a fundraising activity to send food to north Korea as evidence to back up their claim. This claim is ridiculous as this activity was held nationwide and participated by tens of thousands of south Korean citizens. In addition, fund-raising for north Korea is allowed and encouraged by the government.

Considering the lack of evidence to support the case, doubts have been raised as to the motive of the arrests. The individuals were arrested at a key point in the Hyundai Strike, which was in Ulsan city. All of those arrested were involved in civic groups in the Ulsan area, and played key roles in supporting and publicizing the strike.

An additional cause of concern is the arrest and fil-

ing of a case against Kim Chang-hyun, the head of the Ulsan City Eastern Division, and Chun Byung-tae, member of the national assembly from Ulsan City. Widespread appeals by human rights groups have been made to release on bail many of these individuals who are suffering from disease or sickness and are not receiving appropriate medical treatment. Their trials are currently underway.

The supreme irony of the existence of the NSL lies in the changing relationship between south and north due to the atmosphere of reconciliation set by President Kim Dae-jung under his widely touted "Sunshine Policy." Economic and artistic exchanges are supposedly encouraged, as can be seen by conclusion of the first Hyundai Mount Kumkang Tour, and recent visits by singers and performers to north Korea. Yet those from the human rights community who support reunification and exchanges continue to be suppressed and punished for their interest in north Korea. For this reason, it can only be concluded that only those who officially do not criticize the south Korean government policies are allowed to take an interest in north Korea.

**Difference of opinion should not be a crime. Differences and debates are catalysts for change and manifestations of a healthy society.**

On December 1, 1998, human rights activists in south Korea came together to call for the abolishment of the National Security Law in the country by holding a 'Funeral of the History of the NSL.' Joining these voices in support were those of human rights organizations around the world who have closely watched the progress of human rights in south Korea, particularly the actions of President Kim Dae-jung. The reason for the close interest is two-fold: his own personal history of persecution as a past opposition leader and expectations on his leadership in the Asia Pacific region, and the fact that the violation of human rights in the name of national security is not limited to Korea but includes other countries in this region.

In examining the justification of the existence of the NSL, one must make a clear distinction between a violent action that threatens the lives of the people of a nation, and thoughts that can be peacefully expressed under the right to freedom of thought and expression. This distinction is vital to distinguishing between a repressive dictatorial state and a democratic state. Difference of opinion should not be a crime. Differences and debates are catalysts for change and manifestations of a healthy society. Ignorance only breeds ignorance and hatred, and these are the very characteristics that should be targeted for abolishment in a truly democratic society.

Given the arbitrary application of the NSL to those who have disagreed with government policies, one must conclude that the main purpose of the NSL is not to ensure national security but rather the security of political power. A reexamination of laws based on people's security, which puts a country's citizens as the main focus of protection, would embody the true spirit of human rights set forth in the Universal Declaration of Human Rights.

One cannot help but feel disappointment in the lack of concrete actions taken to realize human rights in south Korea, and the hundreds of people who have been arrested since the inauguration of the "Government of the People." For the approximately 450 political prisoners serving sentences in cold cells this winter, in particular Woo Yong-gak, who is currently serving his 40th year in prison in solitary confinement, we must ponder whether the current government is truly committed to human rights.

On the 50th year of the National Security Law and the Universal Declaration of Human Rights that will be decried and celebrated, respectively, we must rejoice about the commitment to realize human rights worldwide, and rightfully decry the lack of progress on this front in south Korea.

# Synopsis of a Policy Initiative for the Establishment of an ASEAN Human Rights Mechanism

*(This document was presented by the Working Group for an ASEAN Human Rights Mechanism to ASEAN Senior Officials on the occasion of the ASEAN Ministerial Meeting in Manila in July 1998. It was noted in the 31st ASEAN Ministerial Meeting Communique when it stated that "They ... took note of the proposals made by the Working Group during its latest dialogue with ASEAN held in Manila on 22 July 1998." - Editor's note.)*

## Rationale

The Association of South East Asian Nations (ASEAN) was established in 1967 by the Bangkok Declaration. Its key aims include the acceleration of economic growth, social progress, cultural development and the promotion of regional peace and stability, coupled with respect for justice and the rule of law. Such aims interrelate closely with the need to promote human rights in the region.

In 1993, ASEAN foreign ministers in their joint communique agreed that ASEAN should consider the establishment of a regional human rights mechanism. Some positive developments have taken place since then, including greater emphasis on the role of non-governmental organizations and civil society and more attention paid to child rights and women's rights, as well as cross border cooperation against environmental harm and transfrontier crimes.

It should be noted that in 1988, ASEAN adopted the Declaration on the Advancement of Women in the ASEAN region, and in 1993, it adopted the ASEAN Plan of Action for Children, with recommendations for more protection and development of these groups. All countries of ASEAN are now parties to the Convention on the Rights of the Child and most countries have signed the Convention on the Elimination of All Forms of Discrimination against Women.

All ASEAN countries are favorable towards the 1948 Universal Declaration of Human Rights and adopted the 1993 Vienna Declaration and Programme of Action of the World Conference on Human Rights.

These welcome developments should be seen as an emerging process toward the establishment of a regional human rights system. The Asian region, including ASEAN, is the sole region in the world without such system. ASEAN has yet to establish a regional human rights mechanism pursuant to the ministerial statement of 1993.

This issue is most pertinent at a time when there is already much monitoring of human rights developments in ASEAN from organizations outside the

ASEAN region, including the United Nations. The lack of an ASEAN mechanism implies that while the region is exposed to monitoring from sources outside the region, there are few opportunities for the region to take stock of human rights developments from the standpoint of ASEAN. The establishment of an ASEAN human rights mechanism with governmental support should help to redress this situation so that the ASEAN perspective is better understood by outsiders. This should complement the need to promote international human rights standards in the region.

## Key Initiatives

A key initiative in recent years has been the establishment of national human rights institutions in several ASEAN countries with government support. These exist currently in Indonesia and the Philippines in the form of national human rights commissions. Thailand has a parliamentary human rights standing committee, and under the 1997 Constitution, it is due to establish a national human rights commission within two years of the promulgation of this Constitution. Malaysia is also considering the possibility of a similar mechanism.

An international network of these institutions and others from outside the ASEAN region has been formed and has been meeting annually.

Side by side with government initiatives, members of civil society in ASEAN started to consult each other in 1993 concerning the possibility of an ASEAN human rights mechanism. This led to the establishment of the Working Group for an ASEAN Human Rights Mechanism (The Working Group) which is composed of human rights advocates from governments, parliaments, non-governmental organizations and the academe who make up the national working groups in ASEAN states. In 1996, the Working Group met with ASEAN Ministers in Jakarta, and in 1997, it met with ASEAN Senior Officials in Kuala Lumpur during the 29th and 30th ASEAN Ministerial Meetings respectively, to discuss developments concerning a regional human rights mechanism.

In 1997, it also held a workshop in Kuala Lumpur which advocated the establishment of a national human rights institution in every country of ASEAN. It noted, however, that the existence of these institutions is not a necessary prerequisite to the establishment of a regional human rights mechanism. It has mobilized support for the promotion of a regional human rights mechanism in the region.



### The Proposed Mechanism

Although the notion of a regional human rights mechanism was referred to in the 1993 ASEAN ministerial communique, it has yet to be explored. The need for follow-up of this issue has led to the following proposals to ASEAN from the Working Group:

- a. Promote and support the human rights-related activities by ASEAN governments and NGOs, e.g., training of law enforcers on human rights, human rights education, advocacy, etc.;
- b. Develop and harmonize national social policies of ASEAN members for the promotion of human rights;
- c. Encourage the establishment of national human rights institutions such as commissions and committees, and national working groups on human rights in all ASEAN countries, in accordance with international human rights standards; and
- d. Examine the various possibilities for the establishment of a regional human rights mechanism, in particular, a regional human rights commission, as an inter-governmental body to promote human rights in cooperation with civil society. There is a variety of possibilities for the role of the commission, including the promotion of human rights and the provision of remedies, bearing in mind

ASEAN's interest in regard to the protection of vulnerable groups. This may be based on a step-by-step approach for the progressive realization of the mechanism.

### Recommended Actions

Towards this end, the Working Group suggests that ASEAN undertake the following actions in the immediate future:

- a. Promote and support human rights activities, in particular, those in commemoration of the 50th anniversary of the Universal Declaration of Human Rights;
- b. Regularize its contacts with the Working Group and acknowledge it as an important catalyst (Track 3 approach based on dialogue between civil society and ASEAN) for the promotion of human rights in ASEAN, and to sustain the momentum for the eventual creation of a regional human rights commission;
- c. Create a task force to examine the issues of form, substance and procedure related to the establishment of a regional human rights commission;
- d. Sponsor a regional conference for ASEAN to exchange views on the establishment of a regional human rights commission;
- e. Foster more programs for the promotion of child rights, women's rights, and the rights of other vulnerable groups, bearing in mind the need to follow up its Declaration on the Advancement of Women in the ASEAN Region and its Plan of Action for Children; and
- f. Reiterate through the ASEAN foreign ministers in their next communique, ASEAN's commitment towards realizing the 1993 communique in Singapore of the ASEAN Ministerial Meeting and further undertake efforts towards the eventual establishment of a regional human rights commission.

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# Human Rights Education for the Police and Military: A Government and NGO Experience

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Richard Pierre Claude, the eminent human rights educator from the University of Maryland, once wrote that human rights education is probably the best export product developed by Filipinos. Being a human rights educator, I cannot but agree. The Philippine experience in HRE has been the object of curiosity and a source of fascination for other countries that have been looking for a way to impart human rights values and principles to the most vulnerable groups. And the approach that it has developed, in particular, its human rights seminars for the police and the military, has won international recognition from the UNESCO which gave it the Prize for Human Rights Education in 1994.

Since 1987, HRE has developed into a major joint activity of the Philippine Commission on Human Rights (CHR), and the Department of Education, Culture and Sports (DECS), and human rights NGOs.

It has not always been so. With the restoration of our democracy in 1986, the focus of government and the public was on uncovering the human rights violations of the past regime. But as parallel move, President Corazon C. Aquino issued Executive Order 27 in 1987 directing the Commission on Human Rights to initiate human rights education for all sectors of society and in the formal school system. The CHR worked with the DECS to develop the curriculum for human rights, but it was in the military and police establishments that the commission worked directly in training and information dissemination.

The CHR pursued its mandate with zeal and dedication, but with no models to follow, it had to invent the process as it went along. Thus it conducted lectures on the origins and philosophy of human rights and the International Bill of Human Rights, and a recitation of the Bill of Rights found in the Philippine Constitution for uniformed personnel all over the country. The sessions were conducted mostly by academics and lawyers, in English. They were legalistic and theoretical. And the seminars often deteriorated into squabbles between the students and the lecturers on the interpretation and spirit of human rights law. Still, following orders, the military and police dutifully attended the seminars.

In 1992, the CHR realized the need to amend its entire approach to HRE if it was to have a more positive and lasting effect on its target audiences. It adopted a two-pronged approach: first, the immediate, emergency education and training for the sectors most vulnerable to committing human rights violations - the military and police; and second, the

longer-term investment of integrating HRE in the school curriculum so that the next generation of Filipinos, including military and police personnel, are thoroughly oriented in human rights by the time they are grown.

While the CHR worked with the DECS on integrating human rights education into the school curriculum, it also pursued a holistic approach to HRE for the uniformed personnel. Through in-house seminars on curriculum development, module writing, and workshop and conference facilitation, the CHR built up its capabilities in HRE. With the help of resource persons, the CHR evolved its methodology from the purely pedagogical to something more participative and experiential. Process became as important as content. Values education permeated the entire process. Case studies and structured learning exercises were developed. The facilitators used adult learning techniques such as role play, discussion groups, and other participative activities to capture and hold the attention and interest of their students.

There were bold innovations made, such as an informal dialogue between soldiers and policemen on one hand, and human rights workers on the other which was included in the program to expose both sides to one another's realities in a non-confrontational manner. Later, NGO workers were invited to attend the entire seminar with the police and military, as equal participants. All of these activities were integrated into the learning modules on the International Bill of Human Rights, and the local human rights legal structure.

This way, as the commission brought home to the participants the fact that human rights are for everyone, including security and public safety personnel, and not just for their perceived "enemies", it was able to chip away at the long-held biases of uniformed personnel against human rights and human rights activists.

It was this approach that won for the CHR the 1994 UNESCO Award for Human Rights Education. The award caught the attention of other human rights commissions around the world and I, by then a retired commissioner, found myself delivering the message of HRE in places like Vietnam, Mongolia, Indonesia, India and Canada.

In 1996, as a consultant of the Benigno S. Aquino Jr. Foundation's Institute for People Power and Development (IPPD), I had the opportunity to develop further my work in human rights education for the public safety sector. Working with curriculum experts from the Philippine Normal University (PNU) and funded by the Hanns Seidel Foundation of Germany, the IPPD evolved a seminar workshop on Building the Culture of Peace and Human Rights for the training staff of the Philippine National Police (PNP), the Bureau of Jail Management and Penology (BJMP) and the Bureau of Fire Protection (BFP), as well as the instructors' corps of the Philippine Public Safety College (PPSC). The

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PPSC is responsible for the continuing education of the police, jail personnel and fire fighters.

The project is a series of live-in regional seminars for academic personnel (instructors, training specialists, and education program specialists in active duty) of the PPSC; and human resource, training and community relations officers of public safety agencies. The trainees would become a pool of instructors and training personnel of the PNP, BJMP and the BFP who would integrate the culture of peace and human rights in the police force through their lesson plans and training programs.

The seminar design is highly experiential, process-oriented, and gender sensitive. The seminars involve a process of self-awareness and acceptance and finally self-empowerment. It is therefore experiential and participative, unlike anything the PPSC or the participants have encountered before. The wholistic approach involves a constant assessment of what works and what does not. Which meant that we have had to make changes along the way, as we saw fit, such as streamlining the seminar from 11 to eight days, and belatedly including vital modules on the Psychology of Violence, Spirituality and Human Rights, and Body Movement (Zhibashi/ Qi Gong).



*Police officers busy with group work.*

After going through this basic course for five days, the participants learn new teaching skills and attitudes. They also do exercises on how to integrate their learnings on peace and human rights into the subjects they teach and the seminars they hold, and demonstrate the use of these before their peers.

To date, a total of 204 public safety officers, instructors and officers have attended the seminar workshop on Building the Culture of Peace and Human Rights.

The seminar on Building the Culture of Peace and Human Rights is built on my experience in developing HRE at the Commission on Human Rights. We began with an inventory of PPSC courses related to peace and human rights, such as Human Rights, International Humanitarian Law, the Moral Recovery Program, Values Orientation Workshop for Block Commanders, and others. The information gathered included curricula, methodologies, course duration, training materials, and impact evaluation, when available.

A module writing team composed of representatives from the PNU, PPSC and IPPD was formed to draft, validate and finalize the training program. They were assisted by experts

with wide experience in values formation, peace and human rights education, skills training in active non-violence and conflict mediation and transformation, biography work, block commanders training, integrated arts and Philippine culture. Based on the design of the training program, appropriate materials were developed such as training modules, case studies, visual aids, video clips, games and others, and organized into a training manual.

The seminar-workshop was pilot-tested in October 1997 with 44 police instructors/trainers representing 16 regional training institutes and six national training academies attending the 11-day exercise. It was well-received although the participants observed that it was too long. So when we brought the seminars to the regions in Davao, Bacolod, Baguio and the National Capital Region from March to October 1998, we compressed it to eight days.

In October 1998, the PNP requested the IPPD to mount a special five-day workshop on Building the Culture of Peace and Human Rights for 28 Chiefs of Police from the Metro Manila area. Instead of teaching skills and sample modules, the final product of the Chiefs of Police workshop was an action plan on how to make their stations human rights friendly.

Working with a sector that is not known for its discipline can be difficult. We have to be prepared for any eventuality, such as getting students who are mere substitutes for the target participants, and who do not even meet the required rank or assignment. For this reason, it is a blessing that our modules are flexible and we have an excellent team of facilitators who manage to adjust to every new situation.

One sign of the high acceptability of the seminar is the recommendation made by every group of participants that their superiors be made to undergo the same seminar. They have also suggested that the seminar be opened to the other sectors that public safety officers interact with, like the media, prosecutors, judges and community leaders.

IPPD has been asked by the PPSC and the PNP to continue training public safety officers in building the culture of peace and human rights. It has also been asked to help the PPSC reform its curriculum to be relevant to the establishment of a civilian police force, as required by a new law. The IPPD welcomes the opportunity to help the PPSC and PNP develop their own capability to train their own men and women in peace and human rights education. IPPD is also open to developing teacher-training seminars for the police and the PPSC in the coming year or two.

The IPPD believes that the future of human rights education is in capability building, the transfer of skills and attitudes to the institutions that need them. In this case, it involves the empowerment of the public safety sector so that it does not remain dependent on IPPD or any other institution for its training needs. To be sure, the task of ingraining peace and human rights values into the public safety sector is herculean. Neither the PNP, the BJMP, the BFP, or even the PPSC, will be ready to handle their own peace and human rights education in the next three years. But the process must begin sometime and that time is now.

# Learning Among Students

Experience shows that students learn effectively from their fellow students. Ideas and expressions of life experiences are found to be much more meaningful when they come from their own peers. In this age of growing popularity of the so-called participatory pedagogies, learning by students through fellow students should be a major approach.

In a workshop on human rights education in South Asian schools, several examples of students learning from fellow students were presented. In Bangladesh, under the auspices of Bacha - Education for Life Centre, a program called "Education for Life" allows the students to think about their own experiences and those of their fellow students. Questions are asked which do not necessarily have similar answers. Students are made to discover by themselves why answers are different by listening and talking to their fellow students. They begin to realize that answers are different because the situations of students are different, that there are causes for the differences.

In India, the MelJol Hum Bacchon Ka brings together students of private and public schools. Through joint activities, students from both schools begin to understand their fellow students who belong to either the middle-class or the poor sectors of society. Biases against each other are corrected in the process. This is the Twinning Program where one private school (with mainly middle class students) is paired with a public school (with mainly poor students). Another group, People's Watch-Tamil Nadu, invites to the classroom young people who have done something good in their own communities to share their experiences. They talk to students who are almost of the same age. Belonging to the same generation, they can communicate much more with each other. Students get to know that realizing human rights is not just the work of adults but of young people as well.

These examples bring the study of human rights closer to day-to-day experiences. They create a realization among the students that human rights affect every aspect of their lives in school, at home and in the community. They provide concrete bases for understanding human rights principles.

The South Asian workshop raised many issues which are significant elements in developing human rights education program in schools. The discussion on participatory methodology, for example, has become more concrete as actual experiences are presented and in many cases concurred in by other participants as similar to their own experience. The people who participated in the workshop found consolation in discovering the fact that there are efforts to teach human rights in schools despite the problems that are generally present in the formal education system.

The workshop participants formulated a vision for human rights education in the following manner:



Human rights education is a joyous experience of understanding the issues in society. It is not a neutral education process but based on social analysis. It springs from a perspective of hope with a focus on the testimonies of fellow young people (children and youth) who did something good about local situations. It is built upon the day-to-day experiences of hope.

The learning process therefore is experiential covering the situations of both the personal and societal. It employs process-oriented methods (and thus avoids lectures and emphasizes interaction among the students).

It aims to develop critical thinking, self-criticism, and the skill of problem-solving based on real situations.

The teachers of human rights are also learners. They do not provide pat answers. They are role models.

One can observe in this formulation the importance given to testimonies of fellow young people on their concrete experiences and the interaction among students. One will also note the description of learning human rights as a joyous experience. This is based on the observation in many cases of students becoming more active and showing much interest in participating in human rights education activities - a behavior not seen in other subjects in the school. The view that human rights education is a joyous experience finds consonance with the need to allay the fears of parents and teachers about the effect of knowing human rights. It directs attention to the fact that human rights education is an essential part of the educational needs of the students that will certainly benefit them and the society in the long run.

The participants who come from various schools, non-governmental organizations and education institutes in Sri Lanka, Bangladesh, Pakistan, Nepal and India identified commonalities among their programs. It was noted that most of the human rights education programs in schools have

- teacher training program;
- produce materials such as textbooks, participatory exercises, games, audio-visuals;
- focus on certain social sectors (children, urban poor, women, etc.), and
- discuss human rights issues relating to the rights of the child; universality and indivisibility principles of human rights; and pluralities, diversities, multi-ethnicity, multi-religious/faith, multi-lingual societies.

These commonalities reflect the similarity of conditions obtaining in the different schools in South Asia. The need, for example, for the training of teachers was raised by most participants in order to assure effective implementation of their respective programs.

They also identified several problems such as follows:

- in relation to the government

1. bias against human rights education as shown in the national ideology, influence of political party in power;
2. lack of knowledge on human rights by government personnel;

3. lack of recognition of problems in schools by the government.

- in relation to the schools

1. tension between the pedagogical process and the human rights education program;
2. weak motivation as well as biases of the teachers against human rights/human rights education;
3. large number of students per class, and short class hours;
4. low pay of school teachers;
5. lack of resources within the schools;
6. contradiction between the ideas learned in school and the experiences at home.

- in relation to the society

1. weak motivation of parents in supporting human rights education;
2. cynicism in society about human rights.

As a way of responding to the problems being faced, the participants identified areas that require more work. They are classified under the following headings:

- in relation to the government

1. advocacy with the government for support for human rights education in schools;
2. formal recognition of the work of non-governmental organizations by the government by
  - having links with national institutions (national human rights commissions, national education research and training institutions, etc.)
  - collaboration between the non-governmental organizations (participating in the present workshop) and the national institutions;
  - having better communication with heads of the national institutions
3. review of the school syllabus using human rights perspective, and incorporation of human rights in the school curricula;

- in relation to schools

1. development of materials for teaching human rights;
2. development of training methodologies;
3. employment of modern communication technologies;
4. documentation and assessment of human rights education programs;
5. creation of systems to protect teachers who teach human rights;
6. getting the support of teachers' unions and parents-teachers associations;
7. adopting a system of working with the media to promote the need and work on human rights education in schools.

The discussions in the workshop undoubtedly echo the views expressed in the other subregional workshops (Southeast and Northeast Asia) which situate human rights education in schools within the larger societal context. They repeatedly stress the importance of discussing real life situations in school, at home and in the community. They also stress the necessity of getting support from the government in terms of policy, material and financial support for the human rights education programs in schools that will set aside the usual fear among teachers and school administrators about the sensitive nature of human rights teaching.

And since experiential learning process leads in many cases to expositions of actual human rights violations, the teachers

and the schools need the support from various sectors in society which may provide assistance in resolving the problems exposed by the students. In the same way, support from the different institutions in society is important in enriching the human rights education programs by providing information and materials for discussion.

Needless to say, the support of the parents is vital. The experiences presented in the workshop include the efforts to educate the parents about human rights through the students. This is meant to provide a system of reinforcing whatever is learned in school through the support of the parents at home.

As part of the regular agenda of the subregional workshops, a discussion on the relationship between cultures and human rights was held. It was emphasized that culture is both traditional and modern, and it is not static. It has positive as well as negative dimensions. In this sense, cultures can both support and contradict human rights principles. With regard to the negative dimensions of culture, such must be confronted rather than neglected. But more study is needed in seeking the positive elements in cultures that support human rights.

The workshop participants agreed to continue the process started in the workshop by doing the following activities:

- (i) Documentation and research on current curricula from the perspective of human rights education;
- (ii) Coordination with other non-governmental organizations and other institutions working in this field;
- (iii) National level meetings (one for teachers and another for students respectively) in 1999 to discuss curriculum change from the perspective of human rights education;
- (iv) Advocacy for curriculum change by 2001.

South Asian level activities have also been agreed. It is proposed that a South Asian meeting be held after six months from the time of the workshop. There is an idea to have a training activity for the subregion.

A Network of South Asian Educators in Schools can also be formed. This network can facilitate interaction between groups and countries.

The following groups have been proposed as key organizations for the national activities:

- a. Pakistan - Human Rights Commission of Pakistan;
- b. Nepal - Informal Service Sector;
- c. Sri Lanka - Centre for the Study of Human Rights, University of Colombo and the Movement for Inter-racial Justice and Equality;
- d. India - Centre of Concern for Child Labor;
- e. Bangladesh - Bangladesh Rural Advancement Committee/Justice and Peace Commission.

The South Asian workshop was held in partnership with the National Human Rights Commission of India. The Chairperson of the Commission, Justice M.N. Venkatachaliah and Commission Member Mr. Virendra Dayal were present at the opening session of the workshop. The Chairperson of the National Council for Teachers' Education - India (Mr. J.S. Rajput) and the Head of the Department of Education in Social Sciences and Humanities of the National Council of Education, Research and Training - India (Mr. Arjun Dev) were also present. The workshop was held in the National Institute of Criminology and Forensic Science in New Delhi.

# Networking for Asia's Children and Youth

**Asian Regional Workshop  
on Human Rights Education in Schools  
November 23-26  
Osaka, Japan**



A community of human rights educators working on the formal education system is needed to support the continuing development of school programs on human rights education. This community is largely a communications and activity-based linkage system among teachers, school administrators, government education department officials, NGO workers, education researchers and teachers, and representatives of regional institutions. For Asia, such a community begun to take shape in a regional workshop held recently on human rights education in Asian schools.

What is significant to note in this community is the fact that it has only one qualification for membership: interest in school-based human rights education program. It represents what can be described as an ideal program on human rights education in schools where students, teachers, parents, community institutions, NGO workers, education researchers and teachers, and education officials of government have important roles to play.

This idea of a community of human rights educators takes away the dichotomy between formal and non-formal education system since the students' learning of human rights traverses both fields as a matter of necessity. Learning of human rights cannot be confined to a classroom setting, it has to extend to the family and the community. It is likewise practiced in the general affairs of the school.

The regional workshop held in Osaka on November 23-26, 1998 was attended by representatives of 13 countries from South (Bangladesh, India, Pakistan and Sri Lanka), Southeast (Cambodia, Indonesia, Philippines and Thailand) and Northeast Asia (mainland China, Hong Kong, Japan, south Korea and Taiwan). The workshop took up the basic task of clarifying the general situation of human rights education programs in schools in the Asian region and the necessary steps to support the existing initiatives. The results of the three subregional workshops held in Surabaya (Indonesia), Seoul (south Korea), and New Delhi (India) were reported and discussed. As a consequence, some understanding of the Asian experiences on human rights education in Asian schools developed. Several key areas of concern have been clarified.

Following are highlights of the discussions in the workshop.

## Goal

In addition to the vision of human rights education expressed in the South Asia workshop (reported in the South Asia workshop article), the goal of human rights education in schools was clarified.

A basic goal to achieve is the promotion of human rights education at all levels and forms of education aiming at providing knowledge about human rights; fostering attitudes of tolerance, respect, solidarity and responsibility; and developing awareness of the ways and means by which human rights can be translated into social and political reality at both national and international levels.

## Methodology

Process-oriented approach is the most appropriate methodology for effective human rights education. This approach is described as having the following characteristics:

- a. it focuses on the consciousness of the students in the learning process. The students' insights and feelings are important elements of the system;
- b. it allows students the space to reflect on experiences and to see how to respond to those that may be violative of human rights;
- c. to assure that students are able to have a meaningful grasp of the learning rather than a superficial intellectual understanding, the methodology must be self-pacing and recursive;
- d. the learning process enables the teacher to determine the level of human rights consciousness of the students by understanding their beliefs, thinking, feelings, attitudes and habits;
- e. the teacher, after drawing out insights from the students, helps them raise their consciousness of human rights to a higher level; and also helps them to think and discuss critically what they have and have not considered;

- f. the learning process itself has human rights meaning, it also determines the human rights content to be learned. Thus the learning process itself needs to be reflected on by the students;
- g. it involves continuing qualitative evaluation of the students' improvement and not just quantitative evaluation (examinations). A right mix of the two types of evaluating knowledge learned will have to be adopted.

The methodology should start with the real experiences of the children in the classroom, at home, in the neighborhood, and in the community. Such experiences should be facilitated to come out.

## Approach

Recognizing the various experiences in the region, the approach of teaching human rights can either be the integration approach or the separate subject approach. The employment of either approaches depends on the situation of the school involved. In the integration approach, human rights can be incorporated in every subject and extra-curricular activity.

## Basic supporting components

The effective implementation of a human rights education program in school is determined by a number of factors. Foremost of these are the following:

- a. teacher training (pre and in-service training) - considering the usual misunderstanding about the meaning of human rights and the need to incorporate human rights principles in learning processes, teacher training is a very important element for a human rights education program;
- b. teaching materials development - a number of schools, NGOs and education institutions in Asia have developed materials for use by teachers. They range from teaching modules to human rights references. But the need for more materials remains. The ultimate user of the materials, the teachers, should be part of the process for developing these materials;
- c. learning methodology - the focus of the learning process has to be on the students who can learn human rights through interaction with their fellow students and their community. Participatory methodology, in various forms, is therefore a requirement;
- d. government support - a common concern among the institutions involved in implementing human rights education programs in schools is the support of the government. Governments' attitude on human rights education in schools ranges from one of neglect to display of sufficient interest. Advocacy for government support is thus an important task. Needed support can be in various forms - policy, funding, recognition, among others.
- e. support from institutions outside the school - NGOs and other institutions (social, religious and other

types) and individuals in the communities where schools are play a vital support system to human rights education program in schools. They can provide information, materials, assistance in resolving problems, to cite a few, which complement/reinforce the learning process inside the classroom;

- f. human rights issue - human rights need to be seen in its wholistic sense without neglecting specific issues which are related to the ordinary lives of the students and their communities. The integral aspect of human rights mechanisms (within their communities and beyond) also forms a part of the human rights issue.

## Next steps

In order to provide continued support for human rights education program in schools, the workshop participants see the need for greater interaction among the various people involved in this matter. National as well as regional interaction can be in the form of the following:

- a. information and material exchange;
- b. joint research projects;
- c. training activities; and
- d. production of materials.

The activities will mainly be at the national and sub-regional levels to make them more closely address the needs at these levels.

HURIGHTS OSAKA, which organized the workshop, will support the identified future activities in line with its policy of promoting the UN Decade for Human Rights Education through a specific area of human rights education. Networking with other regional human rights education initiatives such those of the Asian Regional Resource Center for Human Rights Education (ARRC) and the Asia-Pacific Network of International Education and Values Education (APNIEVE) are sought to maximize the impact of existing resources in the region.

The series of workshops which culminated in the November regional workshop proves once more the need for greater search for organizations and institutions involved in human rights education in various countries in the region. Many representatives of organizations who participated in the workshops saw the importance of networking with people who have similar programs within and outside their own countries. They felt relief in knowing that there are other groups who are undergoing the same experience of developing programs on human rights education on their own without guidance from experienced institutions, and who confirm and validate the efforts that they are undertaking. These independent experiences, when put together, provide much needed boost to the confidence of people who work on human rights education program in schools. The workshops begun a process of interaction among like-minded people which may eventually create a community for human rights education in Asian schools in the real sense of the word.

# The Osaka Declaration

## Challenges of Human Rights Education for the 21st Century The Century of Universal Realization of Human Rights

### Declaration of the International Conference on Human Rights Education in the Asia-Pacific Region

November 25-27, 1998, Osaka, Japan

Supporting the United Nations Decade for Human Rights Education (1995-2004) which promotes human rights education all around the world, and re-affirming the recommendations and calls to action in the Conference-Workshop on Asia-Pacific Human Rights Education for Development (Manila, 1995) and the Workshop on Asia-Pacific Human Rights Education: Tasks for the UN Decade for Human Rights Education in the Asia-Pacific Region (Sydney, 1996);

Emphasizing the importance of the **Universal Declaration of Human Rights** which guided efforts during the last 50 years towards universal realization of human rights and stimulated the adoption of many international human rights instruments;

Considering all the international human rights instruments which clearly set out our rights as persons and as peoples, and prohibit all forms of discrimination against women, indigenous peoples, untouchables, Buraku and other minorities, people with different abilities, foreigners, immigrants and migrant workers, the elderly, children and victims of HIV/AIDS;

Considering the situation in the Asia-Pacific where many countries still suffer from the damage brought about by armed conflicts, religious conflicts, colonial rule and invasion, where many people suffer from dictatorship, where traditional practices in conflict with human rights dominate many societies, where ethnic conflicts are aggravated by globalization, where discrimination based on caste continues, and where xenophobia and racism are rampant;

Being concerned about the abuse of power by law enforcement agencies, military and paramilitary forces in many countries in the region;

Being concerned about the hardships and persistent discrimination that all oppressed people in the region face, especially women, children, minorities, indigenous peoples, untouchables, immigrants and migrant workers;

Being concerned that such hardships have been exacerbated by the emphasis of several governments on economic growth at the expense of human rights and environment, and by the current economic crisis in the region resulting in a widening gap between the rich and the poor;

Being concerned about the hypocrisy of the so-called Asian values promoted by some Asian government leaders, the lack of attention to positive local traditional values, the manipulation of religion by political and social institutions, and the hegemonic use of human rights for political purposes which result in selective application of human rights standards;

Being also concerned about the absence, or lack of implementation, in most countries in the region, of national action plans called for by the UN General Assembly and the Plan of Action for the UN Decade, the lack of human rights curriculum in most institutions of formal education and in programmes of non-formal education, and the lack of awareness by many people of their own human rights guaranteed by the international human rights law and their own national constitutions and laws;

Recognizing the importance of human rights education as a strategy to address the abovementioned prob-

lems in the Asia-Pacific region notably inter-related problems of globalization, discrimination and oppression;

Noting the need for integrating ideas of sustainable development and other global issues into human rights education;

Recognizing the efforts of many groups in the region who believe in the inherent power of people and therefore adopt participatory human rights education approaches to conscientize and bring out the creativity of people, and to make political leaders accountable to their responsibilities, obligations and commitments to achieve universal realization of human rights;

The participants of the International Conference on Human Rights Education in the Asia-Pacific Region declare that:

1. All forms of discrimination against women, indigenous peoples, untouchables, Buraku and other minorities, people with different abilities, foreigners, immigrants and migrant workers, the elderly, children and victims of HIV/AIDS should be eradicated not only in the field of education but in other fields as well. Their own culture and identity should be affirmed. The principle of unity in diversity should be promoted, and structural and subjective causes of discrimination should be challenged;
2. Since popular human rights education has often arisen in response to violations of human rights at the grassroots level, learning from the reality of human rights violations is an imperative need. Human rights education should be relevant to the lives and the realities of the community;
3. All governments in the region must ratify and implement international human rights instruments in fulfillment of the commitments they made in the United Nations World Conference on Human Rights held in Vienna;
4. Governments must develop programmes with an integral human rights empowerment focus for the oppressed as well as literacy and basic education programs for all. Non-discriminatory ecological and development education perspectives should be incorporated in these programmes. Such programmes should include the pedagogy of the oppressed and adopt participatory approaches;
5. Governments must provide human rights training for the military and paramilitary forces, law enforcement agency officers, and prison officials as a matter of highest priority;
6. Governments should facilitate human rights training for government officials notably immigration and border officials, members of legislative bodies and local authorities;
7. Professional groups, notably journalists and the medical and legal professions, should assume responsibility for enhancing human rights awareness of their members, and ensuring that their conduct conforms to human rights standards;
8. All schools - public and private - should place emphasis on human rights as an integral part of the curriculum as well as as separate subject in its own right. All school authorities should provide a learning environment free from intimidation and discrimination which fosters participation and respect for human dignity;
9. Human rights education in the region will be further strengthened by cooperation with the United Nations:
  - in the dissemination of the United Nations human rights instruments and related mechanisms and procedures;
  - in the more effective realization of United Nations human rights mechanisms and procedures including the Special Rapporteur on the Right to Education and the UNESCO communications procedure;
  - in the mid-term global evaluation of the UN Decade to be held in the year 2000; and
  - in the development and implementation of national action plans in full compliance with the UN Guidelines for National Plans of Action for Human Rights Education.

## Recently Held Events

1. The Human Rights and Equal Opportunity Commission of Australia held a national conference on human rights on the occasion of the 50th anniversary of the Universal Declaration of Human Rights. The conference with the theme "Human Rights, Human Values: What do we think now?" was held on 8-10 December 1998 in Sydney. The conference includes special events such as "Human Rights Youth Challenge," a film festival, and an annual human rights award ceremony. The youth seminar involved 100 secondary school students who worked together to untangle and find solutions to a human rights 'hypothetical.' It was aimed at encouraging students to examine the links between human rights and responsibilities and to discover how democratic processes can solve human rights infringements. Teachers, community representatives and parliamentarians also joined the seminar. In the conference proper, several topics were discussed such as: children and young people, citizenship and democratic process, religion and spirituality, arts and culture, corporate responsibility in promoting social progress, rural issues, media values and social progress, business and labor, privacy, relations among nations, trade, aid and human rights, sports and human rights promotion, the military in peacekeeping, conflict and cooperative ventures, rule of law:human rights protection, law and reform, national human rights institutions and international watchdogs, and international treaties and domestic sovereignty. For further information contact: Australian Human Rights and Equal Opportunity Commission, Level 8 Piccadilly Tower, 133 Castlereagh Street, Sydney NSW 2000 Australia, tel (612) 9284-9600, fax (612) 9284-9851, e-mail: [hreoc@hreoc.gov.au](mailto:hreoc@hreoc.gov.au); [hri@acr.net.au](mailto:hri@acr.net.au) ; website: [www.hreoc.gov.au](http://www.hreoc.gov.au)

2. The exhibition and awarding ceremony for the children's art contest on human rights was held by the Asian Regional Resource Center for Human Rights Education (ARRC) on December 10 in Bangkok. More than 600 entries from 14 countries in Asia-Pacific were sent in. For further information contact: Ms. Theresa Limpin, Coordinator, Asian Regional Resource Center for Human Rights Education (ARRC), 494, Soi 11, Lardprao 101, Klongchan, Bangkapi, Bangkok 10240 Thailand or P.O Box. 26, Bunghonglang P.O. Bangkok 10242 Thailand, tel. (662) 370-2701; 731-2216; 3779357, fax (662) 731-2216; 3740464, e-mail: [arrc@ksc.th.com](mailto:arrc@ksc.th.com)

3. The Osaka City Government Citizens' Affairs Bureau, Human Rights Department held an international symposium and workshop on human rights education on December 11-12 in Osaka city. Resource persons

from United Kingdom and Japan spoke in the symposium. For further information contact: Human Rights Department, Osaka City Government, Osaka, Japan, tel. (816) 208-7617.

4. A seminar on human rights education for judges and lawyers was held on December 5, 1998 in Tokyo. The seminar dwelt on a lecture on "Human Rights Education for Lawyers" by Ms. Marcia V. J. Kran, University of British Columbia in Canada. Other reports and a mock class by a Japanese elementary school teacher were also presented. The activity was organized by the Japan Federation of Bar Associations to raise the awareness among the citizens about human rights education for lawyers, prison workers and students. For further information contact: Japan Federation of Bar Associations, Tokyo Chiyoda Law Office, Han-el Bldg. 5th Floor, 1-3 Kanda-Sudacho, Chiyoda-ku, Tokyo 101 Japan, tel. (813)-3255-8877, fax (813) 3255-8876

### Event

1. A regional conference on "Education for Human Rights in Asia and the Pacific" will be held on February 3-6, 1999 in Pune, Maharashtra, India as part of the 50th anniversary of the Universal Declaration of Human Rights and in accordance with the Plan of Action for the United Nations Decade for Human Rights Education. The conference will discuss the human rights situation in Asia-Pacific, tasks and obligations of governments on human rights education, role of human rights education in preventing conflicts and ensuring better protection of the human rights of women, children and vulnerable sectors, role of national structures (government and non-government) in promoting human rights education, and Asia-Pacific human rights education implementation strategy. The conference organizers are inviting representatives of governmental structures dealing with human rights education as well as intergovernmental and non-governmental organizations, human rights research and training institutions, UNESCO Chairs in the field, and institutions of higher education. The World Peace Centre (India) is organizing the conference in cooperation with the National Human Rights Commission, the government of India, Indian National Commission for cooperation with UNESCO (New Delhi), and UNESCO's Division of Human Rights, Democracy and Peace (Paris). For more information contact: Dr. Vishwanath D. Karad, MIT Engineering College, 124 Paud Road, Kothrud, Pune 411 038 M.S. India, tel. (91212) 337682; fax (91212) 342-770; e-mail: [wpcpune@hotmail.com](mailto:wpcpune@hotmail.com)

# PUBLICATION

## *To Be Free: Stories From Asia's Struggle Against Oppression*

by Chee Soon Juan, with an Introduction by Martin Lee  
(Monash Asia Institute, Paperback, 392 pages, A\$24.95)

TO BE FREE tells the stories of some of Asia's most significant political activists and political prisoners. These include Burma's Aung San Suu Kyi, South Korea's President Kim Dae Jung, the Philippines' assassinated presidential aspirant Benigno Aquino, Indonesia's internationally acclaimed author Pramoedya Ananta Toer, Taiwan's parliamentarian Shih Ming-teh and the 'grandfather of Singapore's political prisoners', Chia Thye Poh.

Each account explores the corruption of power and how governments can prey on their citizens. Many of these stories are disturbing, exposing in graphic detail the indignities and injustices which prevail throughout Asia.

These dissidents fought no less fearlessly than Nelson Mandela; in fact, some of these battles have been even more bitter. But because theirs was an Asian to Asian struggle, their stories have not triggered the raw emotion, and together with it the publicity, that comes in a White-oppress-Black struggle.

Despite the unremitting bleakness, human courage shines through in this book. Each protagonist overcomes challenges, some by succeeding in spite of government oppression, others by simply refusing to be oppressed. In particular, this book refutes the idea that 'Asian values' limit human rights. Rather, these stories show that the fight against oppression is universal.

As the Secretary General of the Singapore Democratic Party, Chee Soon Juan has himself been persecuted by the Singaporean government. This book is, then, a testament to the author's own fight against oppression.

For more information and to order, please see the book's website at:  
<http://www.arts.monash.edu.au/mai/publicat/tobefree/tobefree.html>

## *POP! A Training Manual for Community Organizers-Facilitators*

This manual is a collection of "tricks of the trade" which have been tried and being used by many committed organizers in different Asian countries. It contains games, exercises and energizers to add more creativity and life to training sessions with the community. This manual comes with a complimentary 20-minute video featuring a collection of Action Songs and their lyrics. Place your orders with: Pusat KOMAS, No. 14-1, Jalan 16/38D, Taman Sri Sinar, Segambut, 51200 Kuala Lumpur, Malaysia, tel/fax (603) 635-66-02, e-mail: komasjj@pc.jaring.my



## *Discrimination in Japan from the Perspective of the International Covenant on Civil and Political Rights - Counter-Report to the Fourth Periodic Report by the Government of Japan*

This is a publication on the comments by representatives of non-governmental organizations and human rights experts in Japan on the Fourth Periodic Report by the Japanese government submitted to the United Nations' treaty monitoring body for the International Covenant on Civil and Political Rights (Human Rights Committee) in June 1997. It highlights some of the issues which the government report failed to adequately discuss. This counter-report was published in September 1998. For further information contact: The Buraku Liberation and Human Rights Research Institute, 1-6-12, Kuboyoshi, Naniwa-Ku, Osaka City, Japan; tel. (816) 568 0905, fax (816) 568 0714; e-mail: blri-2f@dd.iij4u.or.jp

## HURIGHTS OSAKA ACTIVITIES

HURIGHTS OSAKA held a Human Rights Education Study Meeting on December 7, 1998 with Ms. Masumi Yoneda of Kyoto Women's University as the lecturer. Ms. Yoneda emphasized the importance of including the teaching of international human rights laws in human rights education programs in Japan. The next study meeting will be held in February 1999.

HURIGHTS OSAKA will be holding on January 28 and 29, 1999 the annual Leader Seminar for those who are engaged in human rights activities and human rights education in Japan. The theme of this seminar is "Participatory Methodology in Human Rights Education." Mr. Ronnie M. Tapnio, Deputy Executive Director of the Popular Education for People's Empowerment (PEPE) in the Philippines, and other resource persons from Japan will facilitate the seminar. About 40 participants from various parts of Japan are expected to attend this two-day activity.



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May be opened for inspection by the postal service.

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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