

Focus

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Editorial

Promoting Human Rights

We still hear people expressing reservation on the idea of human rights. We encounter people looking at human rights as a threat to a state of orderliness in the family, at school and in society as a whole.

But of more concern is the continuing reluctance of governments to fully support the fulfillment of state obligation to promote human rights according to international agreements.

Many educators believe that this reality is precisely what they need to face. They know that practical understanding of human rights has a better chance of being transformed into action at the personal, institutional and societal levels.

Human rights education initiatives geared at addressing concrete issues consequently demystify human rights. Many of these initiatives advocate the establishment of mechanisms not only for educational purposes but more importantly for the application of human rights in real situations, that is, the resolution of human rights issues.

People appreciate human rights when they see them serving their needs and aspirations, and also when human rights protect them from serious harm or injustice.

Challenges to Human Rights Education

Jefferson R. Plantilla

In December 2015 a female employee jumped off the roof of her company dormitory. She was young, a graduate of a prestigious state university, and employed in the biggest advertising company in Japan. Her death was subsequently declared a *karoshi*, or death due to overwork.

Months before she died, she tweeted that she had been given more work that forced her to stay overnight for several days. She wrote on social media: "It is already 4 a.m. now, and my body is trembling... I am dying. It is too much. I am exhausted."¹ In another tweet in November 2015 she wrote: "I'm on duty again Saturday-Sunday. I just want to die." The report states that by "December [2015] she was getting only two hours of sleep a day."²

Company flap gate records showed that for several days she was in the company premises till the early morning.³

A report states that "labor standards inspection offices around the country recognized in fiscal 2015 that 93 suicides or attempted suicides resulted from overwork."⁴ *Karoshi* remains a major issue of Japanese companies.

CSR at Work?

A significant number of big Japanese companies have

declared subscription to corporate social responsibility (CSR). With the introduction of the Ruggie Principles,⁵ many Japanese companies are now supposed to be giving more attention to human rights, especially for the member-companies of the Global Compact Network Japan.

The company where the young female employee worked was praised in a 2014 survey of Japanese companies' subscription to CSR by citing its "labs" initiative:⁶

Advertising and public-relations giant Dentsu promotes employee initiative through "labs"—small groups of employees from different sections of the company, whose joint activities are recognized as part of the employees' jobs. These labs, made up of people who are professionals at expressing and delivering messages, can turn an issue like human rights into something with a different sort of potential. Dentsu, while nurturing the sort of thinking and posture that form the foundation of moves to create a society embodying diversity, has also achieved solid integration of these efforts with its own business operations. Dentsu's lab activities, which attract individuals and have the potential to change society, offer a new model of organization.

Dentsu's website explains its "Respect for Human Rights" policy:

We at Dentsu also consider that the thorough prevention of harassment and protection of employees' human rights are important themes to address to ensure employees can fully exercise their capabilities.

It has a Code of Conduct that states in part: "We will ensure that our work places are safe and create a civilised working environment."⁷

It implements human rights awareness training programs that are "run in a systematic manner based on both the employees' hierarchy and occupational fields," and has an "internal reporting and proposal system Compliance Line put in place in fiscal 2012 in order to prevent in-house actions that violate laws and other regulations."⁸

But the Japanese media report several instances of warning being issued to Dentsu by the government's labor bureau for bad working conditions of its workers including requiring excessive overwork.⁹

What went wrong? Why has overwork, a longstanding problem in Japanese workplace, remained part of the system? Is this part of the corporate culture of maximizing the use of labor

to gain profit? As one report states:¹⁰

Dentsu's taxing regime has persisted since the lean years just after World War II, when then-company President Hideo Yoshida, dubbed the "demon of advertising," devised his "10 rules of work."

At the top of the list: "Create work for yourself; don't wait for work to be assigned to you." Another says, "Never give up, even if you might be killed."

Commitment to Human Rights Education

The Dentsu *karoshi* case illustrates the challenges facing human rights education in relation to institutions that are either obliged or expected to engage in human rights promotion.

On one hand, States, through their governments, are obliged to promote human rights by mere membership in the United Nations. They have repeatedly declared their support for human rights education and, under several UN instruments, committed to implement national human rights education programs.

There have been formal State responses such as enactment of laws and adoption of educational policies and programs on human rights education that support the UN initiatives. But there have also been reports of weak implementation of these laws and policies especially in the formal education system. A good case is Japan.

On the other hand, companies that have either enrolled in the UN-sponsored Global Compact and other UN human rights-related initiatives on women and children or have publicly declared their respect for human rights are expected to fulfill their commitments. Japanese companies have issued declarations that were made on their commitment to uphold human rights in their business operations. They likewise issued reports on their compliance with their human rights commitment.¹¹

The Dentsu *karoshi* case raises the question of corporate commitment to human rights. It raises questions about the extent by which human rights commitment has changed corporate culture, and the effectiveness of interventions in changing the mindset of the corporate officials regarding issues that affect human rights such as conditions of work.

To a large extent, the main question is on the implementation of declarations and commitments made by both state and corporate institutions.

Human Rights Education: A Broader Perspective¹²

Human rights education has never been the exclusive domain of governments or public educational institutions. It has been the main work of many non-governmental institutions.

The UN initiatives on human rights education starting with 1982 Asian workshop in Colombo created pressure on governments in Asia to work on

human rights promotion. The 1993 World Conference on Human Rights seemed to have pushed several Asian governments to act on human rights education. The UN Decade for Human Rights Education (1995-2004) triggered interest from governments on the issue.

All these benefited the non-governmental institutions involved in human rights education. Their effort was given recognition by governments, and also subsequently by the national human rights institutions. The UN initiatives became the foundation of cooperation among governments, non-governmental institutions and national human rights institutions on human rights education.

But many other initiatives have been launched in forms that may not be seen as human rights education.

World Programme for Human Rights Education

Compared to the UN Decade for Human Rights Education (1995-2004), interest and support in Asia-Pacific for the UN World Programme for Human Rights Education is low. Is this a sign of declined interest on human rights education in the Asia-Pacific?

Several issues can be cited as to why many Asia-Pacific institutions are not using WPHRE as a major platform for their human rights education programs (unlike the situation for the UN Decade for Human Rights Education):

- The implementation of the WPHRE has largely been top down, with very little effort to consult and mobilize groups involved in human rights education in the region;
- There is no focal UN institution in the region (such as the regional offices of the Office of the High Commissioner for Human Rights) that could facilitate mobilization of support for WPHRE from Asia-Pacific institutions ;
- There is no regional forum for discussing WPHRE and the implementation of state commitment under it. The annual Asia-Pacific regional intergovernmental workshop has ceased to exist. This regional workshop could have been turned into a practical forum for discussing measures to address specific human rights issues and activities (including human rights education).

However, outside the radar of the WPHRE, there are significant initiatives. Some initiatives are those organized by UN agencies through their country projects on a variety of issues:¹³

- Health (World Health Organization [WHO]);
- Human trafficking (United Nations InterAgency Project on Human Trafficking [UNIAP]); and
- Development and access to justice (United Nations Development Programme [UNDP]).

There are also new areas of interest that support human rights education concerning business and human rights, and local governments.

Business and Human Rights

In Southeast Asia, the ASEAN CSR Network (ACN) has a business and human rights program that¹⁴

supports the adoption and implementation of the UN Guiding Principles on Business and Human Rights (Guiding Principles). The Guiding Principles have become the main reference point for all stakeholder groups and propelling and streamlining efforts to address adverse corporate-related human rights impact.

ACN supports the ASEAN Intergovernmental Commission on Human Rights (AICHR) regarding its “thematic study on the nexus between CSR and human rights” and has the Human Rights Resource Centre for ASEAN and the Asia-Pacific Business and Rule of Law Programme of the Singapore Management University (SMU) as partners.¹⁴

This network is an important conduit for companies in Southeast Asia to learn and apply human rights standards in their operations.

At the national level, member-companies of the UN Global Compact and other organizations are likely also undertaking human rights education activities on the application of human rights in company operations.¹⁵

Local Governments

Local governments in a number of countries have adopted measures on human rights. These measures provide opportunities for human rights education. Some of these measures are in the form of the following:

- a. Child rights and related ordinances – there are likely more than forty prefectural, city and town governments in Japan with such ordinances;¹⁶
- b. Human rights ordinances – adopted in many cities and towns in Japan and Korea;¹⁷
- c. Human rights mechanisms – established to resolve human rights issues and monitor Korean local governments’ compliance with human rights commitments, and for child rights issues (ombudsperson) in the case of Japan;¹⁸
- d. Human rights museums – established to remember those who suffered human rights violations and teach people about human rights;
- e. Human rights train stations – places where people converge and have the chance to know/discuss human rights.

These local resources provide opportunities as well as logistical support to human rights education at the local level.

Other initiatives

There are likewise initiatives that support human rights

education in the school system, to which initiatives of non-governmental institutions are a key support. The Be-Free Program of the Bahrain Women Association for Human Development is an example. There are several projects under this program that are designed to enable children to learn and be empowered by child rights:¹⁹

1. "I'm Strong, Smart, and Safe Child" project on empowering children with essential protection skills;
2. "I am Strong, Smart, and Safe...Despite my Disability" – a special project for the protection of children and teenagers with disabilities, who are considered the most vulnerable;
3. "It is My Right to Understand My Rights" project on promoting the rights of the child in communities, raising awareness on the topic, and applying them at both strategic and operational levels among various segments of society;
4. "Smart +" project on empowering children and adolescents with essential protection skills needed on the Internet;
5. "Color Your Life with Your Choices" on assisting students in addressing various challenges during the course of their academic and social journey;
6. "Me and the Other" project on empowering children and teenagers with skills to deal with bullying, and to protect themselves from it.

The Be-Free program includes development of reading materials for children and youth as well as training manuals for adults, and specialized training in both Arabic and English for trainers and specialists, which cover "topics related to child and parent education, various ways of interacting with them with regard to protection skills and personality construction."

Persistent Issues as Challenges

The current diverse human rights education initiatives in Asia and the Pacific have to contend with vital issues that affect their capacity to achieve the goals of human rights promotion.

A significant issue is continuity. Many initiatives should not remain in the form of projects, with limited goals, timeframe and resources. The objectives of human rights education cannot be achieved in a short period of time, but through sustained efforts over many years.

Another issue is program development, which likewise defines the continuity of any human rights education initiative. There must be continuing review of the programs in order to consider new contexts and issues as well as new ideas; and to improve existing programs.

There is likewise a need for continued recruitment of people who can engage in human rights education. These are people who can help innovate program concepts and implementation. Ideally, they should be people with vision and determination to pursue the

difficult tasks of human rights promotion.

Finally, information exchange on materials and experiences among the institutions involved should exist. Mutual learning and cooperation benefit human rights education.

The bottom line remains the same: human rights education initiatives must continue to grow despite difficulties in various forms.

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Endnotes

- 1 "KAROSHI IN DENTSU: Accuracy of employees' overtime records in question," *The Asahi Shimbun*, 31 October 2016, www.asahi.com/ajw/articles/AJ201610310041.html.
- 2 Mari Yamaguchi, "Latest Dentsu death shows 'karoshi' a part of Japan Inc. that toothless laws can't fix," *Japan Times*, www.japantimes.co.jp/news/2016/10/28/national/social-issues/latest-dentsu-death-shows-karoshi-part-japan-inc-toothless-laws-cant-fix/#.WBI-OfI94dU.
- 3 "KAROSHI IN DENTSU: Accuracy of employees' overtime records in question," op. cit.
- 4 See www.unglobalcompact.org/library/2.
- 5 "Suicide of young Dentsu employee recognized as due to overwork," *The Asahi Shimbun*, 8 October 2016,

- www.asahi.com/ajw/articles/AJ201610080036.html.
- 6 The Tokyo Foundation, Overview of CSR in Japan - Ideals, Intentions and Realities at Advanced Companies, 10 September 2014, www.tokyofoundation.org/en/articles/2014/overview-of-csr-in-japan.
- 7 Dentsu Group Code of Conduct and Associated Guidance, www.dentsu.com/csr/pdf/dentsu_group_code_of_conduct_E1603.pdf.
- 8 See the website of Dentsu Inc., www.dentsu.com/csr/humanrights/, especially the page on activities (www.dentsu.com/csr/humanrights/activities.html).
- 9 "KAROSHI IN DENTSU: Corporate culture fixated on 'Devil's 10 principles,'" *The Asahi Shimbun*, 1 November 2016, <http://linkis.com/www.asahi.com/ajw/ar/cpYZx?next=4>.
- 10 See Yamaguchi, op. cit.
- 11 See Jefferson R. Plantilla, editor, *Bridging Human Rights Principles and Business Realities in Northeast Asia*, pages 147-157 and its Appendix B, pages 200-202, for examples of surveys on human rights content of corporate reports.
- 12 This portion of the article draws from the author's powerpoint presentation (Developments on Human Rights Education in Asia) during the East Asia Human Rights Education Workshop organized by the Amnesty International Hong Kong in 17-19 November 2015.
- 13 UN agencies/programs support a number of projects at regional and national levels including
 - Riikka Elina Rantala, Natalie Drew, Soumitra Pathare, and Michelle Funk, "Right to Health Through Education: Mental Health and Human Rights," *Human Rights Education in Asia-Pacific*, www.hurights.or.jp/archives/asia-pacific/section1/13WHO.pdf;
 - International Labour Organization – Asia-Pacific Regional Office, "Human Trafficking Prevention in the Greater Mekong Sub-region," *Human Rights Education in Asia-Pacific*, www.hurights.or.jp/archives/asia-pacific/section1/Human%20Trafficking%20Prevention%20in%20the%20Greater%20Mekong%20Sub-region%20-International%20Labour%20Organization%20%E2%80%93%20Asia-Pacific%20Regional%20Office.pdf;
 - Lisa Rende Taylor and Melinda Sullivan, "Raising the Standard of Ethics and Human Rights Among Anti-human Trafficking Responders in the Mekong Region," *Human Rights Education in Asia-Pacific*, www.hurights.or.jp/archives/asia-pacific/section1/pdf/3%20-%20Raising%20the%20Standard%20of%20Ethics%20and%20Human%20Rights%20among%20Anti-human%20Trafficking%20Reponders%20in%20the%20Mekong%20Region.pdf;
 - Transtec, "Human Rights Education for the Police (Kazakhstan)," *Human Rights Education in Asia-Pacific*, www.hurights.or.jp/archives/asia-pacific/section1/12%20HRE-Police%20%28Kazakhstan%29.pdf.
- 14 ASEAN CSR Network, <http://asean-csr-network.org/c/programs/business-a-human-rights>
- 15 Ibid.
- 16 Many Japanese companies have announced educational activities on human rights, while a number of consulting firms undertake human rights seminars for companies.
- 17 See Annex A for the list of local governments with child rights ordinance, Isami Kinoshita, "Japanese Movements on Children's Participation and Child-friendly City," *Human Rights Education in Asia-Pacific*, www.hurights.or.jp/archives/asia-pacific/section1/3%20Japanese%20Movements%20on%20Children%E2%80%99s%20Participation.pdf
- 18 See HURIGHTS OSAKA, "Local Government and Human Rights," *FOCUS Asia-Pacific*, www.hurights.or.jp/archives/focus/section3/2014/09/local-government-and-human-rights.html.
- 19 For information on ombudsperson on child rights of Kawanishi city in Japan see page 89, *Northeast Asia Training Resource Material for Human Rights Education*, www.hurights.or.jp/archives/other_publications/.
- 20 Bahrain Women Association for Human Development, "Be-Free Program," in *Human Rights Education in Asia-Pacific*, volume 7, 11-31.

Human Rights Education: The Need for Networking

Sriprapha Petcharamesree

The landmark Regional Network Meeting on Human Rights Education was held in Bangkok on 13-14 October 2016. The event, the first of its kind, was co-organized by the Institute of Human Rights and Peace Studies (IHRP), Mahidol University in Thailand, the Norwegian Centre for Human Rights (NCHR), the Danish Institute for Human Rights (DIHR) and Raoul Wallenberg Institute for Human Rights and Humanitarian Law (RWI) in Sweden. The meeting brought together scholars from Northeast and Southeast Asia (China, Japan, Mongolia, Republic of Korea, Taiwan, Cambodia, Indonesia, Malaysia, the Philippines, Thailand, Timor Leste and Vietnam) who shared their respective experiences.

The participation of colleagues from Denmark, Norway, and Sweden was meaningful as it contributed to understanding the different contexts of running human rights education. The very objectives of this very first meeting were two-fold: to contribute to the further development of human rights education through an information exchange on how it has been conducted in neighboring countries in order to support a broader regional cooperation on human rights education and research; and to provide another platform for further regional contact and possible exchanges between the two subregions. The discussions focused on the review of the development of human rights education in the two subregions as well as at the current state of

curriculum and textbooks and the possibilities for strengthening future cooperation.

Contextualizing Human Rights Education in Northeast and Southeast Asia

Despite the improvement of human rights promotion in Southeast Asia over the past decades, protection of human rights has always been problematic. Academics and civil society in the subregion see a causal relationship between promotion and protection of human rights and human rights awareness and education. They also believe that it is not enough to include concepts and discourses on human rights, peace, democracy, rule of law and



justice in national constitutions and/or the ASEAN Charter and other relevant documents; promotion of human rights and peace is essential in ensuring that all these grand concepts are realized. With the advent of the ASEAN Intergovernmental Commission on Human Rights (AICHR) and ASEAN Commission for Women and Children (ACWC), and the emergence of national human rights institutions, there was an expectation that they would contribute to better promotion and protection of human rights in the subregion. But that has not been the case. Seven years since establishment, no notable progress has been recorded. Moreover, human rights and peace continue to be threatened in Southeast Asia.

It is noted that some progress made in Southeast Asia/ASEAN has not yet been properly reflected in education and research. As noted by a group of academics in the subregion:¹

Human rights and peace studies and research in SEA [Southeast Asia] are still at a basic level, which means that moving towards the promotion of human rights and peace will not be without challenges. One of the most effective and sustainable ways to move towards human rights and peace is through the promotion and strengthening of education and research.

In 2016, Strengthening Human Rights and Peace Education in ASEAN/Southeast Asia (SHAPE-SEA) found that while “there are universities with established degrees, and courses on human rights and peace at a number of

universities in the region, human rights and peace research and education is still not widespread, and as a result, very few students in the region graduate with any knowledge in these fields.”²

One of the challenges identified by SHAPE-SEA affecting the development of education and research on human rights is the fact that human rights are³

still an academically contested concept, with different interpretations in different societies. Although some Southeast Asian countries (and those members of ASEAN in particular) are moving towards greater compliance to human rights, and also to related standards such as democracy and peace, others are not yet ready for such reforms. Higher education is still in the early development phase and many universities do not have academics capable of teaching or researching human rights. On top of this, there are still political challenges to discussing human rights in some ASEAN countries. More or less similar challenges also apply to peace studies [that] would have to be properly addressed and developed.

Compared to Northeast Asia, subregional academic cooperation on human rights education in Southeast Asia is more institutionalized, either through the Southeast Asian Human Rights Studies Network (SEAHRN) and/or the ASEAN University Network – Human Rights Education (AUN-HRE). The Northeast Asian (NEA)

subregion lacks similar sustainable and broad ranging initiatives. “NEA includes countries with very distinct political, social and economic contexts and is struggling with a lack of mutual trust. Also, there is no overarching regional architecture similar to ASEAN. The lack of regional cooperation is felt also in the academic sector” said a colleague from the NCHR. It was further pointed out that in the case of China where many universities were offering human rights programs, “Chinese human rights academics have limited contact and cooperation with academic colleagues from the region.”⁴

Indeed, the discussions during the two-day meeting reflected such observations. In Northeast Asia, political imperative seems to play very important roles in shaping human rights education as well as limiting space for academic freedom. In some countries, free sources for materials such as google were not allowed and government policies including local authorities tend to be hindering any initiatives made by academics. Therefore, despite some progress, human rights education at higher education institutions in Southeast Asia still faced the challenge of limited academic space. In most of the participating countries, academic freedom seems to be an issue. Efforts to offer human rights or peace programs at the university level by progressive scholars are still subject to university administrative scrutiny which in turn is subject to political authority.



Possible Cooperation and Partnership

Desire for further strengthening the cross-sub-regional cooperation was clearly expressed by all participants at the regional network meeting. Colleagues from Northeast Asia, without exception, were eager to continue discussions and sharing. Friends from Scandinavian countries were willing to continue their support. For most, if not all Southeast Asian academics, the meeting was the first time for them to appreciate both progress made and challenges faced by Northeast Asian comrades. Some activities were identified as possible areas for cooperation and partnership, namely;

1. Sharing of curriculums and syllabuses as well as materials by making them available on their respective institution's website;
2. Exchange/visit of guest lecturers - this is possible both under bilateral arrangements or

multilateral framework such as ASEAN plus 3;

3. Sharing expertise in particular areas of research and interest - which can be further developed into cross-sub-regional joint research projects;
4. On top of participating in the bi-annual SEAHN International Conference, a regular platform for interactive and substantive discussions between Northeast and Southeast Asian scholars involved in human rights education should be created;
5. Institutionalizing a platform through collaborative cross-sub-regional human rights curriculum, the same way the EU Masters in Human Rights and Democratization has been run by European universities.

We believe that for human rights education to flourish there is a need for strong will to pave the way for cooperation. Lack of academic freedom can be overcome if we all fight for

it, and that will always be a first step towards closer collaboration. Ways forward were already identified, now it is time to take the first step.

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Endnotes

- 1 IHRP, Strengthening Human Rights and Peace Research and Education in Southeast Asia/ ASEAN, Project proposal prepared by AUN-HRE and SEAHN, October 2014.
- 2 Ibid.
- 3 Ibid.
- 4 NCHR, Regional Network Meeting, Project proposal prepared by NCHR, August 2015.

GCED and Human Rights Education

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The idea of Global Citizenship Education (GCED) is now being promoted in the school systems in Asia and the Pacific by the United Nations (UN). It is a new initiative that builds on the previous UN educational programs such as the Education for International Understanding (EIU) and the Education for Sustainable Development (ESD). All these educational initiatives of the United Nations are intrinsically linked to its main concern: human rights.

UNESCO Program

UNESCO adopted GCED as one of its strategic areas of work for the 2014-2021 period based on the educational component of the United Nations Sustainable Development Goals (SDGs), specifically target 4.7, which calls on countries to ensure that by 2030,¹

all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.

UNESCO links its work on GCED to its "long standing experience in human rights and peace education," which is guided by its Constitution, the Universal Declaration of Human Rights, human rights treaties, the Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (1974), and the World Programme for Human Rights Education (2005-ongoing).²

The Incheon Declaration for Education 2030, is the most recent international consensus of over "1,600 participants from 160 countries, including over 120 Ministers, heads and members of delegations, heads of agencies and officials of multilateral and bilateral organizations, and representatives of civil society, the teaching profession, youth and the private sector [who] reaffirm[ed] the vision and political will reflected in numerous international and regional human rights treaties that stipulate the right to education and its interrelation with other human rights."³

The declaration also promotes a new vision that is "inspired by a humanistic vision of education and development based on human rights and dignity; social justice; inclusion; protection; cultural, linguistic and ethnic

diversity; and shared responsibility and accountability." It supports education that addresses "all forms of exclusion and marginalization, disparities and inequalities in access, participation and learning outcomes." It also stresses the "importance of human rights education and training in order to achieve the post-2015 sustainable development agenda."

This declaration was adopted at the World Education Forum 2015, held on 19 – 22 May 2015 in Incheon. It was organized by UNESCO along with several other UN agencies (UNICEF, the World Bank, UNFPA, UNDP, UN Women and UNHCR).

GCED Conference

The Asia-Pacific Centre of Education for International Understanding (APCEIU) organized an international conference on Global Citizenship Education (GCED) with the support of UNESCO on 24-25 October 2016 in Seoul.

The conference was attended by about two hundred educators from Asia, Africa and some from Latin America and Europe consisting of GCED experts, practitioners, and educators from the academe, private sector, civil society organizations, youth organizations, education

ministries, international/regional organizations, GCED-specialized institutes, and the general public. There were plenary and simultaneous workshop sessions.

The Conference aimed to:

1. Provide a platform for sharing practices, pedagogy, ideas, and insights on GCED and reinforcing partnerships and network among key stakeholders (policymakers, academic community, youth, NGOs, UN entities, etc.);
2. Raise public awareness and formulate strong advocacy on GCED; and
3. Advance GCED at the local, national, regional and global levels in the context of SDGs.

The plenary sessions included keynote speeches on GCED for sustainable and peaceful societies; panel discussion: What does it mean to be a global citizen?; GCED Talks: Learning to live together; Way Forward: Building sustainable solidarity.

The Concurrent Sessions included the following:

1. Actors of GCED
 - Innovative teacher education approaches to GCED
 - Whole-school approach to GCED
 - Youth engagement as change makers
2. Thematic Approaches to GCED
 - Building a culture of peace

- Respect for cultural diversity
- Prevention of violent extremism (PVE)
- Sustainable development (Human rights)

3. Learning Process and Assessment

- Integration of GCED into curriculum
- GCED teaching & learning resources
- Assessing learning outcomes of GCED
- Transformative pedagogies for GCED.

The Concurrent Session on Sustainable Development (Human Rights) held on the second day of the conference (October 25) emphasized the importance of using the educational component of Social Development Goals (Target 4.7) and the bases of people's participation on the link between development and human rights. Sustainable development, in relation to Global Citizenship, requires the active role of people and should be based on the fulfilment of human rights as provided for in UN declarations.

National-level Implementation of the GCED

In December 2016, the APCEIU and the Ministry of Education of Bhutan jointly held a national workshop in Thimphu that aimed primarily to "strengthen capacities of local education professionals by improving their knowledge on the key concepts and pedagogical principles for GCED, EIU and ESD in line with SDG 4.7."⁴

This kind of national activity provided focused discussion on concepts and practice related to GCED. It provided an opportunity to examine international issues and standards in relation to specific national context.

The workshop had the following major topics:

1. Critical analysis of the local and international issues - seen from the perspective of human rights education and drawing connections between GCED, EIU and ESD based on universal values;
2. Exploring pedagogical principles for GCED, EIU and ESD – using exercises, observation, discussion and reflection on democratic dialogue and communication;
3. Designing and developing activities for GCED, EIU and ESD in the participants' schools and communities;
4. Discussing the way forward by sharing ideas on effective implementation strategies for GCED, EIU and ESD in Bhutan.

The application of GCED in school setting was presented through the GCED program of an upper secondary school in eastern Bhutan.⁵ The Duntse Central School in Phongmey county in Trashigang district acts as a feeder school for the students who come from remote schools (Sag steng Lower Secondary School, Me Rag Primary School, Jöenkar Primary School, Yarbrang

Primary School, Thöngrong Primary School, Tökshimang Primary School, and Pakaling Primary School) in the district.

In 2013, Duntse Central School started the “Embracing GCED with GNH Curriculum (A Whole School Approach to GCED)” program. Its diversity component highlights the cultures and traditions of the different ethnic groups in the region through the activities of students belonging to these groups.

This national workshop is a good example of making GCED better appreciated by educators who are at the forefront of facilitating the education of people. Such workshop should be an opportunity for dialogue among the educators at both conceptual and practical levels.

Human Rights and GCED

There is a need to emphasize the human rights component of GCED. Since human rights

constitute one of the major pillars of the UN, they must be essential components of any educational initiative of the institution.

The teaching and learning of human rights in the context of GCED are supported by numerous UN declarations that guide UNESCO and its affiliated institutions including APCEIU.

The national workshop in Thimphu provided an opportunity to clarify the common link of the different UN educational initiatives including GCED that address various concerns including development, environment, human rights and peace. It provided the opportunity to discuss the defining role of human rights in pursuing these educational initiatives, GCED in particular.

For further information, please contact HURIGHTS OSAKA.

Endnotes

- 1 Sustainable Development 4, Sustainable Development Knowledge Platform, <https://sustainabledevelopment.un.org/sdg4>
- 2 UNESCO, Global Citizenship Education, <http://en.unesco.org/gced/approach>.
- 3 Incheon Declaration for Education 2030, www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/ED/pdf/FFA_Complet_Web-ENG.pdf.
- 4 Concept Note, National Workshop on Implementing Global Citizenship Education in Bhutan, APCEIU, November 2016.
- 5 Yeshe Dorji, Head of the English Department of Duntse Central School presented the school program. He was also one of the key persons in the Ministry of Education team (headed by Wangchuk Bidha) that organized the national workshop.



Osaka City Ordinance Against Hate Speech

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The Osaka City legislature enacted the Osaka City Ordinance on Dealing with Hate Speech on 18 January 2016, which took effect on 1 July 2016. The national law on elimination of hate speech was enacted several months later, but it took effect earlier on 3 June 2016.¹

The city ordinance was a response to the series of public gatherings attacking Korean residents in Osaka city.

Hate Speech Defined

The Ordinance defines hate speech as²

an act of expression that meets all the following criteria:

- (a) that it is undertaken for the purpose of any of the following
 - i. to exclude individuals with particular racial or ethnic attributes or groups of such individuals (hereafter referred to as “particular individuals or groups”) from society;
 - ii. to restrict the rights or freedoms of particular individuals or groups; or,
 - iii. to incite hatred or discriminatory attitudes or violence against particular individuals or groups (when such a

purpose is explicitly acknowledged).

- (b) that its content or style falls under any of the following
 - i. it amounts to significant contempt or slander targeting particular individuals or groups; or,
 - ii. it threatens particular individuals or a significant number of the individuals of such groups;
- (c) that it is undertaken at a place or in a manner that makes it possible for the public to know its content.

The activities involved include any of the following:³

- (a) selling, distributing or putting on the screen printed materials, optical disks (including the mediums that can securely record certain matters in a similar way) or other materials that have recorded other acts of expression;
- (b) making the documents or drawings or pictorial images that have recorded other acts of expression accessible to, or viewable by, the public by using the Internet or any ... other a d v a n c e d telecommunication [system]; or,

- (c) any other activities that disseminate other acts of expression.

Measures to Curb Hate Speech

The Ordinance provides for two measures to curb hate speech in the city. One is an awareness-raising measure that aims to increase the interest and understanding of the general public regarding the human rights abuse caused by hate speech.

The second measure is a public announcement by the City Mayor declaring a “particular act of expression as hate speech, along with the summary of its content, the measures that have been taken to prevent its dissemination and the name of the persons or organizations who were involved in the act of expression.” The City Mayor should avoid disseminating the content of the hate speech involved in making the public announcement.

The public announcement measure requires the following steps:

- a. Filing of complaint - citizens or members of relevant organizations who consider that hate speech has occurred can file a complaint with the office of the City Mayor to stop the act;
- b. Determination of existence of hate speech – before

taking action, the City Mayor will seek the views of an auxiliary Council on whether or not the act complained about is covered by the ordinance. However, the City Mayor can also act on an "ex-officio basis on an act of hate speech when deemed necessary;"

- c. Decision on the complaint – the City Mayor will make an announcement through the internet or other means allowed by the city regulations.

The auxiliary Council under the Ordinance expresses its views on the City Mayor's inquiries. It also has the "competence to inquire into and consider other important matters concerning the implementation of the present Ordinance, in response to the [City] Mayor's inquiries, and to express its views to the [City] Mayor on such matters."

The members of the Council are appointed by the City Mayor from "among persons with relevant knowledge and experience, or other appropriate persons," and they "should not be officers of a political party or other political organization, or actively engage in political activities, while in office."⁴

Korean Residents in Osaka

The Ordinance does not mention any specific group of people whose rights it aims to protect. But the Korean residents in Osaka, who have been the target of several "hate speech" public gatherings, would fit the definition of "citizens or the members of relevant organizations" who have "particular racial or ethnic

attributes." Other non-Japanese residents would likewise be covered by this definition.

On the day (1 July 2016) the Ordinance took effect, a "Korean residents group in Osaka filed a complaint ... against eight individuals and one group who have uploaded hate speech footage to video websites such as YouTube or repeatedly posted discriminatory remarks on social media such as Twitter."⁵

In September 2016, the Osaka District Court ruled against a member of a group that has been staging public rallies to attack the Korean residents. The news report explains:⁶

Freelance writer Lee Sin Hae, 45, filed the lawsuit against "Zainichi Tokken o Yurusanai Shimin no Kai" (literally, "citizens' group that [oppose] special rights for Korean residents of Japan," or "Zaitokukai") and its former chairman Makoto Sakurai, 44, demanding 5.5 million yen in compensation for defamation by fueling discrimination against Korean residents through hate speech campaigns.

*** **

Presiding Judge Tamami Masumori acknowledged that some of the things Sakurai had said and tweeted invaded her personal rights and concluded such actions constituted insults banned under the U.N. International Convention on the Elimination of All Forms of Racial Discrimination.

Curbing these hate speech activities by implementing the

Ordinance will have a positive impact on the situation of other communities or organizations in Osaka city with "particular racial or ethnic attributes," which also face the threat of being targeted for hate speech by groups of similar orientation as Zaitokukai.

For further information, please contact HURIGHTS OSAKA.

Endnotes

- 1 See "Japan's Hate Speech Elimination Law," *FOCUS Asia-Pacific*, issue 85, September 2016, www.hurights.or.jp/archives/focus/section3/2016/09/japans-hate-speech-elimination-law.html.
- 2 Article 2 of the Ordinance. This text and other texts of the Ordinance are based on unofficial translation of the Ordinance by HURIGHTS OSAKA. See full text of the Ordinance at http://www.hurights.or.jp/archives/racism-elimination/osaka-city-hate%20speech_ordinance_english.pdf.
- 3 Article 2 (2), *ibid*.
- 4 *Ibid*.
- 5 XINHUA, "Korean residents file complaint against hate speech in Japan's Osaka," 1 July 2016, www.shanghaidaily.com/article/article_xinhua.aspx?id=330577.
- 6 *The Mainichi*, "Court orders anti-Korean group to compensate woman over hate speech," 28 September 2016, <http://mainichi.jp/english/articles/20160928/p2a/00m/0na/003000c#csidx69617aa1ac377d89b57d93b680900da>.

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- Enforcing Labor Standards
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- Principles of Human Rights-based Approach to Access to Justice
- Corporate Mechanisms and Access to Justice
- Administrative and Judicial Mechanisms and the UN Framework
- Resorting to Mechanisms of International Institutions

Human Rights Documents

- Universal Declaration of Human Rights
- Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework

Other Suggested References

Human Rights Education in Asia-Pacific, volume 7

I. SECTORAL EDUCATION

Be-Free Program - Bahrain Women Association for Human Development

Using Theater and Other Creative Methods to Educate on the Human Rights of Women and Girls - The Garden of Hope Foundation

Empowering Migrant Women - KALAKASAN Migrant Women Center for Empowerment

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APPENDIX

Kawasaki City Ordinance on the Rights of the Child

HURIGHTS OSAKA Calendar

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HURIGHTS OSAKA, inspired by the Charter of the United Nations and the Universal Declaration of Human Rights, formally opened in December 1994. It has the following goals: 1) to promote human rights in the Asia-Pacific region; 2) to convey Asia-Pacific perspectives on human rights to the international community; 3) to ensure inclusion of human rights principles in Japanese international cooperative activities; and 4) to raise human rights awareness among the people in Japan in meeting 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.

FOCUS Asia-Pacific is designed to highlight 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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