

HURIGHTS OSAKA



FOCUS

ASIA-PACIFIC

NEWSLETTER of the Asia-Pacific Human Rights Information Center (HURIGHTS OSAKA)

June 2001 Volume 24

Editorial

Healing

People who survive human rights violations, either as victims themselves or relatives and friends of victims, may have to live with the experience for the rest of their lives. Legal accountability for the violators does not necessarily erase the trauma.

It is thus necessary to emphasize the need to heal the non-physical wound caused by human rights violations. Healing addresses the future, aims at building the confidence to live without fear and bitterness. It helps people move on with their lives.

Human rights workers who engage in the healing of psychological trauma are thus important players in the human rights field. They have to contend with the fact that the healing process takes much time and patience. Turning bad memory into a manageable problem does not happen in a few months. It requires years and a lot of work for both the human right workers and the victims.

Healing psychological trauma will become even more prominent as the work for the rehabilitation of victims of sexual violence, human trafficking, social discrimination, and other forms of human rights violations become more widespread. These cases add to the victims of torture, harassment, illegal detention, displacement due military operations, among others, which have traditionally been identified as human rights violations.

Equally important is the need for people in general to learn the intricacies and forms of this problem. Healing the victims may lead to healing the society that breeds human rights violations.

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

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Editorial by Yoshio Kawashima, Director of HURIGHTS OSAKA.



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Psychosocial Trauma and Rehabilitation Work in East Timor

Abilio Belo

The 25-year Indonesian military occupation of East Timor is characterized by repeated allegations of human rights atrocities, few of which were ever investigated or prosecuted by the Indonesian authorities. Following the August 1999 referendum, pro-Indonesia militias, supported in part by the Indonesian military, embarked on a wide scale and largely indiscriminate program of organized violence and destruction of infrastructure, which required a major international peace-keeping and relief operation.

An inherent part of the response to such humanitarian crises must include assessment of the prevalence of torture and extreme trauma, and attention to the rehabilitation needs of victims. If people do not have the opportunity to process the mental consequences of their traumatic experiences, and to obtain an integrated, balanced perception of their history, social reconstruction becomes extremely difficult if not impossible. Although spontaneous recovery is acknowledged, previous studies of treated and untreated patients with post-traumatic stress disorder (PTSD) show a doubling of the average time needed to achieve significant remission of symptoms for those who did not receive treatment. Treatment is a critical process that must be incorporated early in the emergency phase of a post-conflict situation.

The International Rehabilitation Council for Torture Victims (IRCT), an independent international health professional organization based in Copenhagen (Denmark), carried out a national psychosocial needs assessment in East Timor in June and July 2000 last year. The aim was to assess the extent of "torture and trauma and the health impact" it had on the population. The study results provided the basis for the proposed National Psychosocial Rehabilitation Program.

One thousand thirty three households in thirteen districts of East Timor, an estimated 750,000 individuals, were interviewed. One respondent, considered to be a reliable informant, was selected from each household.



A community trauma mapping activity was carried out, with the aim of generating a picture of each district's health system, and of identifying and establishing potential partners and support systems. The questionnaire was designed to ascertain trauma and torture history, PTSD symptomatology, self-perception of health, potential for recovery, and help-seeking behavior.

Respondents had a median age of 35.5 years and 873 (85%) individuals aged 14 to 59 years. 998 (97%) respondents said they experienced at least one traumatic event. The five most common events are direct exposure to combat situation (785 [76%]), lack of shelter (658 [64%]), and ill health with no access to medical care (623 [60%]).

351 (34%) were classified as having PTSD, based on a cut-off score of 2.5 or greater in the Harvard trauma questionnaire symptoms checklist. Death of the father or mother is a common occurrence, reported by 320 (31%) and 248 (24%) respondents respectively, and 142 (14%) lost their spouse during the conflict period. For women, the death of a loved one was often compounded by the dilemma of taking over the sole responsibility for the family.

To get an indirect measure of the effect of trauma on children, respondents were asked if they have children who were either injured or from whom they had been separated. 227 (22%) said yes, and a further 125 (12%) said that they have children who died as a result of political violence. In several provinces, there were reports of children having been raped by the militia.

Torture appears to have been widespread. 400 (39%) respondents said that they were tortured, but a larger number, 587 (57%), said they experienced at least one of the six forms of torture included in the study instrument. Psychological torture (411 [40%]), physical beating or mauling (336 [33%]), and beating the head with or without a helmet (267 [26%]) are the most common forms reported. Other forms of torture include submersion in water (126 [12%]), electric shock (124 [12%]), crushing of hands (102 [10%]), and rape or sexual abuse (54 [5%]). Many respondents were threatened at gunpoint, especially during interrogation by the Indonesian military 227 (22%), and witnessed the murder of a family member or friend. 207 (20%) respondents believed that they would never recover from their experiences, and a further 424 (41%) believed they would only recover with some help.

The problem of under-reporting of torture in population surveys is clearly seen in this study. Asking directly whether the interviewee had been exposed to torture yielded 39% affirmative, whereas the summation over only six specific forms of torture raised the estimate to 57%. This discrepancy may be explained by the reluctance of many victims to raise the subject at all unless directly asked. Future studies to assess the prevalence of torture should use instruments that specifically address particular experiences of torture.

The study also found that the East Timorese look primarily to family members, the church, and the local community for assistance, although they are willing to approach a doctor or community nurse for problems that they perceive as being health-related. Psychosocial and rehabilitation programs are therefore likely to be most effective if they are family and community oriented.

With this in mind, the IRCT is working closely with other organizations to educate primary-school teachers in basic concepts of trauma and psychosocial recovery in children, and to provide support to children and their families. The aim is to carry out the program nationwide during the next 12 months. Giving priority to the treatment of children acknowledges that they

are the population group in which the impact of conflict and disaster is greatest. Children can recover rapidly if they receive prompt treatment. By assessing traumatic events and their health sequelae, epidemiological studies can play a crucial role in the collective response to humanitarian crises.

There is a great need to set up a Psychosocial Trauma and Rehabilitation Center in East Timor because it will enable the East Timorese to cope up with their traumatic experiences after the long war. It will also facilitate the Timorese's understanding of their own feelings and emotional reactions in a changing, violent world. The program itself is expected to figure out how Timorese can address their critical life experiences through discussion, cooperative group learning, art, journal writing, and role playing.

On the other hand, such a center can provide a sense of order, a feeling of safety by being ready to help the Timorese not become so vulnerable to falling apart when the actual traumatic events occur. By talking to the Timorese about stressful, traumatic events, they are given them an opportunity to explore new ways to deal with these situations. Hopefully, whatever organization is present in East Timor that is very much involved in psychosocial programs, it will help the Timorese with new ways to express themselves and deal with their feelings and reactions to trauma in ways that are appropriate. And enable them to solve their own problems in their own way. The existing programs now in East Timor are able to provide a support system that contributes to the recovery of the Timorese from their traumas. The most influential institutions that are now helping a lot in terms of this program are Christian Children's Fund-Australia, IRCT, UP-CIDS Philippines, and Medical Action Group (Philippines).

Reference

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Why Psychosocial Activities are Necessary

Abilio Belo

Experience shows that psychosocial activities are necessary to stabilize and improve the strong reactions people have in emergency situations. In other words, such activities are necessary to treat "normal reactions" in "abnormal situations". In abnormal situations, established framework such as authorities, family and social structures no longer function and the lack of these leads to chaos. Necessary structure and organization must be reinforced. Psychosocial activities should take place within three months after the state of emergency, and the best time is between the first and sixth week after the injury. But even if activities are taken after this time, it will still have a positive effect.

Psychosocial work in difficult emergency situations aims to promote:

- psychosocial functioning
- peace-building and restorative energy
- reconciliation
- human rights
- local competence in psychosocial work
- strengthening of the weaker groups.

It targets women, children and the elderly first. Persons with serious physical damage and psychological trauma must be cared for.

The methods employed are meant to

- support existing psychological and social protective factors
- strengthen the network of people
- re-establish trust
- reduce stress factors
- encourage active participation and responsibility within the target group
- strengthen personal abilities so as to bring about personal healing
- do crisis intervention in well-established groups
- identify and offer rehabilitation to violent and

psychotic persons

- facilitate religious ceremonies
- facilitate rituals for death and sorrow.

The methods should be culturally sensitive, and respectful of the person.

Psychosocial programs can be developed regarding the following:

- activities in the local milieu
- activities in the network of people
- self help methods
- advisory activities
- local participation/co-workers
- democracy building
- bottom up strategies.

Understanding the cultural context

- cross cultural communication - understanding yourself and others
- conflict management and working through conflicts
- use of local cultural and religious traditions
- gender perspective and family structures.

Building partnership and local acceptance of methods in an emergency situation:

- development of methods for problem analysis and common understanding as a basis for methods
- selecting people and co-operating partners in the project
- nurturing and developing available resources.

Building local competence and capacity

- assembling a training program for local partners:
 - Training in psychosocial work:
 - theoretical understanding and methodical approach and development
 - guidance and development of co-operating partners.
 - Training in other functions in the project:
 - reporting/evaluating
 - personnel development
 - taking care of each other
 - building up logistical resources.

Bhutanese Refugee Verification: Serious Commitment or a Time-Buying Tactic?

Jagatmani Acharya

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Today more than 98,000 Bhutanese refugees live in seven camps in the eastern part of Nepal. In addition, 10,000 Bhutanese refugees live outside the camps in Nepal and another 20,000 live in India. The Bhutanese government evicted these refugees using various policies like the Citizenship Act of 1985, One Nation One People system, Marriage Act of 1988, No-Objection Certificate system, Voluntary Migration Forms (VMF) system, etc.

One of the major issues confounding these refugees is their verification as citizens of Bhutan. To address this problem, the Nepal-Bhutan Joint Ministerial Level Committee (JMLC) was formed on July 17, 1993 to find a just solution to the issue. The ninth round of bilateral negotiations held in May 2000 had remained a deadlock in the process of verification of refugees. While Nepal maintained that the verification team should interview the heads of the family (unit verification), Bhutan opted for interviews with individual members of the refugee family. After the tenth round of bilateral negotiations held in December 2001, the two parties finally agreed to form a Joint Verification Team (JVT) and the problem of unit verification that had remained a bottleneck during the ninth round was finally resolved. Consequently, the Bhutanese refugees for the first time sensed a certain degree of commitment on the part of the Bhutanese government towards facilitating an environment for their return to their cherished homes in Bhutan. Thus, the development reached between Nepal and Bhutan, to begin the field verification was appreciated and welcomed by the refugees and others concerned.

In principle, the JVT consists of five members each from Nepal and Bhutan. Sonam Tenzin heads the Bhutanese team while Sushil J. B. Rana heads the Nepalese team. The verification process starts with a briefing on the standardized blank forms provided, instructions on filling them out, photocopying, and scanning of documentary evidence, and photography

(family as a whole and of individuals). Then the interviewing part is led by the Bhutanese team, which conducts the interviews while the Nepalese team merely monitors the process.

The verification itself is carried out in two phases where two separate Performa are given to the refugees in the JVT office. All the refugees are required to complete both forms inside the office. In the first form, the refugees present information about themselves and their families. In the second Performa, the refugees provide information about their address, land, etc. in Bhutan.

The JVT has agreed that the official documents issued by the Bhutanese government, such as the Bhutanese citizenship certificates, land ownership certificates, documents related to government/civil services, scholarship to the students, birth and marriage registration certificates, passports, trade licenses, receipts of voluntary labor contributions, and school registration documents, would be the basis for authentication of Bhutanese citizens from non-Bhutanese. Almost all of the refugees have some sort of documents to corroborate their nationality. But it is yet not clear if the Bhutanese government will welcome all of its citizens previously residing in southern Bhutan who fled the country primarily after the introduction of the "discriminatory" Citizenship Act of 1985. The Act in effect required anyone claiming to be a Bhutanese to have the land tax receipt of 1958. The 1988 census of Bhutan labeled those found without the document as non-nationals and caused their alleged forcible eviction.

The verification of Bhutanese refugees started on March 26, 2001. The first ten Bhutanese refugee families were brought to the JVT office in a bus from Khudunabari refugee camp in eastern Nepal. Only two out of the ten selected Bhutanese refugee families could undergo the complete verification process that day. However, today, an average of nine families

are verified per day. Even then, the rate is still slow relative to the number of refugees that have fled Bhutan. Thus, such a snail-paced verification process appears to be a time-buying tactic that will eventually delay the refugee repatriation process.

In addition, the provision of filling up the forms before the interviews has led to several reservations. Questions such as who evicted you, and why did you not make an appeal to higher authority against your forced eviction are viewed as being unjustified and improper since the eviction order in most cases came directly from the Bhutanese high level authority and there was no room for appeal. Nevertheless, there are many cases where appeals were made, but failed. For instance, Tek Nath Rizal was imprisoned and finally evicted from the country for making an appeal to the King. Similarly, Aita Singh Magar, the first Bhutanese refugee interviewed by the Joint Verification Team comprising of Nepalese and Bhutanese officials at Damak, found later that the person interviewing him was none other than the man who had ordered him to leave his homeland more than a decade back.

Moreover, the JVT is a technical team set up to check the documents and interview the refugees. If there are complications, controversies, doubts etc, arising during the verification process, the JVT has to forward such issues to the secretary level and then to the JMLC for further decision. The JMLC is the final authority and since it is comprised of ministers, their decisions are likely to delay matters further. Bhutan's intransigence might further complicate matters--it might create complications for over fifty percent of refugees by rejecting the documents or by other means. If the JVT is to place the problems of even 50 percent of the refugees before the JMLC, one can imagine the volume of work and amount of delay that will be involved. Will it be possible for the ministers in the JMLC to sit for a marathon meeting for three or four months at a time to sort out the problems of over 50 percent of the refugees? Furthermore, the unstable situation in Nepalese politics and frequent changes in government will only exacerbate the situation. The replacement of the Nepalese leader in the JVT cast doubt over the JVT itself. The JMLC is bound to take another four or five years over and above the time it will take to announce the result. Who knows? The whole process can rebound into unknown rounds of meetings of the JMLC in the future.

It was only in 1993 that both Nepal and Bhutan agreed to categorize the refugees into four types, namely, 1)

bonafide Bhutanese if they have been evicted forcefully; 2) Bhutanese who have emigrated; 3) non-Bhutanese people; and 4) Bhutanese who have committed criminal acts. The consequent differences in the positions of Nepal and Bhutan and heavy criticism from the refugee community itself took seven more years for the two parties to come to a common agreeable point.

There are many more hurdles for the refugees in the future. The joint press release of the JMLC does not spell out a word about the contentious issue of categorization. The National Assembly of Bhutan in its last session of July 2000 demanded that the Royal government should not admit responsibility for those refugees who supposedly signed the so-called voluntary migration forms or VMF (for Bhutanese who emigrated). It further demanded that the Royal government should bring to court all those individuals who have committed criminal acts or have written and spoken against the government. Sixty percent of the camps' population has signed under duress the so-called VMF.

To make matters worse, UNHCR, which is responsible for the relief and protection of the refugees, has no role in this process. Bhutanese refugee leaders and human rights groups have been demanding the involvement of a third party -- in this case, the UNHCR. The UNHCR at the most is expected to provide inputs and assistance only on technical issues like logistic support and peripheral information. However, both governments have not responded to such demands yet.

As time passes, the optimism among the refugees is bound to fade. The lengthy process of verification and the lack of commitment on the part of the Bhutanese government to take back all the refugees identified as its citizens raise questions about the entire exercise. Given the past record of accomplishment, people fear that the entire process might turn into a fiasco anytime soon.

The resettlement of the northern Bhutanese on the land that belongs to the refugees continues while Bhutan is interviewing refugees for repatriation. If the resettlement of the Northern Bhutanese does not cease, where will the refugees go? The result of verification is to be announced only after the completion of

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Reflections on Women and Violence in Bangladesh

Saira Rahman

Like many women around the globe, women in Bangladesh have had to face violations of their human rights year after year. These acts of violence are both public and domestic - rape, acid throwing, fatwa,¹ violence due to non-payment of dowry, etc. Social reasons and legal loopholes are sources of violence against women in Bangladesh. The so-called religious and cultural norms, discriminatory and defective laws, denial of appropriate property rights of women, non-implementation of international instruments relating to women's rights, and other related factors have created a negative environment for women. These factors consequently rendered the women vulnerable to various forms of violence and exploitation.

Bangladesh has several laws specifically protecting women's rights to life and safety and severely punishing offenders. The Penal Code, Criminal Procedure Code, Dowry Prohibition Act, Repression of Violence Against Women and Children Act 2000, among others, all contain provisions punishing those who dare commit any sort of crime against women. There is no separate legislation for domestic violence. The implementation of these laws is getting weaker in the past few years. No measure has been taken to strictly implement laws protecting women. As a result, crimes perpetrated against women have increased.

Cases of Violence against Women in the Year 2000

Odhikar, a human rights organization documenting specific issues relating to violence against women, has the following information on the situation of victims in 2000.

Acid Throwing

In 2000, Odhikar recorded (from reports of eight national daily papers) 186 incidences of acid throwing. In 1999, there were 178 such incidences reported and 101 in 1998. According to Odhikar's documenta-

tion, 33 of the victims in 2000 were between the ages of six and fifteen. In a majority of the cases the main reasons for the crime were jealousy, refusal of sexual advances and revenge after an argument.

Rape

Rape is probably one of the most common forms of violence against women in Bangladesh to date. Unfortunately, despite the fact that in most of the cases the violator is known to the victim, nothing is done to bring the former to task. Usually money and muscle are the reasons why the crime goes unpunished. In most of the investigations conducted by Odhikar, the victim's family was too poor and ignorant of the law to seek legal recourse. In one case, the victim's father, a rickshaw puller, told Odhikar that he did not know the lawyer's name, but knew what he looked like. In another case, the lawyer has been demanding payments for every court appearance while asking the court for more time.

Case Study: K is a fifteen-year-old girl from Munshiganj, who now resides at a shelter home, with her three-month-old son. She has a mother and three young brothers. Her father deserted the family a long time ago. A neighbor's son raped K on a night when her mother was away. K managed to keep the incident from her mother for three months - then her pregnancy became obvious. On learning of the incident, her mother accosted the father of the boy, who obviously denied that his son could commit such a crime. When she threatened to call a shalish (informal, village mediation), he told her that he would accept K as a daughter-in-law and the child if the child resembled his accused son. However, when the shalish gathered, he organized a gang to break it up by using violence and money. It never reconvened. Meanwhile, a lawyer was found to represent K. But it soon became obvious that he was taking advantage of a poor woman and her daughter by taking money from them and doing nothing in return. The Munshiganj chapter of the Bangladesh Mahila Parishod² was contacted by

Odhikar and requested to take up the matter. K was brought to Dhaka a week after the birth of her child and now resides in a shelter home. A new lawyer has been assigned to her case.

Rape by Law Enforcement Agents

The protectors of society have become the violators, as members of the law enforcement agencies - police, army, etc. continue to rape women while the government continues to do nothing in the way of punishment. Of all the cases of rape in police custody brought to light so far, very few of the offenders have been held accountable. One reason for this could be the fact that members of the police carry out investigations regarding crimes allegedly committed by their own colleagues. Furthermore, government investigation and inquiry commissions take months in producing a single report, which is not made public. Thirteen women were raped by members of the law enforcement agencies in the year 2000, the youngest being a girl of six who was raped by a police constable in Panchagar.

Dowry Violence

Demanding, giving and accepting dowry are illegal in Bangladesh. The practice, however, still prevails in many sections of the society. A major reason is the rising unemployment among young males, especially in rural Bangladesh. Often, the bride's parents cannot contribute the whole amount of dowry at once. They pay some of it at the wedding ceremony. Later on, the demand for the rest of the dowry becomes intense. Delayed payment causes the use of violence against the young wife. The issue of dowry is probably the most common source of domestic violence in rural Bangladesh, where the husband along with his parents and relatives remind the wife that the remaining payment is still due. Incidents of murder or attempted murder for dowry-related reasons are regular items in the country's daily papers.

The following case study documented by Odhikar clearly shows how far such illegal demands of money can go.

Case Study: R, an 18-year-old woman, married W four years ago. W drives a rickshaw van and is a habitual gambler. He sold the little property he had to pay his gambling debts. After he began stealing to pay off the debts, his father threw him out of the house. He

took his wife to live on the homestead of his brother-in-law and sister.

R was constantly pressured by W to bring dowry from her father's house. This nagging took the shape of beatings and other forms of physical and mental violence. Soon this violence became a common part of her daily life. Her sister-in-law and her husband even joined in the verbal and sometimes physical abuse. At one point, her father, a poor farmer, managed to scrape together ten thousand taka for his son-in-law, leading to more demands.

In October 2000, after a severe beating from her husband, R took her six-month-old daughter to her father's house. The next morning, her father sent her back home after giving her some rice and fifty taka. But W, upon seeing her, beat her again. He pushed her out of the house and told her to go back to her father's house. He forcibly kept their young daughter with him. R had no choice but to return to her father's house. The next day, W's younger brother came to her bearing the news that her daughter had died. Fearing that she may be harmed, the head of the village and local elders restrained her from seeing her daughter. Her sister's husband went instead and found that the child had been buried.

Within the same month, R's father filed a case against W. Immediately on hearing the news, W with the politically influential Chairperson (elected sub-district Representative), along with the same village head who prevented R from seeing her child, began to pressure R's family to retract the case. A shalish was arranged and W was made to give R one thousand four hundred taka as compensation and her family was told to withdraw the case. R told Odhikar investigators that her family did not have the economic support to carry on a case and thus decided to withdraw the case filed. Nor does she want to return to her husband's home. She is afraid that she will meet the same fate as her six-month-old daughter, who is believed to have been murdered.

Women in the Political Process

Reserved seats for the women sector were introduced in the National Parliament, so that women could take part in policy planning. But the reserved seats for women have become vote banks. In reality, the thirty

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Human Rights Education Trainers Colloquium

Theresa Limpin



The methodology for learning and teaching human rights has long been an issue among human rights educators. This is what the Asian Regional Resource Center for Human Rights Education (ARRC) wanted to discuss when it organized the Asian Human Rights Education Trainers Colloquium on April 1-5, 2001 in Chieng Mai. Over thirty participants from Asia gathered to share and learn from each other's experiences in the field of human rights education pedagogy. Twenty-one non-governmental human rights organizations and five regional non-governmental human rights organizations were represented in the colloquium.

HRE Pack

Human rights education trainers have articulated the need for an updated and user-friendly edition of the *HRE Pack*, an ARRC training manual. Suggestions for the new edition of *HRE Pack* were discussed during the colloquium.

A number of participants shared their experience in using the *HRE Pack*. They found the publication useful. The experiences ranged from using the suggested modules, to employing the educational framework used in the publication, to translating part of the publication into their language. The translation of the whole publication was made by an NGO in Indonesia. The main person responsible for the translation was however not able to attend the colloquium.

The participants suggested some ideas for the new edition of the *HRE Pack*, including stories about experiences in using *HRE Pack*, discussion on specific issues (migrant workers, child labor, political detainees, culture and human rights, development and human rights, etc), sample activities from various countries, glossary of human rights terms, local and international remedies.

HRE review

The participants presented their own human rights education experiences. They showed sample materials from posters to videos, and explained the methodologies employed. They also discussed the problems encountered. Some have problems using human rights or legal language. There is a view that they should be avoided especially in relation to specific communities. But there is also a view that it is necessary for people to understand human rights or legal terms because the larger society use them in a way that affect marginalized people.

Various educational methodologies used throughout the region were examined and analyzed. Approaches, mechanisms and methods of human rights education were identified and explored. Case studies are used in the education campaign against domestic violence in Cambodia. Art competition highlighted the Rights of the Child in Nepal and in the regional visual art activity coordinated by ARRC.

A representative from Sri Lanka raised the issue of human rights education and psychosocial healing. One other participant commented that making drawings or artwork is a good way for people to express their thoughts and experiences that helps them heal their trauma.

There is also a mention of educational activities that are called by other names and yet essentially human rights education activities. They can be community organizing programs for grassroots communities, paralegal training to name a few.

Presentations on the review of methodologies for formal and non-formal human rights education systems were made. It is said that institutions involved in the school programs are also taking steps to employ participatory teaching and learning methods. But participatory methods are not necessarily understood well. Some see them as merely meant for fun and without much learning to offer. They fail to appreciate the importance of methodology in learning the substance of the educational activity.

The participants discussed the difficulties that non-governmental organizations experienced, and identified possible solutions. It is noted that some human rights education trainers are under-resourced and therefore unable to sufficiently meet the demands of the workload.

ARRC announced the plan to hold a regional workshop in South Korea sometime in September 2001. It will be a training of trainers (TOT) workshop that will test some of the modules collected in the colloquium.

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UNESCO Prize for Human Rights Education

UNESCO instituted the UNESCO Prize for Human Rights Education in 1978 to mark the 30th anniversary of the Universal Declaration of Human Rights, and to further promote human rights and fundamental freedoms through education. The Prize is awarded every two years to "institutions, organizations and individuals who have made particularly significant contribution to the development of human rights education, on the basis of the principles set forth in international standard-setting instruments on human rights."¹

The twelfth UNESCO Prize for Human Rights Education (for the year 2000) received 56 nominations from Africa, America, Asia and Europe, with 32 individual and 24 collective nominations.

The 2000 Prize was awarded to the City of Nuremberg for its "City of Peace and Human Rights" concept. The city's contribution to the promotion of human rights include the creation of a Human Rights Documentation Center, the Nuremberg International Human Rights Award (Samuel Ruiz Garcia, former bishop of Chiapas in Mexico, is this year's awardee); and an International Human Rights Film Festival. The city's 1993 art piece named "The Way of Human Rights" is given much praise for inspiring school children and youngsters to create projects that promote awareness of human rights. The art piece made by an Israeli artist has 29 pillars. Each pillar corresponds to one article in the Universal Declaration of Human Rights. One language is used for each pillar.

A Documentation Center is being established in an unfinished Nazi party rally ground that was designed to accommodate 60,000 people. The center aims to hold big public gatherings there.

UNESCO appreciated the massive involvement of children and adults in the city to transform it into a City of Peace and Human Rights. Considering its role in the second world war in Europe, the city is now working to "help new generations in keeping the memory of the histori-

cal facts of the past and to move forward to find answers for the future."²

The Director-General of UNESCO stressed that the many human rights activities of the city

are designed specifically for schoolchildren and young people in order to inculcate in them attitudes and behavioural patterns that are based on the principles of mutual respect, non-discrimination and tolerance, as well as to encourage their commitment to the cause of human rights. At the same time, the City gives special emphasis to research and reflection. In the framework of the conferences it organizes, concrete ways and means are sought to combat and prevent prejudice, hatred and discrimination, which are perennial sources of conflict and violence.³



Nuremberg City mayor accepting the UNESCO Prize

Three Honorable Mentions were also awarded. One was given to Ms. Flor Alba Romero for her educational activities involving vulnerable groups in Colombia including the teaching of the rights of children, the rights of women, and writing books. Another was given to the Associated Schools Project in Pakistan for the introduction of education for human rights as part of extra-curricular subject in 250 schools, and for developing

human rights teaching materials. And a third Honorable Mention was given to HURIGHTS OSAKA.

HURIGHTS OSAKA is cited for its work based on the objectives of the United Nations Decade for Human Rights Education. Ms. Dina Rodriguez Montero, who is the President of the International Jury, said that HURIGHTS OSAKA

carried out valuable research as well as...organized successful conferences, training activities and workshops aimed at the education of professionals, grassroots workers and school children. Their publications have been widely disseminated at the national and regional levels, as has the knowledge they have gained from these experiences.⁴

The Director-General of UNESCO, on the other hand, said that

HURIGHTS OSAKA is particularly devoted to promoting human rights education in schools in order to prepare well-informed, democratically minded and responsible citizens to live in an environment free of violence, discrimination and intolerance. To this end, it cooperates closely with various actors within civil society, including research and training institutions, other non-governmental organizations, and national institutions. I hereby pay tribute to its vision and its achievement in making human rights education an integral part of education.⁵

Previous winners of the UNESCO Prize for Human Rights Education include Justice Michael Kirby of the High Court of Australia (1988), Jean Bertrand Aristide (1996); the Philippine Commission of Human Rights and Chilean academic Jose Zalaquett Daher (1994), the Arab Institute of Human Rights in Tunisia (1992), and Czech leader Vaclav Havel (1990).⁶

The International Jury for the UNESCO Prize for Human Rights Education 2000, headed by Ms. Dina Rodriguez Montero of Peru who now works for the University for Peace in Costa Rica, had the following members: Professor Abdelfattah Amor of Tunisia, Ms. Mercedes Contreras of the Philippines, Professor Guido Gerin of Italy, Professor Nasila Rambe of Tanzania, and Professor Rumen Valchev of Bulgaria.

Awarding ceremonies were held in the City of Nuremberg last April 21, 2001.



UNESCO awardees and representatives in the Nuremberg ceremonies

Significance of the award

The Honorable Mention award for HURIGHTS OSAKA is both a recognition and a challenge. It is a recognition of the work that has been done at domestic and regional levels. But while the work done so far is not enough to fill the need for human rights education, it is still considered important in light of the objectives of the UN Decade for Human Rights Education (1995-2004). It is a challenge because it tells HURIGHTS OSAKA that from this time on it is expected to do more. It cannot rest on what it had done. It has to proceed further in order to continue the never-ending task of promoting human rights.

HURIGHTS OSAKA has limited resources. It can only do so much. But it has to perform within this limitation as expected by its various supporters from the local governments of Osaka to the NGOs and finally to the ordinary people in the community, and by its partners in the region.

Endnotes

1. Speech of Koichiro Matsuura, Director-General of UNESCO, during the awarding ceremonies in the City of Nuremberg on April 21, 2001.
2. Speech of Dina Rodriguez Montero during the awarding ceremonies in the City of Nuremberg on April 21, 2001.
3. Matsuura, op. cit.
4. Rodriguez, op. cit.
5. Matsuura, op. cit.
6. UNESCO Press, www.unesco.org/opi/eng/unesco-press/2000/00-136e.shtml

From Kathmandu to Durban and Beyond

Kazuhiro Kawamoto

Following the parallel NGO meeting during the inter-governmental regional preparatory meeting for the WCAR held in Tehran in February, Asia-Pacific NGOs met again from 27-29 April 2001 in Kathmandu. About 200 NGO representatives (including 50 Nepali NGO representatives) gathered to further strengthen the NGO declaration and recommendations prepared in Tehran, and discuss action plans and strategies toward Durban on various issues and themes related to the WCAR.

NGOs will lobby the output of this meeting in the second WCAR PrepCom to be held in Geneva in June. In this meeting, government representatives will make the final draft of the declaration and plans of action of WCAR.



The Kathmandu meeting had nine working groups for the following themes: 1) Engendering Racism, 2) Globalization and Racism, 3) Migrants Facing Racism and Xenophobia, 4) Trafficked Persons as Victims of Racism, 5) Rights of Indigenous Peoples, 6) Caste as Racial Discrimination on the Basis of Descent and Occupation, 7) Racist Treatment of Ethnic Minorities, 8) Religious Intolerance, and 9) Racist Treatment of Refugees. Each working group reviewed the Tehran NGO documents and suggested improvements.

Prior to the working group meetings, a public hearing was held. Victims of racism from a number of countries testified. There were testimonies by a trafficked Nepali woman, victims of caste discrimination in India, a representative of an ethnic minority from Aceh, Burmese refugees from Chin and Shan state, and an Indonesian

woman who worked as a domestic helper in Hong Kong. Each testimony expressed the agony and anger suffered by the victims. Ms. Nimalka Fernando, the secretary of the Asia-Pacific NGO Coordinating Committee for WCAR, reminded the participants of the importance of hearing the voices of the victims of racism and related discrimination and bringing them to Durban.

A plenary session was devoted to the caste-based discrimination issue since it remains a contested issue in WCAR. There is still a major debate on whether or not it should be included in the WCAR agenda. The Indian government strongly opposes its inclusion in the agenda. The representatives of the Buraku movement in Japan, and the Dalit groups in Nepal and India appealed for the inclusion of the issue in the WCAR declaration, and plans of action. Dalit groups from India strongly condemned the stance of the Indian government, they insisted that the caste-based discrimination issue should be included in the WCAR agenda. The session emphasized the need for NGOs working on various issues to acknowledge the importance of discussion on caste-based discrimination. Their support for the movement against caste-discrimination was sought. The participants agreed to adopt the issue of caste-based discrimination as a primary issue of the Asia-Pacific NGOs.

Two plenary sessions were converted into "training sessions" (two 30-minute lectures) on lobbying and use of the media. These sessions were meant as preparatory exercises for the action planning sessions that followed.

The lecture on lobbying stressed the importance of planning for lobbying for each of the following stages: 1) Kathmandu to 2nd PrepCom, 2) 2nd PrepCom, 3) 2nd PrepCom to Durban, 4) Durban and 5) Beyond Durban. The lecture presented basic knowledge on lobbying including skills for preparing lobby documents, and other lobbying activities.

The lecture on the use of media presented various media strategies on campaigns and advocacy such as preparing information, building network, and training of media staff.

With the lectures as input, the nine working groups met again to discuss plans of action and strategies. A drafting committee consolidated the results of the working group discussions into one declaration. The draft declaration was presented in the plenary session for review. Participants raised suggestions on both contents and language of the document. The representatives of indigenous people's organizations however complained about the undemocratic declaration-drafting process. They presented their own document as an attachment to the draft declaration. Finally, the participants approved the WCAR Asia Pacific NGO Declaration (Tehran/Kathmandu) and the Kathmandu Action Plan: Kathmandu to Durban and Beyond as well as nine resolutions.

The Kathmandu documents are available in the website of the Asia-Pacific NGO Coordinating Committee (<http://www.hurights.or.jp/wcarasia.htm>).

Kazuhiro Kawamoto is a staff of HURIGHTS OSAKA

THE WHEELS OF CHANGE

Birth

The piercing cries eclipsing silence
Savouring the breaths of nature
The joy of deliverance
The ray of hope
To etch the future

Yes, these fragile beings thoroughly blessed
... with pure innocence of universal unity
These heavenly sparks of humanity
Exploding into two ... the polarity of earthly spirits
Bursting again into thousand contradictions
.... the very essence of life to be

The expectations of yet to come
Provoke these humble beings
To harness such lingering earthly energies
To grow and to glow as one universal family

Youth

Searching for the elusive truth ... the lasting dream
Fathoming the uncharted identity called "self"
Glimpsing the future with awed silence
Seeking guidance from placid history

But their solemn guardians
Trapped by intellectual apathy
Bickering to condition society
Wreck havoc .. for these young ones

Religion of hope shattered by warped religiosity
Democracy moulded .. rationalizing society
Swooping shamelessly to the tune of profitable justice
To bury development in ever confusing directions

Yet youth rebelled
Braving the uncharted dream
Seeking lessons from demented realities
Wishing to penetrate this hostile future

Adulthood
Seeking and flirting ... for glory and fame
Compromises upon compromises .. to redefine realities
Is this the language of opportunists ? or
A phrase of mature strategists ? or merely
Another word for desperate escape artists !!!

But then we are reminded. these spectral hues of contradictions
Are but one of the same .. of contending polar extremes
Penetrating the hidden agenda of political patronage
Laced with oppression, exploitation and manipulations
Compressing humanity into the bins of historical obscurity
Clinging desperately to the decaying culture of capitalism

Yet options remain .. the giant step forward
Yet we appeal for compassion and sanity
Yet they declare war on mother nature
To decorate the privileged few
Yet they are troubled by the conscience of youth
Unbending in simplicity .. to forge a better future
So the adults invoke the wisdom of uncertainty
A legacy of passivity
Merely to subvert humanity and inquiry

But the never ending question continue to reverberate
Of untold stories tormenting anger, misery, humiliation and fear

"Who should bell the cat ?" says the profound ones
Deliberations upon deliberations upon deliberations
Whilst the loved ones wallow in poverty, helplessness
And untimely deaths

Silence stabbed from all sides

Where is the unity that we brag far too long ?
Where is the ideology that we proudly usher
....to harmonize these universal beings ?
Silence ravaged from all fronts

So be it
With you ... without you ... or inspite of you
This struggle rages on ... in ever fiery circles
Transcending time and overshadowing boundaries

Lamentations upon lamentations
Sighing ... What if ! .. If only ! .. Maybe ! .. But then !
Yes .. the dreaded curse caressing infantile minds
Bragging over untruths .. half truths
Upstaging the inquiring minds
To worship wishful thinking
Stumbling graciously into intellectual senility

While grieving over lost youth and pampered scenarios
Deaths abruptly stake their claims
Whisking away these babbling fools of lost ideals

Death
A moment of silence
Tears dramatized
A call cries out to the dead
"Where have you been all these years ?
I traveled through time .. to seek your wisdom
Only to see your footsteps leading nowhere
Why didn't you stand up and say NO !
When things were bad .. so bad .. so unforgiving ?"

The dead remained silent and the living lost for words

Yes ... mother nature snatched you away
Trying to reconcile your absurd being
Salvaging the universal essence .. that you led astray

This time when history betrays the struggle
The young ones will pick up the pieces to remould humanity
A grain of idealism
A dash of aggression
A sprinkle of experience and
A streak of reflective wisdom
To turn the wheels of change
...growing to the rhythms of universal truth
.. from the voices of toiling masses
To unite the thousand contradictions
... a blessing from heaven and earth
... the very essence of life to be

nasir
October 27th. 1997
10 years after Operasi Lalang
(ISA- Detention Without Trial)

Mr. Nasir Hashim, a PhD holder in nutrition, was the former Chairperson of the Urban Settlers Movement in Malaysia, former President of the Academic Staff Association of Universiti Kebangsaan Malaysia, and former Associate Professor and Deputy Dean of the Faculty of Medicine of the university. He was imprisoned under the ISA for 15 months, and had been arrested several times.

Events

Recently-Held Events

1. The Office of the UN High Commissioner for Refugees (UNHCR) held a regional meeting in connection with the Global Consultation on International Protection in Macau, SAR on 28-29 May 2001. The meeting identified persons in need of protection and developed protection frameworks. Representatives of both governments and NGOs involved with migration and refugee issues attended the meeting. For further information, contact Ms. Indrika Ratwatte, Senior Regional Liaison Officer, Office of the High Commissioner for Refugees, fax: (662) 280-0555 or (662) 280-3479, e-mail: ratwatte@unhcr.ch and jaiwatata@unhcr.ch
2. The Asia-Pacific Regional Students Conference for Global/World Peace was held in Pune, India on February 3-5, 2001. The conference took up the issues of religion and its role in promoting peace, the preservation of the family as an institution, value-based education system, conflict resolution, and human rights education. Fifteen countries were represented in the conference attended by more than 200 participants. This conference was organized by the World Peace Centre, MAEER's MIT (Pune, India). For more information contact: Dr. Vishwanath D. Karad, President & UNESCO Chair Holder, World Peace Centre of MAEER's MIT, S.No.124, Paud Road, Kothrud, Pune - 411 038. Maharashtra State, India, ph. (9120) 337682, fax (9120) 342770; e-mail: wpcpune@hotmail.com; www.wpcpune.com

Events

1. The Asian Women's Resource Exchange (AWORC), an Internet-based network of women's resource and information providers in Asia will hold the Third Asian Women's Electronic Networking Training Workshop or WENT2001 on July 2-8, 2001 at the Sookmyung Women's University in Seoul, Korea. The annual workshop aims to build the capacities of women and their organizations to utilize new information and communication technologies in social and policy advocacy. This year's workshop offers three parallel instructional tracks: Web-based Information Services, Using ICT for Social and Policy Advocacy, and Information Management Using Databases. WENT2001 is open to all women whose organizations play or will play a significant role in promoting the use of information and communication technology to enhance women's role and capacity in social and policy advocacy, as well as to strengthen women's organizations and networks in Asia and the Pacific. For more information about WENT and AWORC, contact e-mail: went-info@jca.apc.org or visit www.jca.apc.org/aworc/went2001/index.html
2. The 5th Annual Asian Human Rights Training and Study Session will be held from October 7-27, 2001 at Chulalongkorn University in Bangkok. The session is open to applicants from the countries in Asia. Persons working in the field of human rights, social justice, development and peace are encouraged to apply. The program strives to achieve gender balance in the selection of the participants. The total cost of the 3-week study session (excluding travel expense) is US\$2,000. FORUM-ASIA provides a limited number of full scholarships, which includes the cost of the study session and travel expenses. The remaining expenses are expected to be raised by the applicant. However, for those who are unable to raise the full cost of the study session, Forum-Asia may be able to waive part of the cost. The Asian Forum for Human Rights and Development (FORUM-ASIA) and the Center for Social Development Studies (CSDS), Faculty of Political Science, Chulalongkorn University are the organizers of this study session. Please send the application form and letter of recommendation by June 30, 2001 to: Ms. Sunsanee Sutthisunsanee, Training Coordinator, FORUM-ASIA, 109 Suthisarnwinichai Road, Samsennok, Huaykang, Bangkok 10320 Thailand, ph (66 2) 276-9846 Ext. 7, fax. (66 2) 693-4939, e-mail: training@forumasia.org; www.forumasia.org

(Continued from page 6, Bhutanese Refugee Verification)

the endorsement of all the refugees. The refugees who have already completed their interviews with the JVT will not know their status until the end of the entire verification process. The verification process thus seems to be an unrealistic and only a time-buying tactic of the government of Bhutan. If the verification process continues at this pace, it will take at least six years to complete the entire process, while developing additional complications along the way.

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(Continued from page 8, Reflections on Women and Violence in Bangladesh)

selected women legislators have no opinion other than what their leader says. It may be a relief to totally end the system. It is due to last till this year (2001). What is needed is positive discrimination in respect of women's empowerment and access to actual power. Political parties should give one third of their total nominations to women candidates in the national elections.

Conclusion

The increase in crimes against women and acts of violence against them raises serious questions regarding the effectiveness, transparency and accountability of those responsible for maintaining law and order in Bangladesh. It shows to what extent the law and order situation has deteriorated - especially in the case of the inhuman crime of rape perpetrated on children. It is also disturbing to note that even acts of violence against women, perpetrated by persons who are known and thus identifiable, slip out of the grasp of the supposedly long arm of the law.

The newly introduced Women and Children Repression (Special Provisions) Act 2000 is a small improvement on the Ordinance of the same name of 1995 - now repealed. It provides for stringent punishment for offenders and considers their offences non-bailable. But what good will the introduction of new laws do, when the whole infrastructure is shaky with pockets of corruption and non-implementation of laws? New laws are not needed. What is needed is a more realistic identification of genuine acts of violence against women, which have no remedy or

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punishment yet. In order to improve the situation, various state mechanisms need to address the realities of indifferent police, corruption, criminalization of politics and poor participation of women in policy-making spheres, and then revise the existing laws.

Saira Rahman is a Project Coordinator on women issues in Odhikar, a human rights organization.

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Endnotes

1. Fatwa is, originally, a decision made by a Muslim cleric in simple, non-criminal disputes. In Bangladesh today, what is termed as 'fatwa' is a misuse of this process, since village mediation bodies (shalish) which involve Muslim clerics decide on various matters and the punishments they mete out have ranged from stoning to burning alive. Many women who have fallen victim to so-called fatwa have committed suicide, in order to save the family honor. The real fatwa process cannot give a death sentence. A Bangladesh High Court recently ruled that a fatwa must be in accordance with law. Though this ruling is being appealed to the Supreme Court by so-called 'religious groups', it is a proof of how the institution of fatwa has been abused.

2. The Bangladesh Mohila Porishod is one of the oldest women's rights organizations in Bangladesh. It also has a shelter home.

HURIGHTS OSAKA ACTIVITIES

The ASEAN Writing Workshop (for teaching human rights in schools) is now scheduled to be held in the Philippines on June 19-27, 2001. HURIGHTS OSAKA is co-organizing the writeshop with the Philippine Department of Education, Culture and Sports, and the Philippine Commission on Human Rights. Teachers, lesson planners, and NGOs workers from Cambodia, Indonesia, Malaysia, Philippines, Thailand and Vietnam will participate.

The fourth volume of Human Rights Education in Asian Schools is now out in print. As before, this volume contains articles about experiences from South, Southeast and Northeast Asia, as well as reports on surveys on human rights awareness and human rights education.



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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.



HURIGHTS OSAKA

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