



HURIGHTS OSAKA

Newsletter

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Introduction to *HURIGHTS OSAKA*

Ten years after its conception, the Asia-Pacific Human Rights Information Center (HURIGHTS OSAKA) has finally become a reality in Osaka—thanks to the determined, untiring, earnest and dedicated efforts of a great number of people.

Every human being is equal. This truism is supported by the long history and voices of the numerous people who fought and fell in the cause of human dignity. It is not unreasonable, therefore, to assume that each one of us bears the responsibility for seeking out the lessons and wisdom of history and to pass them on to future generations. Unless we continually try to prove ourselves as human beings, our humanity will eventually wither and die.

In the Asia-Pacific region, including Japan, there are so many complicated problems, both explicit and implicit, preventing us from living humanely. These problems are related to politics, economics and society as well as culture, civilization, history and education. In this region, all

these problems are rooted in differentials in political and economic conditions and in national, cultural and religious diversity which, thus, requires an international mechanism to address them.

In view of the international trend towards human rights, the Center provides up-to-date and useful information related to international human rights standards and the actual conditions of human rights in the Asia-Pacific region. Sharing information means sharing that “reality” of the human rights situations. It also means sharing “ethics and ideas”, “wisdom”, “method and technology” for the enhancement of human rights and last, but not least, “solidarity and cooperation.”

Kinhide Mushakoji

Chairperson

Asia-Pacific Human Rights Information Center

***HURIGHTS OSAKA* opened on December 7, 1994 in Osaka**

The inaugural symposium entitled "What is the universal value on human rights for the promotion of human rights in the Asia-Pacific region" was held on 7 December 1994. Representatives from the United Nations, from one Asian country and NGOs were invited to deliver speeches for the symposium. The symposium was attended by many people from the general public. The keynote speech was addressed by Professor Kinhide Mushakoji, Chairperson of the Center, entitled "Universalization of human rights — endogenization of human rights in the Asia-Pacific Region". It was followed by lectures from Mr. Thomas McCarthy, Senior Advisor of the United Nations High Commissioner for Human Rights, entitled "New horizon of United Nations activities in the field of human rights with reference to the Asia-Pacific Region" and Ms. Aurora J. De Dios, Associate Professor, entitled "What is needed for the promotion of human rights in the Asia-Pacific region". There then followed a question and answer session between panel members and the participants.

It is fresh in our memory that the universality of human rights was debated at the preparation meetings for the second World Conference on Human rights in Vienna in June 1993, and was affirmed when the Vienna Declaration was adopted. We do not need to wait to discuss and affirm the Vienna proposals further, as it was agreed at the Conference that they are essential and of universal value, for all people to enjoy. Human rights are the indispensable rights for human beings to make their lives worthy for mankind, for all ages and in all places. On the other

hand, the concrete promotion and protection of human rights is an historical concept that is realized by the political, economic and social situations in societies and states where individuals exist and the efforts of governments and peoples in those states.

At the symposium, we confirmed that the universality and the particularity of human rights are not exclusive but mutually compensative, and are necessary for the achievement of the universality of human rights, by the efforts of governments and peoples based on the particularity of the region. HURIGHTS OSAKA should be able to make a valuable contribution to the promotion of human rights in the Asia-Pacific region.



The Asia-Pacific Human Rights Information Center, on 7th December 1994, officially opened, and held an opening ceremony, reception and an inaugural symposium, to mark the occasion. The guests invited, included Mr. Kojiro Takano, Director General of the Department of Multilateral Cooperation in Ministry of Foreign Affairs, Mr. Thomas McCarthy, Senior Adviser for United Nations High Commissioner for Human Rights, Mr. Kazuo Nakagawa, the Governor of Osaka, Mr. Masaya Nishio, the Mayor of Osaka, and Ms. Myriam Schreiber, President of the International Movement Against All Forms of Discrimination and Racism.

The Message of Mr. Jose Ayala-Lasso, United Nations High Commissioner for Human Rights :

delivered by Mr. Thomas McCarty, welcoming the establishment of HURIGHTS OSAKA at the opening ceremony of the Center.

It is a pleasure and an honour for me to send to you a message of congratulations and encouragement on the occasion of the inauguration of the Asia-Pacific Human Rights Information Center.

The Secretary-General of the United Nations in his statement to the 1993 World Conference on Human Rights set for us the objective of making human rights the common language of humanity. This, the creation of a universal culture of human rights, will require a vast programme of information and education so that the message of human dignity and equality can reach each our fellow human beings.

The World Conference on Human Rights in June, 1993, declared that human rights education, training and public information are essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace.

The World Conference recommended the proclamation of a United Nations Decade for Human Rights Education to promote and encourage human rights education and the General Assembly is now on the point of proclaiming the Decade and adopting a detailed programme of action.

The international consensus on the importance of human rights and the need for effective action achieved at the World Conference also gave rise to the creation of the post of the United Nations High Commissioner for Human Rights. One of the most important responsibilities of the High Commissioner is to promote and coordinate human rights education and information activities. This is a responsibility to which I have given the highest priority from the very beginning of my mandate and it gives me particular pleasure to welcome your initiative here to establish a human rights information centre for the Asia-Pacific region.

The last few years have witnessed a dramatic increase in interest for human rights and an encouraging spread of democracy in the Asia-Pacific region. Governments, scholars and non-governmental organizations have turned more and more of their attention to human rights and this enabled the Asia-Pacific region to make a most significant contribution to the World Conference on Human Rights.

This region of great richness and diversity in cultures, peoples, languages, religions and traditions, and with its special

sensitivity to the interdependence of all human rights, economic, social, cultural, civil and political, and to the inter-relationship between development, democracy, universal enjoyment of all human rights and social justice, is called upon to make a unique and substantial contribution to the international promotion and protection of human rights in the future.

The creation of the Asia-Pacific Human Rights Information Center is a positive initiative and represents a concrete response to the call made by the Universal Declaration of Human Rights, some 46 years ago, for every individual and every organ of society to strive by teaching and education to promote respect for human rights and fundamental freedoms.

The goals of the Asia-Pacific Human Rights Information Center include promoting human rights in the region, conveying the Asia-Pacific perspective on human rights to the United Nations, including human rights in economic and development activities, and raising awareness of human rights in Japan. These reflect very well the concerns of the World Conference and the Center will undoubtedly have an important impact on the promotion and protection of human rights nationally, regionally and internationally.

The Asia-Pacific Human Rights Information Center has a very special meaning for the United Nations. Eleven years ago, on the occasion of the celebration of the 35th anniversary of the Universal Declaration of Human Rights, here in Osaka, a highly respected staff member of the Centre for Human Rights, Mr. Yo Kubota, suggested the establishment of such a Center. I want to take this opportunity to thank all who worked to bring that idea to the reality we are witnessing today: to the human rights activists, to the distinguished scholars and to the Osaka Municipal and Prefectural Governments who had the foresight and commitment to human rights to bring about the creation of this Center.

Education, information and exchanges of experience will form the foundation for our human rights activities in the future. I wish to encourage all concerned to continue and strengthen the efforts which have led to the establishment of the Center and I want to assure you of the support and cooperation of the United Nations and of my Office for that purpose. I am looking forward to establish close links of mutually beneficial cooperation for the better protection of human rights.



Kinhide Mushakoji
Chairperson of Asia-Pacific
Human Rights Information
Center

The Universality of human rights—endogenization of human rights in the Asia-Pacific region

allow such social injustice in Japan, or any other place in the world. In this sense, human rights are universal. In Asian countries however, governments often say they are annoyed when European style human rights are imposed on them.

I would therefore like to examine what makes human rights universal and where we find human rights particular. For example, Mozart's music is universally appreciated because its musicality is universally recognized; not necessarily because the western musical notation is universal. Famous tunes of Japanese shakuhachi and Indian raga are as universal even without following the western musical notation system. By comparison, human rights should be considered universal, not because of the formal legal style they are written in, but because the idea and concept of human rights itself is universal. The human rights law discourse has a particular legal style which has the advantage of being rigorous and easy to enforce.

Human rights as an idea is universal, but covers particular standards in various regions. We find specified human rights practices in each different country and local community.

Western legal standards are useful and should be used also in Asia and the Pacific. For example, in New Zealand, the Maori movement against discrimination uses the New Zealand English-based law against discrimination to better their conditions. This approach is more

In Japan, Buraku and Ainu people face discrimination. We cannot

difficult in Japan as there is not a sufficiently strong enough legal tradition to protect vulnerable groups and no Ainu-Japanese Treaty. It is therefore important when considering human rights standards, to examine both the particular and universal application of those standards within a region or country. In this sense, human rights law, adopted by modern western countries, can be described as particular. Therefore, the universal idea of Human Rights must relate to in particular, the Western legal institutions and the different endogenous practices of human rights traditions.

In order to consider the universality of human rights, we need to examine the past. For example, human rights laws established in the western world fought against the use of torture and practice of witch hunting, which was prevalent during the Inquisition. It was during this inquisition period that the movement against the genocide of "indios" was generated, and a new legal framework was created for human rights. In order to make it a matter of course, people had to struggle and fight, and although many rights have been granted through this process, situations continue to occur in which human rights are violated. For instance, the United Nations is continually assessing the contemporary forms of slavery, and has examined the slave trade in women between Japan and other countries in the Asia-Pacific region. Human rights are universal, but to protect human rights, the marginalized and vulnerable people, must constantly fight against human rights abuses by those in wealthy and powerful positions.

In Asia, we must value endogenous human rights traditions in different cultures and historical contexts. But this does not mean that we must not be selective in rejecting unjust traditions, such as discriminating against women for example. Ideally human rights are universal, but can be particular as cultural institutions. It is important to make this universality more realistic in Asia, linking it to endogenous institutions.

NGOs have been fighting to establish human rights under various particular conditions. In Japan, for instance, the Buraku liberation movement was started in the 1920's by the establishment of "Suiheisha" ("National Levellers Association"). The Suiheisha movement's slogan, "Be warm-hearted to all, may light be upon all human kind," expresses the substance of universal human rights in a non-legal but holistic manner. Human rights law cannot adequately convey the warmth of human rapports, which I believe should be the substance of universal human rights. Therefore, I think that by the addition of such a view point, western style legal and formal expressions of human rights can be made more humane, holistic, and more universal. I do not mean that the legal concept of human rights is inferior because it cannot convey the warmth of humanity, on the contrary, human rights are better protected, thanks to legal enforcement and effectivity of the legal norms. In this sense, it is important that the Asia-Pacific region as a whole adopts the Western legal approach and utilizes it to legally implement our traditional human rights philosophies.

In Japan, we have adopted European institutions, but kept traditional Japanese political culture and institutions. The problem facing us therefore is how we should apply the European-style legal institutions to activate the positive values in Japanese culture in such a way that universal human rights can be an integral part of the Japanese legal system.

An additional problem for the Asia region pertains to the individualistic nature of human rights in Europe, which is difficult for us to adopt as the core of our philosophy. European individualism is very important to Europeans; in Asia however, the concept of individualism, can often mitigate against cultural traditions of group rights. Let us take the rights of the Ainu people as an example. Ainu people's rights belong to each individual Ainu. But when Ainu people celebrate religious festivals according to their age long tradition, they must do it as a group. This highlights the problems of group rights, because such festivals cannot be celebrated unless the Ainu communities can exercise collectively their rights to cultural identity. This is just one example, and we need to respect various realities existing in Asia. I do not mean, however, that we must retain all traditional ways, as we need to particularly examine the gender discrimination that has existed in Asian cultures for many centuries. Inter-gender equity however, cannot be imposed from the outside. We must build new more equitable social, economical and political relationships using our endogenous values.

In Asia in particular there are different positive traditions, based on Buddhism or Confucianism or Islam. The Asia-Pacific Human Rights Information Center can play an important role, in forging links between those traditions and the Western legal traditions. This effort to relate different particular traditions to enrich the universality of human rights requires close contacts and dialogues with human rights defenders. The network should help link the local endogenous values of the Asian and Pacific region with the United Nations human rights laws and treaties to counter different human rights violations in this region. It is only in this way that the universality of idears of human rights can be truly implemented in this region.



Thomas McCarthy

Senior Adviser for United Nations High Commissioner for Human Rights

New horizon of United Nations activities in the field of human rights with reference to the Asia-Pacific region

The following is a summary only of the speech given by Mr. Thomas McCarthy. The full text of the speech is available from HURIGHTS OSAKA.

The speech of Mr. Thomas McCarthy represented the view of the UN High Commissioner for Human Rights, and primarily focused on the potential role of Asian regional standards and mechanisms. He firstly drew attention to recent workshops held in Manila (1990), Jakarta (1993) and Seoul (1994), and an earlier conference in 1982 in Sri Lanka, to demonstrate the need for regional human rights fora for the promotion and protection of human rights.

He stressed the valuable contribution by NGOs and governments in Asia at the 1993 World Conference in Vienna, and the subsequent adoption within the Vienna Declaration and Programme of Action of many of the concerns and ideas relevant to the region. He went on to explain the importance of regional arrangements, which "play a fundamental role in promoting and protecting human rights", and their role in reinforcing "universal human rights standards, as contained in international human rights instruments." The World Conference strengthened the need to consider the possibility of establishing regional and sub-regional arrangements within Asia, and for their to be greater co-operation between regional organizations and the United Nations.

Mr. McCarthy, then explored the concept of a regional mechanism as discussed at the recent Seoul workshop, where preference was expressed for a step-by-step "evolutionary model" approach. The

Conference agreed that this building block approach would give due recognition to the likely disparity in speeds of change between Asian states. Sub-regional initiatives such as ASEAN and SAARC, could facilitate broader regional cooperation and information exchange in the field of human rights, which in turn could encourage smaller forums such as this, and other conferences, for the benefit of other countries in the region.

In the context of regional mechanisms Mr. McCarthy highlighted the continuing debate within the region of balancing the promotion of civil and political, with economic, social and cultural rights, and their role in ensuring the interdependence and indivisibility of all human rights. It was also suggested that the Asia-Pacific region could play a pivotal role in designing practical means for the implementation of the right to development, and strive for the absolute equality of both civil and political, economic, social and cultural rights. Mr. McCarthy suggested that an alternative approach for the region, could focus its attention on eradicating the artificial divisions between civil and political, economic, social and cultural rights, and concentrate on defining all rights of the person as inter-dependent and related. This he affirms could compensate for the bias towards "one of category of rights" contained within the Bangkok Final Declaration.

The ratification by all countries within the region of the basic human rights instruments was strongly urged by Mr.

McCarthy. He also pointed out the requirement by the World Conference on Human Rights for the need for regional level instruments and initiatives to be of equal standard to UN instruments. He also expressed the shared desire between the UN and Asian states for the creation of an inter-relationship between development, democracy, and the universal enjoyment of all human rights and social justice.

He concluded by providing inspiration

to the Asia — Pacific region for laying the foundation for a rich and vibrant human rights culture as it seeks to implement United Nations human rights standards and looks for its own appropriate regional arrangement. With this objective, he sees the Asia-Pacific Human Rights Information Center with an important role to fulfil in meeting these challenges, and offers continuing interest and support from the United Nations High Commissioner for Human Rights in achieving these specific goals.



Aurora de Dios
Associate Professor of
Miriam College in
Philippines

What is needed for the promotion of human rights in the Asia—Pacific region

The following is a summary only of the speech given by Ms. A. Dios. The full text of the speech is available from HURIGHTS OSAKA.

pertaining to human rights within the Asia-Pacific region were highlighted.

Firstly, she presented an overall picture of the human rights situation within the region, citing torture, widespread displacements of communities and abuses to vulnerable groups such as women, children, lower castes, ethnic groups, censorship of the media, repression of workers and national security laws, as the most serious of the violations.

The different types of violence against women were emphasized, with specific reference to rape, sexual slavery, trafficking, genital mutilation, incest, domestic violence, sexual harassment and prostitution. Religious patriarchal values were offered as additional examples of the abuse and subjugation of women. The Asian comfort women were mentioned in the context of confessing past crimes and abuses. Victims of development projects, and the ethnocide of indigenous

In the speech of Ms. A. Dios, three main issues

peoples evicted from their lands was also condemned.

Ms. Dios then went on to discuss the current debate amongst Asian governments on civil and political rights versus economic, social and cultural rights. She suggested that some Asian governments have been promoting the need for restrictions on civil and political rights in preference for the promotion and advancement of political stability. She suggested also that many governments advocate that national sovereignty and Asian cultural identity are more important than universal claims to human rights. She points to the Vienna Declaration of Human Rights and the emphasis within the Declaration on the universality, indivisibility and interdependence of human rights. From this she asserts that human rights are universal and equally applicable in different social, cultural and legal traditions, and under no circumstances can economic progress or development justify human rights violations.

Ms. Dios after thanking the commitment of the Osaka Prefectural Government and Osaka City Government on the establishment

of the Asia-Pacific Human Rights Information Center (HURIGHTS OSAKA), went on to propose ideas for the further development of the Center. It was suggested that the Center could make accessible human rights documents and standards to the general public, and establish a collection on the social, economic and political condition of Asian peoples, vulnerable, disadvantaged, migrant and ethnic groups. The Center could also collect human rights education materials and forge links with lawyers, teachers, judges, police officers, diplomatic and aid officials, and managers of multinational companies. In addition the Center could participate in UN committees such as the Commission on Human Rights and the Committee for the Elimination of Discrimination Against Women. Ms. Dios encouraged the Center to urge all governments in Asia to ratify the basic human rights conventions, particularly the UN Convention for the Elimination of Discrimination Against Women, of which there are only 18 signatories in Asia, and the Convention for the Protection of Migrant Workers and their Families, and the UN Convention on the Rights of the Child.

It was further suggested by Ms. Dios, that an exchange and study program with other Asian countries to study the situation of migrant workers, particularly in Japan, and involvement in monitoring elections in war torn countries could be areas in which the Center could make a valuable contribution. Finally, the Center could provide the framework for the establishment of a regional mechanism to promote and protect human rights.

Ms. Dios concluded with a quote from a former Filipino prisoner of conscience, Mr. Jose W. Diokono, who said "There is but one right for everyone, that is the right to be human".

What are *HURIGHTS OSAKA's* 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 that human rights principles are included in Japanese international co-operative activities, to contribute to the Asia-Pacific region.
- 4 To raise human rights awareness among the people to concur with the internationalization in Japan.



The brief history of the Asia-Pacific Human Rights Information Center (*HURIGHTS OSAKA*)

1983

There was an appeal from the late Yo Kubota to set up a Human Rights Information Center in Asia. He was a United Nations Human Rights Officer.

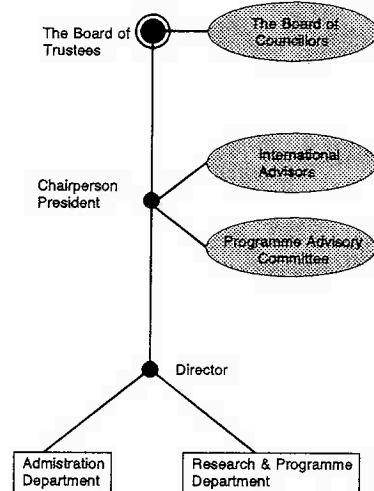
1991

A study group was commissioned to study the basic design of the Center by the Osaka Prefectural and the Municipal Governments.

What will HURIGHTS OSAKA do?

- 1 Information handling; with collections of the following :
 - basic international human rights documents
 - human rights situations in the Asia-Pacific region
 - information on social, economic and cultural conditions throughout the region
 - human rights education materials
- 2 Research on a range of human rights issues in the region in collaboration with experts in Japan and in the region as a whole.
- 3 International human rights education and training for those who are concerned with human rights issues in the Asia-Pacific region. National human rights education and training for citizens and corporations in Japan.
- 4 Publication of a newsletter in English and Japanese, and for the future, the publication of an annual report and the production and publication of audio-visual material other and materials in English, based on research.
- 5 Consultancy services to advise on human rights programmes and research.

Organization Chart



Chairperson : Kinhide Mushakoji
(Professor of Meijigakuin University)

President : Toshiaki Ishihara (Vice-Chairperson of Kansai Productivity Center)

Director : Dong-Hoon Kim (Professor of Ryukoku University)

International Advisor : Vitit Muntarbhorn
(Professor of Chulalongkorn University)

1992

Preparatory Committee for the Asia-Pacific Human Rights Information Center was established by human rights NGOs. An Asia-Pacific Human Rights Conference was held in Osaka. The Osaka Prefectural and Municipal Governments publicly announced their commitment.

1993

Government-NGO Planning Committee was established to elaborate the basic plan. A mission was sent to visit human rights groups in the Asia-Pacific region.

1994 /August

The Foundation for the Asia-Pacific Human Rights Information Center was established. This is supported by the Osaka Prefecture, the Osaka City, several NGOs, various other organizations and individuals.

December

The Center was officially opened and named "HURIGHTS OSAKA". 10 staff are expecting to work at this Center.

The Message from Professor Vitit Muntarbhorn

International Advisor to HURIGHTS OSAKA

The establishment of the Center is extremely important for the promotion of human rights solidarity in the Asia-Pacific region. It should help to propel greater networking between all key "actors" so as to ensure more effective monitoring of the human rights situation in this region. The key component of solidarity is not only interrelated with sustainability of action and resources, in terms of material allocations, personnel, expertise, and information base, but also a shared sense of purpose: human and humane commitment. I fervently hope that the Center will target its activities not only in information collection and dissemination but also in complementary action, such as training and assistance for marginalised communities, especially to support human rights workers at the field level.

Request for information exchange

The Center collects information relevant to the basic international human rights documents, social, economic and cultural situations in the world, human rights education with specific emphasis on the Asia-Pacific region.

In view of the international trend towards human rights, the Center provides up-to-date and useful information related to international human rights standards and the actual situation of human rights in the Asia-Pacific region.

The Center is willing to operate its own programmes with the voluntary commitment of all those people who are concerned with human rights. The Center would like to participate in document exchange, co-project programmes, and would like to offer organizational support. With the co-operation of concerned people, the Center will contribute to raising the awareness of the complex human rights issues in the Asia-Pacific region.

In this context, the Center would be grateful for any information you could send.

HURIGHTS OSAKA

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