

# Focus



## Asia-Pacific

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

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#### **20th Anniversary of HURIGHTS OSAKA**

*This is a short report on the symposium, the main anniversary activity of HURIGHTS OSAKA, held on 14 December 2014 in Osaka city. It discusses the highlights of the presentations on human rights and the young generations. The presentations concentrated on the services being provided to children in difficult situations.*

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#### **Workshop on Human Rights Centers in the Asia-Pacific**

*This is a brief report on the workshop held on 13 December 2014 in HURIGHTS OSAKA on the programs and activities of human rights centers in Asia-Pacific. The discussions covered key issues and challenges facing the human rights centers. Several human rights centers from Japan, Cambodia and the Philippines were represented in the workshop.*

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#### **Workshop on Business and Human Rights**

*This is a report on the discussion of issues regarding business and human rights during a workshop held in Makati city in early November. The workshop participants discussed problems arising from business operations that have adverse impact on the human rights of workers, and people living in the areas where the business facilities are located. Initiatives aimed at facilitating corporate adherence to human rights were presented in the workshop. The participants were mainly from the Philippines, with representatives from human rights centers in China, Mongolia and Japan.*

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#### **Human Rights Events in the Asia-Pacific**

*This is information on important human rights events in the region.*

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### Editorial

## Two Decades

The Asia-Pacific Human Rights Information Center/HURIGHTS OSAKA celebrated its twentieth year of existence in December 2014.

The past two decades recorded years of work to pursue a lofty goal of contributing to protection, promotion and realization of human rights in the vast Asia-Pacific. They were decades of hard work subjected to resource limitations and constraints from external factors.

Established as a local institution with a regional human rights program, HURIGHTS OSAKA had to take extra effort of getting support from institutions and individuals within Japan and in other countries to implement regional projects.

It had to find a niche in the varied field of human rights work in the region. It had to seek partners to widen its reach, enrich its work, and deepen its grasp of the issues at hand.

During the course of twenty years, it collaborated in various ways with many institutions (governmental and non-governmental; local, national, regional and international) in research and educational tasks.

Rather than gloat over whatever it has achieved, HURIGHTS OSAKA is humbled by the two decades of experience. Since time flies and the work does not end, it has only the option of keeping its work on course towards the fulfillment of its goals.

## 20th Anniversary of HURIGHTS OSAKA

### HURIGHTS OSAKA

HURIGHTS OSAKA's 20th Anniversary celebration in 2014 was set against the context of the persisting and evolving problems facing children and the youth due to the social, economic and cultural conditions of society. Economic downturns affect families that put children and youth in difficult situations. Socio-cultural changes challenge the upbringing and thinking of children and youth, increasing opportunities for abuse against them. Disasters victimize children and youth, and create lifelong impact on survivors.

There are programs and resources, though limited, that address the situation of children and youth including support for the protection and realization of their human rights.

In this light, HURIGHTS OSAKA decided to hold a symposium focusing on these programs and resources for children and youth that uphold human rights. This symposium was part of the 20th anniversary celebration of HURIGHTS OSAKA. The anniversary celebration also included a film festival, and a workshop on human rights centers in the Asia-Pacific.

#### The Symposium

The symposium was preceded by the keynote speech of the

anniversary celebration by the Chairperson of HURIGHTS OSAKA, Professor Kinhide Mushakoji. The symposium consisted of a panel presentation on human rights and the children and youth, and was moderated by the Director of HURIGHTS OSAKA, Osamu Shiraishi.

Professor Kinhide Mushakoji spoke about the original idea that caused the local human rights movement in Osaka to work for the establishment of HURIGHTS OSAKA in early 1980s. He noted the call on Japan to help promote human rights in the Asia-Pacific in the early 1980s by Yo Kobota, who was then a United Nations official. Professor Mushakoji noted that this call, heeded by both the local human rights movement and the local governments of Osaka, reflected the dream of a 16th century war lord – Toyotomi Hideyoshi – for Naniwa (the old name of Osaka). He explained that Hideyoshi dreamt of having a grand tea ceremony gathering in Naniwa that would have the participation of everyone without distinction. He interpreted this dream as a notion of democracy, of

Naniwa/Osaka as a place of democracy.

He saw the establishment of HURIGHTS OSAKA as related to this Naniwa dream.

Professor Mushakoji also briefly reviewed the regional program and domestic activities of HURIGHTS OSAKA.



The theme of the symposium emphasized the importance of given attention to the human rights of the future generations. The symposium featured human rights centers that provided practical measures to children and youth. Two human rights centers in Japan and one from the Philippines presented concrete experiences in providing practical services to children and youth. Representatives of the three human rights centers and one non-governmental organization spoke on the following support

programs for children and youth:

- a. Psychosocial services for children and youth in difficult situations (including children in disaster areas);
- b. Promotion of right to play of children even when undergoing medical treatment in the hospital;
- c. Counseling support for children and youth; and
- d. Promotion of the rights of the child.

The panel speakers emphasized the practical measures of the programs as well as the concrete experiences in implementing them. They represented the following human rights centers:

1. Yoshie Abe - General Research Institute on the Convention of the Rights of the Child;
2. Agnes Camacho - Psychosocial Support and Children's Rights Resource Center (PST CRRC); and
3. Hiroko Yamashita - Child Information and Research Center.

A representative of a non-governmental organization (NGO) that provided various services to promote the child's right to play (Kathy Wong, PlayRight Hong Kong) completed the panel speakers.

### Panel Presentations

Ms Abe presented the experience of providing service to children affected by the earthquake-tsunami-nuclear-meltdown in northeast Japan in

2011. She explained that the General Research Institute on the Convention of the Rights of the Child has been doing integrated, inter-disciplinary research on the rights of the child including research on "rights of the child in the community" with the involvement of local governments and NGOs in Japan, and rights of the child in Asia; assessing practices, advocacy campaigns and policies regarding children; and maintaining an archive on materials on the Convention of the Rights of the Child (CRC). She mentioned the number of children who were affected by the 2011 disaster, the government support for the psychological care of children (support for the visit of emergency counsellors to schools), and the local government assistance programs for such children. She emphasized the importance of ensuring that these support measures for children subscribe to the principles of the CRC, particularly the participation of children in their own rehabilitation and other matters affecting them. She noted the projection of children and youth by the mainstream media before the disaster as juvenile offenders, and the change of image to children and youth helping in the disaster areas. She proceeded to present the results of a research on the role of children in responding to the disaster. She stressed the different types of work they did (cleaning, cooking, and helping smaller children and old people), the appreciation they received from the disaster victims, and the positive effect

of the experience on the children and youth (appreciation of their own capacity to provide help to others, their role in society, their realization of the need to document their experience to enable them to tell others about it). The research results proved the validity of the view that children who suffer from disasters do recover and develop through their own participation in the rehabilitation work.

Ms Camacho presented another experience on assisting children in disaster situation. She reported the case of Dingalan town, Aurora province in northern Philippines that suffered damage from four typhoons that came in succession over a two-week period. She described the implementation of a project using an integrated community-based child-focused disaster management and development framework. The project had several components:

- a. Community consultations (consisting of psychosocial assessment workshops with adults and children, validation of results and community planning [with adults and children], integrated and participatory monitoring and evaluation of plan implementation, and training on action-planning [including basic financial accounting and reporting]);
- b. Activities addressing the safety and comfort of children (using creative workshops to process children's disaster

experience, and referral to professional help for further support and assistance when necessary);

c. Promotion of a caring and supportive family and community environment for children, consisting of

1. Training for local government officials [e.g., members of the local disaster coordinating councils], school teachers and community leaders on child rights and child-focused disaster risk reduction;
2. Training for teachers and community caregivers on the provision of psychological first aid to children; and
3. Training on "Children, Health and Rights in Disaster Situations: health and hygiene, herbal garden, composting, waste segregation."

She stressed the importance of children and youth groups, with guidance from adults, implementing community projects.

Ms Wong introduced Playright Hong Kong and explained that one of its programs was focused on children undergoing medical treatment in hospitals. She further explained that research showed the need to allow children to play while confined in the hospital to create an environment with reduced stress and anxiety (and to aid feelings of normality), to help the children regain confidence and self-esteem, to provide an

outlet for feelings of anger and frustration, to help the child understand treatment and illness, and to help children become prepared for hospital procedures and treatment. In addition, play also aided in assessment and diagnosis of the children's condition, minimized regression, and helped speed up recovery and rehabilitation.

Playright Hong Kong has been implementing the right to play program in five public hospitals in Hong Kong that provide various services to children. She presented several types of play catering to different stages of medical treatment:

- a. Preparation Play – to prepare children for medical procedures or treatment by making them understand what will happen, what they will feel like and things they can do to help them cope with the situation;
- b. Distraction Play – to provide support and distraction during medical procedures that enable children to reduce anxiety and pain, by focusing on something other than the medical procedures;
- c. Medical Play – to make children become familiar, explore and be educated on medical themes and/or the use of medical equipment. For adults, this is meant to allow them to receive information about child's perception of her/his psycho-social reactions to the medical experiences;
- d. Expressive Play – to help children express or deal

with the stressful situation by providing an acceptable and safe outlet for anger, frustration and aggression; and

e. Developmental Play – to promote normal development and prevent regression (important for long-stay patients).

Ms Wong also mentioned outreach play programs to provide more play opportunities to children with chronic illnesses. And to support the right to play program in hospitals, Playright Hong Kong recruited "Hospital Play Youth Ambassadors" and provided training for doctors and nurses, volunteers and nursing students. It supported the offering of a Certificate Course in Theory and Practice of Hospital Play for individuals intending to become hospital play specialists or those who would like to incorporate the therapeutic play approach in their own profession. Playright Hong Kong has been organizing Happy Bear Hospital Playday and publishing a newsletter to increase public awareness on right to play in hospitals.

Ms Yamashita explained the child abuse situation in Japan. She cited statistics on the increasing number of reported incidents of child abuse since 2004, the different cases of bullying that led to suicide of the bullied children, the use of corporal punishment in schools, child poverty, and school absence. She stressed the need to fully respect the rights of children under the CRC in the Japanese society. She noted that 2014 was the 20th year since the CRC was ratified by Japan,





and yet there were still many issues about children that needed resolution, including the acceptance of the rights of the children to develop, be protected from harm and take part in matters affecting them.

She also reported on a recent forum of people who support the CRC in the Kansai region. The Kansai Forum on the Convention on the Rights of the Child 2014, with more than a hundred participants from nineteen local organizations that work on the CRC, discussed the problems caused by a society that

- looked down on children and parents who raised children;
- saw parents with small children as nuisance, neglected them, or left them behind;
- saw bullying as a confrontation between the victim and the perpetrator, and to be solved by adults who did not see children

as agents in resolving their own problems;

- accepted violence not just in schools, but also in society where it was deeply rooted;
- forced on children and parents with children an image of how children should be or should be raised;
- made poverty invisible, or have people who tried not to see the poverty;
- ignored the rights of children with non-Japanese nationalities and children with disabilities.

The forum participants adopted the stance of facilitating change in society by listening to the voice of the children based on the principles of the CRC. They agreed on the need for a movement that would help realize the rights of the children based on the CRC.

She explained that the Child Information and Research

Center, as a public interest organization, was working for a society that respected each child or adult. She emphasized that the work of the Center was being done by people concerned about the human rights of children and also by the children themselves.

### Significance of the Symposium

The keynote speech and the symposium stressed the necessity of re-examining the original inspiration for the establishment of an institution and reviewing the societal context where it operates, and of maximizing existing resources in collaboration with other institutions to pursue common goals.

Indeed, the symposium's focus on children and youth emphasizes the concern for the future which any institution with public interest character has to deal with within its own unique mandate and limited resources. In celebrating its 20th year of existence, HURIGHTS OSAKA needed to look back at its origin to be inspired again; and look forward to the future to reaffirm its place in the field of human rights.

*For further information, please contact HURIGHTS OSAKA.*

# Workshop on Human Rights Centers in the Asia-Pacific

HURIGHTS OSAKA

**H**URIGHTS OSAKA's reason for existence lies in its objective of promoting human rights in Japan and in the Asia-Pacific region. In pursuing this objective, it sees the value of advocating for support for institutions in the region that gather, process and disseminate human rights information. HURIGHTS OSAKA has been compiling since 2001 information on institutions in Asia-Pacific that are considered "human rights centers."<sup>1</sup>

HURIGHTS OSAKA published in 2008 a directory of almost two hundred human rights centers, followed by an updated version in 2013. Through this project, HURIGHTS OSAKA has been able to establish contact with almost three hundred human rights centers in West, Central, South, Southeast and Northeast Asia, and in the Pacific.

The two editions (2008 and 2013) of the *Directory of Asia-Pacific Human Rights Centers* show the variety and comprehensiveness of the programs and activities being implemented by these human rights centers.

The human rights centers, and institutions that have "human rights center" function, in the Asia-Pacific deserve recognition and continued support. They exist in significant number in the region and play important

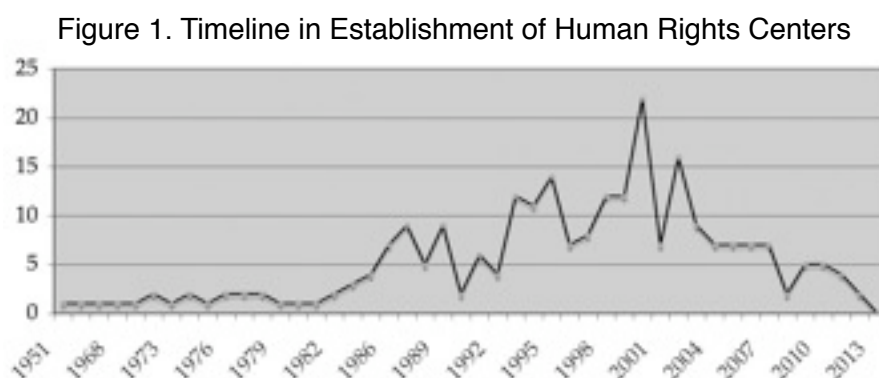
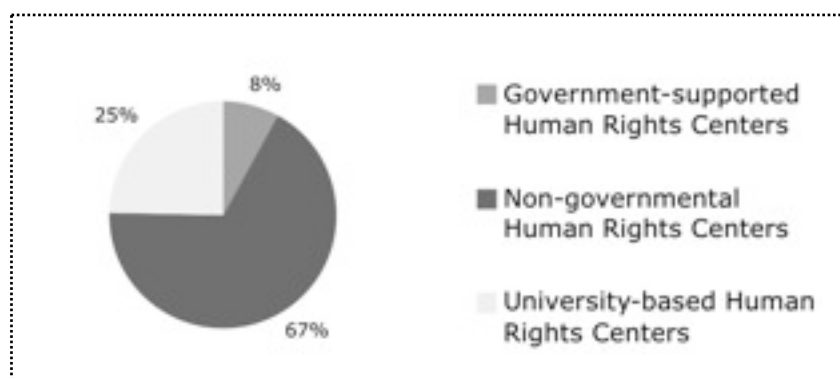


Figure 2. Number of Human Rights Centers per Major Category



roles in their respective constituencies.

HURIGHTS OSAKA saw the need to review the experiences of some of the human rights centers in line with its 20th anniversary in December 2014. It organized a small workshop on human rights centers on 13 December 2014 in Osaka.

## Human Rights Centers: An Overview

The profiles of almost two hundred fifty human rights centers in Asia and the Pacific in the 2013 edition of the *Directory of Asia-Pacific Human*

*Rights Centers* show three major categories of centers: non-governmental, government-supported and university-based.

These profiles show that some centers started way back in the late 1950s; while a majority of them were established from late 1980s to mid-2000s (see Figure 1).

Majority of these centers are non-governmental in nature (around 67 percent of the listed centers), followed by university-based centers at 25 percent and government-supported centers at 8 percent<sup>2</sup> as seen in Figure 2 above.

The human rights centers generally undertake the following tasks:

- Research on very particular issues regarding
  - o Sectoral groups - women, indigenous peoples, minorities, etc.
  - o Thematic concerns - human rights violations, particular rights (right to development, housing rights), larger issues (armed conflict situation/peace, development, democracy, etc.)
  - o Overlapping themes - human rights and democracy, human rights and environment, human rights and peace, human rights and business, etc.;
- Analysis of measures (international and national) that support human rights protection, promotion, realization; preparation of proposals for reform (in terms of proposed laws, policies, programs, and particular actions) in the systems affecting human rights;
- Dissemination of knowledge on the international human rights standards and mechanisms, relevant local laws and processes;
- Exposition of, and promotion of public discussion on, human rights issues.

In general, the collected human rights information may become

- Content of advocacy and educational materials to sensitize the public on specific issues, and other

human rights promotion activities;

- Bases for
  - Raising the visibility of certain rights (such as rights of specific sectors – women, children, urban poor, farmers, etc.)
  - Assessing new areas of rights violations
  - Exploring new areas of work according to changing contexts (such as development of new programs)
  - Determining strategic interventions (such as resort to judicial remedy) in particular cases
  - Ensuring clarity of perspective in monitoring human rights violations (such as adoption of particular issues as focus of monitoring program).

### Workshop Proceedings

The workshop reviewed the current programs and activities of human rights centers in some countries in the Asia-Pacific, discussed key elements that define the work of these centers in relation to particular themes; and identified challenges and opportunities facing the human rights centers in pursuing the goal of promoting human rights at various levels (community/city/province, national, regional).

The workshop focused on four themes of human rights center work:

- a. Documentation – review of the core functions of a human rights center consisting of gathering,

processing and disseminating information;

- b. Community action – examination of the dissemination function of a human rights center through service provision;
- c. Working with local government - discussion of the significance of working with local government especially for a human rights center that covers a local area;
- d. Education – presentation on the important role of facilitating education of people on the meaning and practice of human rights.

Discussions on the themes were initiated by the representatives of the following human rights centers:

- a. Documentation – Documentation Center of Cambodia (DC-Cam);
- b. Community action - Psychosocial Support and Children's Rights Resource Center (Philippines);
- c. Work with local government - Tottori Prefectural Center for Universal Culture of Human Rights (Japan) ; and
- d. Education - HURIGHTS OSAKA (Japan).

### Documentation

The establishment of the Documentation Center of Cambodia (DC-Cam) started with the Cambodian Genocide Program (CGP) in Yale University and the subsequent creation of a branch office in Phnom Penh. The program started a study in 1994 of the events under the so-called "Cambodian genocide of

1975-1979” to “learn as much as possible about the tragedy, and to help determine who was responsible for the crimes of the Pol Pot regime.”<sup>3</sup> The program has compiled thousands of materials (documents, photos, etc.) related to the Khmer Rouge (KR) era.<sup>4</sup> This program led to the establishment of DC-Cam in 1997 as an independent Cambodian non-governmental organization with twin objectives: Memory and Justice.

DC-Cam has continued compiling information on the KR era organized into the following databases:<sup>5</sup>

- a. Bibliographic Database - 2,963 records entered by DC-Cam and CGP consisting of confessions collected from prisoners detained in the Khmer Rouge prison at Kraing Tachann in Takeo province, as well as other sources. They include interviews, books, articles and primary documents;
- b. Biographic Database - 30,442 biographies of victims (ordinary citizens), KR commanders, cadres, soldiers, medical staff, messengers, militiamen, and other KR members, including those imprisoned and tortured in Tuol Sleng (S-21) prison;
- c. Photographic Database – 5,190 photographs of prisoners from Tuol Sleng (S-21) prison in Phnom Penh;
- d. Geographic Database – consisting of the map that indicates places where the killings occurred during the KR era.

There are also three hundred documentary films in the DC-Cam collection.

The collection of information has enabled DC-Cam to undertake the following programs and projects:

- Forensics, Mapping the Killing Fields;
- Affinity Group (network of documentation centers in the former Yugoslavia, Guatemala, Burma [headquartered in Thailand], Iraq, Afghanistan, and South Africa to share information and techniques, and work together to address the constraints shared by its members);
- Legal Training, Response Team, Victims Participation, Extraordinary Chambers in the Courts of Cambodia (ECCC) Trial Observation;
- Living Documents;
- Magazine (*Searching for the Truth*);
- Promoting Accountability;
- Public Information Room;
- Oral History Project;
- Victims of Torture Project;
- Witnessing Justice Project;
- Genocide Education Project.

These programs and projects address a variety of concerns from providing support to the ongoing trial of KR leaders, to helping surviving family members of victims find their relatives, to making the Cambodians in general properly understand the KR issue.

### Community action

The Psychosocial Support and Children’s Rights Resource Center (PST CRRC) started in 1993 as a special program under the Peace, Conflict Resolution, and Human Rights Program of the Center for Integrative and Development Studies of the University of the Philippines (UP CIDS PST). The special program facilitated the mainstreaming and institutionalization of psychosocial trauma and human rights concerns in the academe. In 2006, the special program was converted into PST CRRC, a non-governmental organization. PST CRRC engages in research, training, advocacy, networking, and providing up-to-date and relevant materials and resources on psychosocial support and childhood, and child rights.

PST-CRRC has been providing services to local communities that suffer from natural disasters, armed conflict, violence and similar events. It implements a community-based and participatory approach that

- Involves community members in the conceptualization and implementation of programs and activities for children;
- Assumes that communities have their own resources and strategies for helping themselves; and
- Assumes that children are not only vulnerable victims and passive recipients of assistance but also active agents in their own recovery and for community development.



Using this approach, PST-CRRC provides psychosocial interventions that address people's thoughts, feelings, attitudes and behaviors in the context of social, economic, cultural, and spiritual factors that affect them. Regarding children, the PST-CRRC programs address an "umbrella of rights" based on the principles in the Convention on the Rights of the Child:

- The best interests of the child (Article 3.1)
- Non-discrimination (Article 2)
- Participation (Article 12)
- Fulfilment of child rights (to the maximum extent of available resources) (Article 4)
- The right to life, survival and development (Article 6).

The activities take the form of specific and practical actions (such as equipping children and young people with knowledge and skills on disaster risk reduction, and facilitating the participation of children in community projects and development efforts), strengthening structures and mechanisms (such as working with existing community organizations and programs, specifically with child- and youth-led organizations), and awareness-raising/building constituencies of support within the communities.

### ***Working with the local government***

The Tottori Prefectural Center for Universal Culture of Human Rights was established in 1997 to implement the objectives of

the Tottori Prefectural Ordinance for Creating a Pro-Human Rights Society and the subsequent Tottori Prefectural policies on human rights to create a society where human rights and civil liberties are respected. It is financially supported by the local governments (prefectural and town) in Tottori prefecture. It has member-institutions consisting of local governments and private organizations.

The Center works with local governments by providing lecturers to their educational programs; assisting them in organizing human rights study meetings; disseminating human rights information to the general public through its website, and through newspapers, e-mail magazine, and blogs; distribution of informational/educational materials; and implementation of projects (such as organizing of Tottori Cartoon Award and management of the Tottori Prefectural Human Rights Space 21). The Center has been working on a number of issues including the *Buraku* issue, women's rights, rights of people with disabilities, child rights, rights of the elderly, and migrant rights.

Despite the financial difficulties of the local governments in Tottori prefecture, the Center continues to receive financial support from them.

### ***Human rights education***

HURIGHTS OSAKA, a local institution with a regional human rights program, has been implementing a regional human rights education program since

the latter part of the 1990s in collaboration with institutions and individuals in various countries in Asia. Its regional human rights education program consists of information collection through research, processing the information in the form of various types of publication (research reports, annual publications, teaching-learning materials), and disseminating them (through training workshops, participation in meetings and conferences, and online modes). A major component of the regional human rights education program of HURIGHTS OSAKA is the documentation of human rights education programs and experiences in various countries in Asia and the Pacific. The database on human rights education is focused on Asia and the Pacific and aims to serve the needs of human rights educators in the region.<sup>6</sup> The database is continuously though slowly being built as HURIGHTS OSAKA gathers information and materials on human rights education.

### ***Key Issues and Challenges***

Human rights centers in general gather and process data related to human rights to support their aim of helping people gain appropriate understanding of human rights and human rights issues, and facilitating action on human rights issues as maybe necessary. The DC-Cam program provides a good model of documenting a specific human rights issue with clear aims of supporting efforts to hold human rights violators accountable, and of making people learn from, and

remember, the experience. Such human rights data are also necessary in seeking reform in government policies and programs.

In carrying on with the tasks of gathering and processing data, the human rights centers are concerned about the security of the data. DC-Cam, for example, secures its data by digitalizing them and keeping copies in several places. But the security, in this sense, can also refer to assurance that the data are made available for public use for a long period of time. Necessarily, they also need to provide the space (physical and digital) and activities for people to access human rights information, talk about them, and use them.

In terms of opportunities, human rights centers use

- a. Human rights policies (including local government ordinances or action plans related to human rights) as bases for working with governments and also as political support from governments as shown by the experience of the Tottori Prefectural Center for Universal Culture of Human Rights;
- b. Community resources including households that facilitate transmission of human rights information to family members (Tottori Prefectural Center for Universal Culture of Human Rights), and existing community institutions to help sustain human rights initiatives (such as working with religious institutions [Buddhist temples and

Christian churches] and local non-governmental organizations in the cases of DC-Cam and PST-CRRC);

- c. Human rights-related materials (reports of activities, research reports) of any institution or group that qualify for wider dissemination. This is seen in the case of HURIGHTS OSAKA's practice of seeking out such materials and processing them for publication and other forms of dissemination in support of human rights education;
- d. Networking with relevant institutions or groups to support the programs. This is seen in the human rights education work of DC-Cam in terms of partnership with the Ministry of Education, Science, Youth and Sports of Cambodia, or in working with private corporations and local governments in holding the annual human rights training program of the Buraku Liberation and Human Rights Research Institute (Japan). This can also refer to recognizing the human rights component of institutions that work on other issues (such as peace, development, environment, etc.) and finding ways to collaborate with them.

Human rights centers face a number of challenges<sup>7</sup> that affect their operations. These challenges may refer to the following:

- Conceptual: overcoming notions about people and human rights that can either deprive people of their rights (such as when children are considered to

be the object of protection only and not subject of participatory process to fulfill their rights) or make people see human rights as irrelevant to their daily life (such as when human rights are considered to be exclusively referring to major political issues);

- Political: linked to the conceptual challenge, adopting approaches that do not cause inappropriate rejection by people and government of human rights or human rights work. Such approaches may have to be non-confrontational and entails "strategic diplomacy" or friendly engagement (especially with governments);
- Security: ensuring that human rights data are not lost such as by digitizing and duplicating them (similar to the digital KR documents that are safeguarded in three American universities);
- Donor and NGO politics: finding ways to address the political agenda of donors and also NGOs that may deviate from the objectives of human rights centers; finding proper stance in building networks of related institutions that have differing agenda;
- Resources: ensuring continued support for the operations of the human rights centers, despite changing political environment;
- Academic agenda: finding ways of supporting all academic initiatives (even those critical of human

rights concept and practice) through provision of human rights materials;

- Technological: employing and maintaining technologies suitable to the work of human rights centers;
- Programmatic – developing program implementation processes that effectively ensure respect for human rights (such as respect for the participation of children in activities affecting them), avoiding token gestures of respect for human rights in these processes; establishing new programs that can be sustained over a significant period of time and relevant to the needs of the human rights centers' constituencies.

The most significant and difficult challenge to human rights centers is on making impact on people and community who are considered to be the main beneficiaries of their work. Human rights centers have to learn from each other's experiences in addressing these challenges.

*For further information, please contact HURIGHTS OSAKA.*

## Endnotes

- 1 The two editions (2008 and 2013) of the *Directory of Asia-Pacific Human Rights Centers* define a human rights center as an institution engaged in gathering and dissemination of information related to human rights. The information refers to the international human rights instruments, documents of the United Nations human rights bodies, reports on human rights situations, analyses of human rights issues, human rights programs and activities, and other human rights-related information that are relevant to the needs of the communities in the Asia-Pacific.
- 2 Figure 2 includes data on almost one hundred fifty other centers that are listed in the 2013 edition of the *Directory* but do not have complete organizational information.
- 3 Cambodian Genocide Program (CGP), Yale University, [www.yale.edu/cgp/](http://www.yale.edu/cgp/).
- 4 The website of the CGP states:  
In Phnom Penh in 1996, for instance, we obtained access to the 100,000-page archive of that defunct regime's security police, the Santebal. This material has been micro-filmed by Yale University's Sterling Library and made available to scholars worldwide. As of January 2008, we have also compiled and published 22,000 biographic and bibliographic records, and over 6,000 photographs, along with documents, translations, maps, and an extensive list of CGP books and research papers on the genocide, as well as the CGP's newly-enhanced, interactive Cambodian Geographic Database, CGEO, which includes data on: Cambodia's 13,000 villages; the 115,000 sites targeted in 231,00 U.S. bombing sorties flown over Cambodia in 1965-75, dropping 2.75 million tons of munitions; 158 prisons run by Pol Pot's Khmer Rouge regime during 1975-1979, and 309 mass-grave sites with an estimated total of 19,000 grave pits; and 76 sites of post-1979 memorials to victims of the Khmer Rouge.
- 5 These databases are accessible online:
  - Biographic Database - <http://d.dccam.org/Database/Biographic/Cbio.php>
  - Bibliographic Database - <http://d.dccam.org/Database/Bibliographic/Cbib.php>
  - Photographic Database - <http://d.dccam.org/Database/Photographic/Cts.php>
  - Geographic Database - <http://d.dccam.org/Database/Geographic/Index.htm>.  
The information can also be accessed in this page: <http://d.dccam.org/Archives/Documents/Documents.htm>.
- 6 See materials on human rights education in HURIGHTS OSAKA website ([www.hurights.or.jp/english/overview-human-rights-education-in-the-asia-pacific.html](http://www.hurights.or.jp/english/overview-human-rights-education-in-the-asia-pacific.html)), and related publications in [www.hurights.or.jp/english/publication.html](http://www.hurights.or.jp/english/publication.html).
- 7 The discussion on challenges combines the ideas expressed in the presentations by human rights centers' representatives (Kamboly Dy of DC-Cam, Agnes Zenaida V. Camacho of PST-CRRC, Mariko Ozaki of the Totori Prefectural Center for Universal Culture of Human Rights, and Jefferson R. Plantilla of HURIGHTS OSAKA) and other workshop participants.

# Workshop on Business and Human Rights

HURIGHTS OSAKA

Discussions about business and human rights are likely to cover a wide set of issues including problems resulting from company operations that impact on people and environment, trade policies and human development, the United Nations Guiding Principles on Business and Human Rights, the legal measures to address the issues, the corporate initiatives on business and human rights, and tools that help companies assess the extent of their respect for human rights. A workshop entitled “Profitable Partnerships: A Workshop on Business and Human Rights in Select Countries in Asia” held in Makati city in early November 2014 discussed these issues.

Representatives of various Philippine government agencies, non-governmental organizations, the Philippine business community, academe, embassies and also participants

from Mongolia, China and Japan attended the workshop. The Chairperson of the Commission on Human Rights of the Philippines (CHRP), Ms Loretta Ann Rosales, also participated in the workshop as a panel presenter.

The workshop was jointly organized by RAFI-SHIFT and the Economic, Social and Cultural Rights-Asia (ESCR-Asia), in cooperation with the Makati Business Club (MBC), CHRP, the Asia Pacific Pathways to Progress Foundation (APPF) and the Asian Consortium on Human Rights-based Access to Justice (HRBA2J-Asia).

## Primary issues

One of the most discussed issues regarding company operations during the workshop was the impact of the mining industry. The experience of Mongolia was a case in point. A presentation on Mongolia<sup>1</sup> cited

the huge contribution of the mining industry to the Mongolian economy, the significant presence of non-Mongolian mining companies in the industry, and the significant adverse impact

of the industry on the rights of workers, the right to livelihood and health of the people living in the areas of operation (particularly the traditional animal herders), and the physical environment. There were other problems presented during the workshop that arose from company operations such as the occurrence of “cancer villages” and the worsening air pollution in China,<sup>2</sup> and the continuing problems of labor that ranged from workers’ deaths or suicides, to discriminatory treatment, to the slow resolution of industrial pollution cases and to the weakening of organized labor in Japan.<sup>3</sup>

By and large laws regarding these issues exist in the countries involved, but their full and effective implementation was the major problem.

## Larger issue

The presentation on trade policies and human rights pointed to the macro-economic structure that impinged on industrial operations. Trade policies, especially those linked to foreign investment and participation in international trade agreements and systems, have impact on human rights. The presentation<sup>4</sup> cited the case of the World Trade Organization agreement on textiles and clothing<sup>5</sup> whose expiration had impact on national trade policy





and on the relevant industries. The presentation stressed the consequences of the expiration of this trade agreement in the form of lowered volume of exports and lowered price of garments, which resulted in reduced national trade revenue. This in turn caused factory closures, job losses, and decline in real wages. Also, with lesser trade revenue, there could have been reduction of public expenditure on social services by the government. Ultimately, the adverse impact was the deterioration of the family economic and social well-being. In such situation, should there be pro-poor trade competitiveness policies to address it? Should there be parallel social, labor, human resource development (education and training) and budgetary policies to address the adverse impact?

The presentation likewise pointed out the complexity of the operations of multinational companies, which involve many factories in different countries that supply materials to manufacture products. The supply chain of the hard-disk drive assembly in Thailand shows such complex production system.

In this situation, how can trade policymakers be convinced of the need to incorporate human rights principles into the trade policies? Certainly, for human rights advocates, a good understanding of the trade/industrial system is needed to be able to effectively translate human rights language into trade policy discourse.

### Initiative by the Business Community

The corporate code of conduct project led by the Makati Business Club, the Management Association of the Philippines, the European Chamber of Commerce of the Philippines, the American Chamber of Commerce of the Philippines and the Asian Institute of Management (AIM) was presented as an example of business community initiative.<sup>6</sup> The project, known as the "Integrity Initiative" promotes fair competition, good corporate governance, and social responsibility. Involving both the private and public sectors, it includes an "Integrity Pledge" that prohibits bribery in any form and requires the adoption of a code of conduct, training of employees, maintenance of reporting channels and refraining from engaging in business with "unethical companies." The institutions that adopt the Integrity Pledge are required to employ a self-assessment tool and allow an external review to "address gaps through learning interventions and [by] reinforcing integrity habits." While the Integrity Initiative does not have any explicit reference to human rights, it promotes the United Nations Global Compact, International Guidance Standard on Organisational Social Responsibility (ISO 26000), the 1976 Guidelines for Multinational Enterprises of the Organisation of Economic Co-operation and Development (OECD), the Global Reporting Initiative, and the Tripartite Declaration of Principles Concerning Multinational

Enterprises and Social Policy (MNE Declaration) of the International Labour Organization. In this sense, the project implicitly covers human rights. The project has counterparts in other Southeast Asian countries including those initiated by the Thai Institute of Directors, the Anti-Corruption Organization of Thailand (ACT) and Indonesia Business Links.

### Frameworks for Companies

The Human Rights Reporting & Assurance Frameworks Initiative (RAFI) was presented as a new international initiative in the business and human rights field. RAFI aims to develop a twin set of global, public frameworks that can provide a guide to companies on what good reporting on human rights performance looks like and to assurance providers on what good assurance of human rights reports looks like (with similar benefits to internal auditors). The frameworks are meant to be both meaningful and viable, do not require stand-alone human rights reporting, and to be owned by appropriate, independent bodies who can further develop them over time. It is designed as a useful tool to support internal discussions on policies, processes and practices.

RAFI is a response to the current situation of corporate reporting on human rights which is "highly varied across companies and across years, often very anecdotal, with unclear basis for selection of focus, and often focuses on projects with unclear connection to core business." It is being developed through

consultation with all stakeholders in different parts of the world and through research of current practices and lessons from related fields.

### Discussions and Comments

The comments and questions raised during the open forum in each of the sessions included issues such as the difficulty of monitoring company operations and seeking their accountability for the damages sustained by workers and the people in the nearby communities; the perception of human rights as part of the agenda of groups with either “right or left” ideological orientation; the proper arguments that would convince companies to voluntarily and effectively adopt measures to respect human rights.

There was a strong indication in the workshop of the need to promote the business and human rights principles. Many participants suggested the need to mainstream these principles in the educational programs of the different institutions and groups (companies, government agencies, non-governmental organizations, labor unions and community organizations) that represent the different stakeholders in the issue.

*For further information, please contact: ESCR-Asia, Inc./ HRBA2J-Asia, Rm. 209, Benigno Mayo Hall, JJCICS Bldg., ISO Complex, Ateneo De Manila University, Loyola Heights, Quezon City, Philippines; ph (632) 4266001 loc. 4664; fax (632) 4266070; e-mail: escasia2003@yahoo.com; www.hrbajustice.asia.*

### Endnotes

- 1 Ms Erdenechimeg Dashdorg, representing the Centre for Human Rights and Development, gave the presentation.
- 2 Ms Huang Zhong, representing Wuhan University Public Interest and Development Law Institute (PIDLI), gave the presentation.
- 3 Jefferson R. Plantilla of HURIGHTS OSAKA gave the presentation. See the following articles published in this newsletter for more details on the issues: Centre for Human Rights and Development, *Human Rights in the Mining Industry of Mongolia* in [www.hurights.or.jp/archives/focus/section3/2014/09/human-rights-in-the-mining-industry-of-mongolia.html](http://www.hurights.or.jp/archives/focus/section3/2014/09/human-rights-in-the-mining-industry-of-mongolia.html); Huang Zhong and Cheng Qian, *Merging Business and Human Rights in China: Still A Long Way to Go* in [www.hurights.or.jp/archives/focus/section3/2014/06/merging-business-and-human-rights-in-china-still-a-long-way-to-go.html](http://www.hurights.or.jp/archives/focus/section3/2014/06/merging-business-and-human-rights-in-china-still-a-long-way-to-go.html); Jefferson R. Plantilla, *Human Rights in Japanese Companies* in [www.hurights.or.jp/archives/focus/section2/2013/12/human-rights-in-japanese-companies.html](http://www.hurights.or.jp/archives/focus/section2/2013/12/human-rights-in-japanese-companies.html).
- 4 Ms Marina Durano, PhD, of the Asian Center of the University of the Philippines gave the presentation entitled “Human Rights Impact Assessments & Trade Policy.”
- 5 “The Agreement on Textiles and Clothing (ATC) and all restrictions thereunder terminated on January 1, 2005. The expiry of the ten-year transition period of ATC implementation means that trade in textile and clothing products is no longer subject to quotas under a special regime outside normal WTO/ GATT rules but is now governed by the general rules and disciplines embodied in the multilateral trading system.” Text from Uruguay Round Agreement, Agreement on Textiles and Clothing, World Trade Organization, [www.wto.org/english/docs\\_e/legal\\_e/16-tex\\_e.htm](http://www.wto.org/english/docs_e/legal_e/16-tex_e.htm). This means that quotas that “specified how much the importing country was going to accept from individual exporting countries” were no longer allowed from 2 January 2005. See Understanding The WTO: The Agreements - Textiles: back in the mainstream, [www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/agrm5\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/tif_e/agrm5_e.htm).
- 6 Mr Peter Angelo V. Perfecto, Executive Director, Makati Business Club, gave a presentation entitled “Integrity Initiative Can Help Make Human Rights Everybody’s Business.”
- 7 Ms Caroline Rees, President, SHIFT, one of the two co-organizers of the RAFI, gave a presentation entitled “Human Rights Reporting & Assurance Frameworks Initiative (RAFI).”

# Human Rights Events in the Asia-Pacific

## **"Women Leading, Women Organising"**

The Asia Pacific Forum on Women, Law and Development (APWLD) convened the Asia Pacific Regional workshop "Women Leading, Women Organising" in Chiang Mai on 18 - 21 December 2014. This participatory workshop focused on enhancing the capacity, leadership and voice of women in trade unions across the Asia-Pacific region.

*For further information, please contact: Asia Pacific Forum on Women, Law and Development (APWLD), 189/3 Changklan Road, Amphoe Muang, Chiang Mai 50100 Thailand; ph (66) 53 284527, 284856; fax (66) 53 280847; e-mail: apwld@apwld.org; www.apwld.org.*

## **Empowering Rural Women on Rights to Land, Food, Resources and Sexual and Reproductive Health and Rights**

PAN Asia Pacific (PANAP) and the Asian Rural Women's Coalition (ARWC) organized a regional workshop, "Our Stories, One Journey: Empowering Rural Women on Rights to Land, Food, Resources and Sexual and Reproductive Health and Rights" on 15 November 2014, during the Parallel Sessions of the Asia Pacific Civil Society Forum on Beijing +20 (14-16 November 2014, Bangkok). The workshop was also co-sponsored by Asian

Pacific Resource and Research Center for Women (ARROW), AMIHAN (Federation of Peasant Women Philippines), Society for Rural Education (SRED India), and Seruni Indonesia.

*For further information, please contact: PAN Asia Pacific, P.O. Box 1170, 10850 Penang, Malaysia; ph (604) 6570271 or (604) 6560381; fax (604) 6583960; e-mail: panap@panap.net; www.panap.net; www.facebook.com/panasiapacific; www.twitter.com/panasiapac*

## **"Empowering Community of Democracies" Conference**

The East Asia Institute (EAI) and Asia Democracy Network (ADN) organized the International Conference on "Empowering Community of Democracies" on 24-25 November 2014 in Seoul. The conference discussed proposed agenda for the upcoming 8th Community of Democracies (CD) Ministerial Conference and Civil Society Conference in El Salvador in 2015, and ways to reinforce the participation of Asian civil society in the CD process as well as increase CD's presence in the Asian region. In addition, the conference had a special session dedicated to "Seeking a New Model for Democracy Assistance Foundation" to further support the democratic process abroad.

*For further information, please contact: Asia Democracy Network Secretariat, Korea Human Rights Foundation; mobile (82 10) 8551 3192; ph (82 2) 363 0002; e-mail: adn2013seoul@gmail.com; www.asia21.asia; www.humanrights.or.kr; www.humanrightskorea.org.*

## **High-Level Roundtable on Gender Identity, Rights and the Law**

The United Nations Development Programme (UNDP), the Centre for Comparative and Public Law (CCPL) at the University of Hong Kong's Faculty of Law and the Open Society Foundations (OSF) convened on 2 October 2014 the High-Level Roundtable with the aim of advancing transgender people's rights in Asia and the Pacific. The Roundtable brought together key opinion and decision makers and explored some of the critical problems faced by individuals, who often identify as transgender and desire to live and be accepted in a gender other than the one that society has assigned to them.

*For further information, please contact: Centre for Comparative and Public Law, Room 901, 9/F, Cheng Yu Tung Tower, Faculty of Law, University of Hong Kong, Hong Kong; ph (852) 3917 4238; fax (852) 2549 8495; www.law.hku.hk/ccpl/index.html.*

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# HURIGHTS OSAKA Calendar

The English section of the HURIGHTS OSAKA website has been redesigned in most parts. The lists of articles on different issues are now more complete after review and update. New issues have been added (such as business and human rights). Recent English publications are also being uploaded onto the website.

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**PRINTED MATTER**

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May be opened for inspection by the postal service.

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

FOCUS Asia-Pacific is edited by Osamu Shiraishi, Director of HURIGHTS OSAKA.

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