Context of Human Rights Education in Asian Schools

JEFFERSON R. PLANTILLA

Misunderstanding of human rights and human rights education, fear of government disapproval of human rights education, and fear of human rights education as additional burden to teachers are some of the obstacles to having open and full support for human rights education in Asian schools. Both governments and educators may find solace in considering certain educations as human rights education, or in teaching human rights under different names, or using broader educational frameworks that incorporate human rights education. [1]

And for those who agree with the teaching of human rights in schools, they face the problem of inadequate reference and teaching/learning materials, lack of training on human rights and human rights education, lack of support from the education/school officials, and even lukewarm support from the parents and community.

Human rights education in schools developed in different periods of time and forms. As explained in the 1998 consultation workshops report of HURIGHTS OSAKA, education programs that relate to human rights arose as responses

> to problems faced by groups in society who were disadvantaged or discriminated. Human rights education in schools can be traced to the time when schools began to teach the ideas of democracy, social justice, national independence and the right of people to their own (human) dignity and well-being.[2]

A second phase in its development occurred when

> schools have to deal with more concrete issues such as the discrimination against the Buraku people in Japan, or the abuses that children suffer in the hands of parents, relatives, family friends, teachers, school heads and strangers. Human rights education eventually has to deal with real issues that students face in school, family and society.[3]

The appreciation of issues considered important in a particular time determined the type of education that facilitated the teaching and learning of human rights.

Issues

International definitions of human rights education adopted by governments should have settled any debate on how the teaching and learning of human rights should be done inside the classroom and the school as a whole. The UNESCO-organized international conference on human rights education in 1993 in Montreal, Canada, and followed by the 1999 Asia-Pacific conference in Pune, India provide such international definition of human rights education.[4] The Vienna Declaration and Pro-

gramme of Action that came out of the 1993 World Conference on Human Rights, and the subsequent United Nations (UN) General Assembly resolutions on the UN Decade for Human Rights Education (1995-2004) and its plan of action also provide the definition of human rights education.[5] The variety of forms of human rights education in Asian schools, however, seems to indicate lack of subscription to such internationally agreed definitions.

From these international definitions, it is normal to expect that human rights education means the study of human rights, their concepts and mechanisms (local and also international). Others argue otherwise, however, in view of practical difficulties of changing curriculums and syllabuses, and the opportunity provided by existing "educations" that may indirectly cover human rights. In latter case, human rights are effectively "hidden" or made implicit.

But whether human rights are explicitly or implicitly/indirectly taught, there are issues to ponder upon. There are questions on how other "educations" may or may not actually provide human rights education. I discuss the different "educations" and point out some of these issues.

Another set of issues refer to the extent by which students learned or not learned human rights in countries that have formal support for human rights education. Do students really understand human rights? If so, do they acquire such understanding in schools? What do schools do to facilitate such understanding of human rights?

There are also issues relating to the national and regional environments that are meant to support human rights education in the formal education system.

Explicit human rights education

Human rights taught explicitly can be in the form of legal education. The Philippine experience is instructive in this regard. The Popularizing The Law Program of the University of the Philippines' Law Center is basically education about law in general. But it contains a component on human rights, a distinct section, which introduces the international human rights standards.[6] This is an example of the view that legal education per se may not properly convey human rights messages unless explicit mention of human rights is made. Constitutional provisions, for example, provide very rich bases for discussing related international human rights standards. Legal education can also introduce specific human rights that the constitutional provisions do not cover.[7]

Values education is another vehicle for human rights education. As defined by the Asia-Pacific Network on International Education and Values Education (APNIEVE),[8] human rights constitute one of the main issues that should be covered in values education. This view follows the UNESCO agenda of covering peace, sustainable development, environment, and human rights, among other issues, in its education programs. UNESCO interprets its own principles of universality, diversity, and dignity as "closely related to the values of justice, solidarity, tolerance, sharing and equity, respect for human rights and democratic principle."[9]

However, the interpretation of values education may differ from country to country. It is possible that the words "human rights" might not even be mentioned, or related words might be used. Australia's 2004-2008 Values Education Programme based on *The National Framework for Values Education (2003)* is an example of the latter situation. Under the *National Framework,* there are nine values to be promoted.[10] The values of "Freedom" and "Tolerance and Inclusion" are considered human rights concepts. It is not known however whether or not teachers in explaining these values mention that they are human rights values too. In countries where human rights are considered too politically sensitive, it is highly possible that values education does not mention human rights.

In the case of the Philippines, several govern-

ment documents put human rights education under values education. An early list of values had two sets of values: "core values" and "related values". The seven identified "core values" did not directly relate to human rights. Thus human rights came under "related values", which meant that human rights were subsidiary values. This violated government orders and even the constitutional provision on the teaching of human rights in all educational institutions.[11] Fortunately, the teaching exemplars subsequently produced by the Department of Education and the Philippine Commission on Human Rights discuss human rights as values to be integrated in various learning areas and not merely as subsidiary values under values education.[12]

Implicit human rights education

Civic education is one form of human rights education when it is defined in an international context so that citizens are treated also as individuals "entitled to all the rights inherent in the human condition".[13] In promoting civic education with ***intrinsic human rights component*** UNESCO asserts that

> Civics education should not barricade itself behind a narrow vision of the nation and citizenship. What we have to promote is international, and then worldwide, citizenship.

Another UNESCO statement presents the new view on civic education in the following manner:[14]

> Civic education programmes have become an increasingly important means for countries to educate citizens about their rights and responsibilities. Increasing pluralism within states has encouraged the development of civic education programmes that go beyond simple 'patriotic' models of citizenship requiring uncritical loyalty to the nation state. By defining 'citizenship' in terms of human rights and civic responsibilities, civic education programmes attempt to avoid concepts of 'citizenship' that define nationality in terms of ethnic, religious or cultural identity. The aspiration is that concepts of citizenship based on human rights and responsibilities may make it more difficult to mobilise political conflict around identity issues. It has therefore become the norm for modern civic education programmes to have a strong human rights values base, to make specific reference to children's rights and address issues related to diversity and the rights of minorities within society.

How many of the civic education programs in Asian countries subscribe to this view? How many of these programs are still in the mold of training 'good' citizens, and not 'training human beings and citizens'?

This problem would not exist if civic education were considered part of human rights education. In expressing concern for the view that "human rights" are another item that has to compete for space in the school curriculum, the Human Rights and Equal Opportunity Commission of Australia (HREOC) argues that human rights education includes civic education. [15] This is the reverse of the usual view that civic education (arguably considered to be an older "education" than human rights education) includes the teaching of human rights.

Civic education and human rights education can likewise be viewed as separate educations that lack complementarity. This means that civic education does not necessarily (or at least not directly) promote human rights.

The same concern may be raised in countries that argue that human rights are taught in schools through religious education, peace education, and moral studies. There is still a need to ensure that human rights, recognized as related to religious, moral and other principles, are taught properly.

Other educations

In Mongolia and likely in some countries in Central Asia, "Street Law program" has been the vehicle for human rights education.

The "Street Law program" can be interpreted as a combination of legal education and civic education[16] with human rights education component. But the Mongolian experience shows the problem of adopting an education program without adaptation to the local context. Thus the Mongolian legal education program for secondary schools, based on the "street law program" and probably other education programs introduced into the country, is characterized as not conforming to "the realities and needs of different communities. This is because most of the materials in this curriculum are translated from other languages and cultures." [17] Thus while a program might have a strong human rights education component, it might fail to deliver its message (human rights in particular) because of the lack of adaptation to the local context.

This brings out the issue of transplantation of education programs. One author explains that unless an education program takes into serious account the national context (including national history) in introducing human rights, the education program may appear as an alien program transplanted into local educational soil.[18] Another author expresses the same view in describing the adaptation of an American material on legal education into Taiwanese context by replacing American legal provisions and jurisprudence with those of Taiwan.[19]

Global education and multicultural education (which can include human rights as content) brought from another region (North America or Europe) into countries in Asia might be facing similar problems experienced in Mongolia and other countries on the transplantation of education programs.

Finally, it is important to consider subjects such as English Language as a vehicle in teaching human rights. Gender-inclusive English promotes human rights concepts. Students learn human rights concepts as they practice English using gender-inclusive words, and in avoiding words that exclude, marginalize or denigrate either sex.[20]

Human rights awareness[21]

Has human rights education in Asian schools (in various forms and names) led to human rights awareness of students?

The survey of students in India, Japan and the Philippines provides an answer to this question. The survey covered these countries because of their governments' support for human rights education in schools over a considerable period of time.

Using a 69-item questionnaire, the survey measured the human rights awareness of secondary students (with an average age of fifteen years) as well as their experience in learning human rights in school. The results of the responses in some questions are provided as illustrative examples.[22]

Table 1. Knowledge of Human Rights By Countries

	India N = 2039		Japan N = 2635		Philippines N = 2001		Total	
	F	%	F	%	F	%	F	%
Knowledge of HR								
Yes	2005	98.3	2493	94.6	1928	96.4	6426	96.26
No	11	0.5	112	4.3	30	1.5	153	2.29
NR	23	1.1	30	1.1	43	2.1	96	1.44
Total	2039	100	2635	100	2001	100	6675	100
Knowledge of UDHR*								
Yes	1353	66.4	1020	38.7	599	29.9	2972	44.52
No	604	29.6	1570	59.6	1356	67.8	3530	52.88
NR	82	4	45	1.7	46	2.3	173	2.59
Total	2039	100	2635	100	2001	100	6675	100
Knowledge of CRC**								
Yes	1480	72.6	1454	55.2	1134	56.7	4068	60.94
No	441	21.6	1133	43.0	813	40.6	2387	35.76
NR	118	5.8	48	1.8	54	2.7	220	3.30
Total	2039	100	2635	100.0	2001	100	6675	100

Note: Frequency (F); Percentage (%)

* Universal Declaration of Human Rights

** Convention on the Rights of the Child

Almost all secondary students surveyed (average of 96.26%) in the three countries responded that they know human rights. Follow-up questions on knowledge of specific human rights instruments show much lower percentages. Knowledge of the Universal Declaration of Human Rights (UDHR) has a general average of 44.52% broken into 30% to 39% in the Philippines and Japan respectively, but higher average (almost 67%) in India. The Convention on the Rights of the Child (CRC), on the other hand, is more known with 60.94% general average and 55% for Japan, 57% for the Philippines and a higher 72.6% for India.

Table 2. Sources of Knowledge of Human Rights*

Source of knowledge	India N = 2039		Japan N = 2635		Philippines N= 1928**	
	F	%	F	%	F	%
Family/ parents	1134	55.6	756	28.7	1510	78.3
Media	1480	72.6	1743	66.1	1165	60
Internet, websites	187	9.2	201	7.6	446	23.1
Gov't. agencies	250	12.3	334	12.7	503	26.1
Neighbors	212	10.4	54	2.0	544	28.2
Schools	1632	80	2172	82.4	1615	83.8
Legal documents	273	13.4	231	8.8	251	13.0
Others	131	6.4	92	3.5	145	7.5

*Multiple responses.

The total average of responses from the three countries shows that the schools provide the most knowledge on human rights followed by the media. But while the respondents in India and Japan supported this general trend, those in the Philippines chose the family as the secondary source of human rights knowledge, instead of the media.[23]

The internet is a poor source of human rights knowledge in all three countries. The students in India and the Philippines obviously face difficulties in accessing internet facilities compared to those in Japan. And yet the results in the three countries all have low averages. Does this mean that the internet does not provide enough information on human rights for students? Or, is the internet unattractive medium for human rights information dissemination? The results indicate a need to review the internet as a useful tool for human rights promotion.

In relation to school environment, 46% of respondents in Japan answered that schools "sometimes" respect human rights. 56% of the respondents from the Philippines, on the other hand, said the same. Respondents in India, however, answered that school "often" respect human rights with an average of 52% responses, and only an average of 36% answered "sometimes." (See Table 3 next page)

On the impact of human rights education, most respondents from India (70.8%) and the Philippines (59.4%) said that it would lead to the exercise of human rights. But those in Japan have lower average of 37.6% supporting this view. (See Table 4 next page)

Those who answered that students would invoke their rights to defend themselves range from 18% (India) to 24% (Japan) to 29% (Philippines). The percentage of respondents saying human rights education would lead to the "exercise of rights and responsibilities" is higher (54.28%). Combining the "invoke rights" and "exercise rights and responsibilities" responses results in almost 90% of the respondents in India and the Philippines and a lower 62% in Japan taking action on their rights.

The results of the survey point to the need to improve the teaching and learning of human rights in schools. While the survey indicates awareness of human rights among secondary students in the survey, this is not necessarily equivalent to a proper understanding and application of the concepts. Much work remains even in schools that are supposedly already involved in human rights education.

Table 3. School Respects Human Rights

School respects human rights of students	India N = 2039		Japan N = 2635		Philippines N = 2001		Total	
	F	%	F	%	F	%	F	%
Never	213	10.4	695	26.4	113	5.6	1021	15.30
Sometimes	734	36.0	1205	45.7	1129	56.4	3068	46.00
Often	1060	52.0	491	18.6	737	36.8	2288	34.28
NR	32	1.6	244	9.3	22	1.1	298	4.46

Table 4. Students' Behavior

	India N = 2039		Japan N = 2635		Philippines N = 2001		Total	
	F	%	F	%	F	%	F	%
Invoke rights to defend themselves	365	17.9	638	24.2	582	29.1	1585	23.75
Abuse their rights	205	10.1	495	18.8	210	10.5	910	13.63
Exercise rights and responsibilities	1444	70.8	990	37.6	1189	59.4	3623	54.28
NR	25	1.2	512	19.4	20	1.0	557	8.34
Total	2039	100	2635	100	2001	100	6675	100

Supporting mechanisms

This brings out the issue of mechanisms that respond to the needs in teaching and learning human rights in schools. Are there programs and resources that directly support teachers in teaching human rights? There are number of projects supporting human rights education in schools ranging from material development (teaching aids, reference documents), to training activities for teachers or teacher-trainors, to human rights activities (such as celebration of human rights day) sponsored by government agencies, human rights centers and non-governmental organizations.

Regional project

HURIGHTS OSAKA adopted a Southeast Asia project, as a result of the 1998 consultation workshop it organized in Indonesia, that support human rights education in the schools of the subregion. The project started with a series of activities involving educators, education officials and non-governmental organization workers in Southeast Asia.[24] There were training workshops in 1999 and 2002. The 2002 workshop led to the development of human rights lesson plans that were edited and published as *Human Rights Lesson Plans for Southeast Asian Schools* in 2004.[25] The publication was subsequently translated into several languages in Southeast Asia, in addition to translation into Mandarin, and in Japanese and Farsi versions for the lesson plans. The publication now has Bahasa Indonesia, Bahasa Melayu, Khmer and Vietnamese versions, all in printed version. A Thai version is also available for the lesson plans.

These translation efforts are also supplemented by training activities. In Malaysia, the Malaysian National Human Rights Commission (SUHAKAM) uses the Bahasa Melayu version of the publication as one of the resource materials in the human rights component of the courses for teachers on the new citizenship and civic education. SUHAKAM collaborates with the Malaysian Ministry of Education (MOE) on training teachers on human rights.[26] In Cambodia, the Ministry of Education, Youth

and Sports (MOEYS) adopted the "Human Rights Integration in School Curriculum, Textbook/Teacher's Guide and School Environment – 2005-2007" which considers the Khmer version of the publication as a training material.[27] It introduced the Khmer version of the publication to the education and human rights community in Cambodia in the "National Consultation Workshop for Human Rights Integration Planning into School Curricula" in 2005. The Cambodian MOEYS was able to secure funds to implement the plan in 2007, particularly on training on how to integrate human rights into the school curriculum.

In Indonesia, the publication is used in teacher training workshops. And in Laos, the publication has been used as one of the reference materials in developing Laotian human rights lesson plans. In Thailand, the publication's lesson plans (Thai version) are also used in teacher training activities.

The Southeast Asia project is an example of a subregional project that has meaning only when related national activities are held. Its impact depends on the degree of support it provides to national-level initiatives.

National support system

The research project of HURIGHTS OSAKA on analysis of educational policies and the survey of human rights awareness of secondary students provides a glimpse of the current situation of human rights education in schools in Asia. The policy analysis component of the project covers four countries – India, Japan, the Philippines and Sri Lanka – that are considered to have substantial experience on human rights education in schools.

The early government programs on human rights in schools in Asia can be considered to be those from Japan (since late 1960s in the form of Dowa Education), Sri Lanka (in the early 1980s) and the Philippines (in the mid-1980s). The research report presents the general constitutional and legal support for human rights education in schools existing in the four countries. The policy support for Japan and the Philippines are specifically adopted for human rights education in the form of law/executive orders, national action plans, and administrative orders.

But while these policies are supportive of human rights education there is much room for improvement in view of their weaknesses. In summary, the weaknesses take varied and contradictory forms, such as the following:[28]

a. The current general educational policies are not explicitly supportive of human rights education. Any change in the basic school curriculum in support of human rights education is seen as problematic due to the costs involved, its implication on the academic requirements, and the fear of neglect of duties in favor of rights (Japan). The reformed school curriculum, on the other hand, either no longer mentions human rights (Sri Lanka), or stresses examinations which limit the space for innovations that human rights education may bring (India);
b. While some specific educational policies are meant for human rights education, they lack financial support, monitoring, and accountability system (Japan, Philippines);
c. Where the curriculum provides space for teaching/learning human rights, the emphasis has been on "rules and regulations, duties and responsibilities" (Sri Lanka), or the statement of rights refer to legal/constitutional rights without explicit link to international human rights standards (India and the Philippines);
d. The curriculum design is influenced by the stress on "patriotism" and "nationalism" which demand loyalty and duty from students, and consequently ignore human rights (Philippines, Japan).

Unless these weaknesses are addressed, the educational policies would inhibit human rights education in schools in the four countries, in one way or another.

These results also show how important educational policies and programs are in implementing human rights education programs inside the classroom, or in the whole school system.

Global and regional support systems

There are global, regional and subregional initiatives on human rights that should have an influence in human rights education in Asian schools. They are important opportunities for human rights education in schools that governments have no excuse to avoid.

Global initiative

The first phase of the UN World Programme for Human Rights Education focuses on human rights education in the primary and secondary schools. Its plan of action encourages countries to analyze the current state of human rights education in their schools and come up with a plan to boost the existing efforts, or initiate activities. The plan likewise promotes the role of various stakeholders in the education system including members of the civil society in this national planning exercise. The plan provides a comprehensive guide to human rights education in schools. However, it lacks the mechanism for effective implementation worldwide. UNESCO and the Office of the UN High Commissioner for Human Rights, as main UN agencies responsible for this plan, are still struggling to get governments to support it through national evaluation and planning activities.

The UN Decade of Education for Sustainable Development (DESD) provides another support in the teaching of human rights in schools. The UNESCO Asia-Pacific Bureau of Education has started a project on the DESD by identifying and recognizing the key components of Education for Sustainable Development (ESD) so that

> educators from different disciplines can examine the curriculum and school activities for existing contributions to ESD. In addition, educators can identify potential areas of the existing school curriculum in which to insert examples that illustrate sustainability and additional knowledge, issues, perspectives, skills and values related to sustainability.[29]

Human rights can be integrated as part of the socio-cultural pillar of ESD into the school curriculum through the "larger concept of sustainability" that the UNESCO Asia-Pacific Bureau of Education sees as major entry point for many topics or content.[30]

The Asia/Pacific Cultural Centre for UNESCO (ACCU) project entitled *ACCU-UNESCO Asia-Pacific Innovation Programme for Education for Sustainable Development (ESD)* which explicitly mentions human rights is another important initiative in support of human rights education with ESD.[31]

This is not to say however that human rights education will have a prominent part in the ESD programs in the region. Existing documents from the UN institutions involved in ESD hardly mention human rights, while prominently focusing on environment and development concerns.[32] Among mainstream environmentalists and development workers, human rights remain a distant subject despite UN documents linking environment, development and human rights.[33] But due to the interest among the international and regional environmental and developmental networks as well as some governments, ESD provides a good opportunity for the promotion of human rights education in schools that should be maximized.

Regional initiatives

The Asia-Pacific governments had already identified human rights education as of 1998 as a priority issue for inter-governmental activities under the so-called Tehran Framework[34] of the UN-sponsored Asia-Pacific Workshop on Regional Cooperation on Human Rights. Human rights education, along with other regional

priorities for action under the Tehran Framework,[35] should therefore be a major focus of attention among governments at both regional and national levels.

The governments were supposed to undertake activities under the Tehran Framework such as "sharing of information, the establishment of confidence-building measures and the development and strengthening of national capacities for the promotion and protection of human rights [that] are crucial in the step-by-step process towards establishing regional human rights arrangements."[36]

In the 13th Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific, the governments declared:

> 18. Support the Plan of Action … for the first phase (2005-2007) of the World Programme, devoted to **the integration of human rights education within the primary and secondary school systems** (emphasis mine)

Further, they declared that the Workshop

> 19. Encourages States to implement the [World Programme] Plan of Action by **strengthening human rights education programmes in all levels, types and channels of education in a comprehensive way** that not only reviews and integrates human rights elements in the curriculum, but also addresses educational policies and legislation, teaching methodologies, the human rights training and professional development of teachers and other school personnel, and the fostering of learning environments which encourage the full development of the human personality;[37] (emphasis mine)

Among the national human rights institutions in Asia and the Pacific, their network called Asia Pacific Forum of National Human Rights Institutions (APF) is an important source of support for human rights education in schools. In the Concluding Statement of the 10th Annual Meeting of APF (Ulaanbaatar, Mongolia, 24-26 August 2005), the member-institutions stated that

> The full realisation of the right to education should include the provision of human rights education for all, including for the disadvantaged sectors of society and those living in remote or rural areas.[38]

This statement is significant in pointing out an issue that some governments in the region use to avoid human rights education in schools. By arguing that their priority is the fulfillment of the right to education of their children (especially those from disadvantaged and marginalized communities), they say that they cannot undertake human rights education. Right to education and human rights education go together, only if the governments are willing to support them at the same time without necessarily spending more resources. Human rights education can be integrated in the usual teacher-training, textbook development, and program development that governments undertake every now and then. Resources from other institutions (be they governmental or not) can also be mobilized in this regard. But are governments willing to view the situation in this way?

The regional inter-governmental activities notwithstanding, there are parallel inter-governmental efforts in South and Southeast Asia and in the Pacific on human rights and human rights education.

Subregional initiatives

The South Asian Association for Regional Cooperation (SAARC) has adopted two human rights instruments that provide a basis for cooperation in the field of human rights among the countries involved. The South Asian Convention on Preventing and Combating Trafficking in Women and Children for Prostitution and the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia were both signed in January 2002 and were subsequently ratified by the member

countries.[39]

The SAARC anti-trafficking convention provides that

> The State Parties to the Convention shall promote awareness, inter-alia, through the use of the media, of the problem of trafficking in Women and Children and its underlying causes including the projection of negative images of women. (Article 8)

The SAARC children convention also provides support for human rights education when it states that governments should

> 2. Work together with commitment and diligence, to facilitate and help in the development and protection of the full potential of the South Asian child, with understanding of the rights, duties and responsibilities as well as that of others… (Article II - Purposes and Objectives)

The SAARC member countries reiterated their aim at protecting and realizing the rights of women and children through the Social Charter that SAARC adopted in 2004.[40] During the Thirteenth Summit Meeting of SAARC held in 2005, the heads of government noted the "ratification of SAARC Conventions relating to Trafficking in Women and Children and Promotion of Child Welfare by all Member States and called for effective measures for their early implementation."[41]

These subregional human rights instruments are necessary in at least providing governments in South Asia a basis for teaching international human rights standards in schools (even if limited to women's and child rights).

The Association of Southeast Asian Nations (ASEAN) also adopted a number of documents related to human rights, namely:

- *Declaration on the Commitments for Children in ASEAN* (2 August 2001)
- *Declaration on the Elimination of Violence Against Women in the ASEAN Region* (13 June 2004)
- *Declaration against Trafficking in Persons Particularly Women and Children* (29 November 2004)
- *Vientiane Action Programme* (29 November 2004)
- *Declaration on the Establishment of the ASEAN Charter* (12 December 2005).

The program areas and measures under the *Vientiane Action Programme* include a provision on promoting education and public awareness on human rights.[42]

During the twelfth ASEAN Summit (January 2007), the member-States again adopted a number of declarations that support human rights, namely,

1. *Cebu Declaration on the Blueprint of the ASEAN Charter* - which "will serve as a firm foundation in achieving one ASEAN Community by providing an enhanced institutional framework as well as conferring a legal personality to ASEAN." High-level government officials will submit a draft ASEAN Charter in the 13th ASEAN Summit in Singapore in November 2007. The declaration recognizes the proposal for the contents of the ASEAN Charter that includes human rights.[43]
2. *ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers* - which provides among others the intensification of ASEAN governments' "efforts to protect the fundamental human rights, promote the welfare and uphold human dignity of migrant workers."

The planned ASEAN Charter is seen as a positive development in Southeast Asia because it brings in a rule-based system, similar to the European Union set-up. One editorial sees the ASEAN Charter as strengthening ASEAN by "giving it legal authority to make members honor their obligations and commitment to the organization in implementing policies and complying with its rules and regulations."[44] Thus it embodies a major policy shift needed to make ASEAN a "community".[45] Hopefully, if the ASEAN adopts the ASEAN Eminent Persons

Groups (EPG) proposals on the contents of the ASEAN Charter, it will live up to the vision of "vibrant and open ASEAN societies consistent with their respective national identities, where all people enjoy equitable access to opportunities for total human development regardless of gender, race, religion, language, or social and cultural background."[46] Hopefully too, the planned ASEAN Charter will make human rights explicit in its provisions, in line with existing ASEAN declarations and programs. The EPG proposes the inclusion of the principle of "*the rule of law including international humanitarian law, and respect for human rights and fundamental freedoms.*"[47]

In July 2007, during the 40th ASEAN Ministerial Meeting in Manila, the draft ASEAN Charter was approved with a provision for the creation of a human rights body. The terms of reference of this body will be developed by the High Level Task Force of ASEAN, which drafted the ASEAN Charter that was adopted during the ASEAN Summit in November 2007 in Singapore. In addition, the 40th ASEAN Ministerial Meeting approved the establishment of an ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers. It likewise approved the purposes, functions and structure of the Committee.

Additionally, Southeast Asia has the *Kuala Lumpur Declaration on Human Rights* adopted by the ASEAN Inter-Parliamentary Organization (AIPO)[48] in 1993. It is a significant document that should have an influence on ASEAN governments. It supports the universal promotion and protection of human rights albeit under certain conditions.

Similar to the situation in South Asia, these inter-governmental declarations are bases for teaching human rights in schools. They relate to human rights issues that are no longer subject of debate in Southeast Asia, and thus should be comfortable for education and school officials to take up.

The Pacific has also moved towards a subregional system through the Pacific Islands Forum by adopting the *Pacific Plan for Strengthening Regional Cooperation and Integration* (Pacific Plan) in 2007. The plan identifies as "a way forward to strengthen human rights and development in the region, … a range of initiatives for immediate implementation, in the first three years (2006-2008)." Under the good governance component of the Pacific Plan, the member-states will undertake "[W]here appropriate, ratification and implementation of international and regional human rights conventions, covenants and agreements and support for reporting and other requirements." It identifies as milestone the following:

> Regional support mechanism established by the 2007 Forum. (Coverage to include the drafting, harmonisation and promotion of awareness of rights-based domestic legislation within the Pacific, including: CEDAW [Convention on the Elimination of All Forms of Discrimination against Women] on gender; CRC on children; CERD on racial discrimination; ILO Convention 169 on rights of indigenous peoples; Article 50 of the Cotonou Agreement on labour rights; 1990 International Convention on the Rights of Migrant Workers and their families; the Biwako Millennium Framework for people with disabilities; UNSCR1325 [United Nations Security Council Resolution 135, 31 October 2000] involving men and women in conflict resolution; human rights; and reciprocal enforcement.)[49]

Both ASEAN and Pacific Islands Forum are discussing concrete steps related to human rights. Under the VAP, ASEAN has identified mainly four areas of human rights work:

- Establishment of network among the existing national human rights institutions (Indonesia, Malaysia, Philippines and Thailand)
- Development of a program on human rights education
- Establishment of committees for women and children respectively
- Drafting of an agreement on migrant workers.[50]

From the experience so far of ASEAN and Pacific Islands Forum, several components seem to be important to note. One is the promotion of human rights/human rights education. They see the need to make the public become aware of human rights.[51] They also want their existing national human rights institutions to work more closely, and probably encourage other countries to consider setting their own. They see the need to create the proper policy environment by having international human rights instruments signed and ratified.[52]

But they also recognize the resources needed to implement the human rights plans and thus training on human rights work (documentation, making reports on treaty obligations compliance, human rights education, protection measures, investigation and prosecution of violations, role of judiciary, etc.) is important. The recent roundtable discussion on human rights education in ASEAN proposes the setting up of a training center for Southeast Asia.[53]

In terms of strategies, they want networking and collaboration among institutions in their respective subregions such as the institutes of strategic studies (for ASEAN), universities, non-governmental organizations (NGOs), government agencies, and national human rights institutions.

To help monitor the extent of implementation of their plans, the development of accomplishment (success) indicators has been proposed.[54]

Finally, it is worth noting that ASEAN has the same process of having an Eminent Persons Group as in the Pacific, which collected suggestions from various sectors of society and drafted proposals (such as the draft of the ASEAN Charter) that governments adopted.

These subregional initiatives parallel the regional workshops sponsored by the UN, but they do not seem to be formally linked. If indeed the subregional arrangement approach is more feasible to create than a regional arrangement, there is a need to support the former.

National initiatives

The best support that human rights education in schools can get are in the national plans for human rights/human rights education. In the Asia-Pacific region, the national human rights institutions are important players in providing support in this regard. At least nine national human rights institutions in Asia and the Pacific have adopted plans or the so-called "strategic plans" which include human rights education. Table 5 provides the list of the national human rights institutions with such plans.

Table 5. National Human Rights Institutions Action Plans[55]

NHRI	Year Adopted
Philippines	1994
Mongolia	2001
Fiji	2001
Thailand	2001
Nepal	2003
Korea	2003
Jordan	2004
New Zealand	2005
Afghanistan	2005[56]

Additionally, some governments in the region separately adopted national action plans on human rights or human rights education.

Table 6. National Action Plans

Nature	Country	Year Adopted
NAPHR	Australia	1993/2004
HRE Plan	Philippines	1996
HRE Decree	Lebanon	1997
HRE Plan/Law	Japan	1997/2002
NAPHR	Indonesia	1998/2004
HRE Plan	Taiwan	2001
HRE Plan	India	2001
HRE Plan	Pakistan	2001

NAPHR	Mongolia	2003
NAPHR	New Zealand	2005
HRE Plan	Cambodia	2005
NAPHR	South Korea	2007

Note: NAPHR = National Action Plan on Human Rights; HRE Plan = National Human Rights Education Action Plan

Of these action plans, six are human rights education plans. The other plans, though on general human rights issues, have provisions on human rights education.

With the exception of New Zealand, general national action plans parallel those from the national human rights institutions in several countries. This indicates a significant focus on human rights education in the countries concerned.

Final notes

While the existence of plans and programs on human rights education is important, the key factor is their implementation.

DESD reminds us of the United Nations Decade for Human Rights Education (1995-2004). But there is a major difference between the two in terms of implementation mechanism. DESD has much developed mechanism at international, regional and national levels. It has the support of institutions that work on environment issues – a very large constituency worldwide. It has the support of UNESCO whose field of expertise is in education, and United Nations University that provides the technical aspect of creating a network of centers of expertise for ESD in various countries around the globe. It has also the support of the Japanese government[57] (among many governments) which has been providing financial support including the funding of a project by the ACCU.[58]

There is a need to link up the different UN programs to maximize their impact. As one report states:[59]

> c. Link among international programs on education. ESD aims to promote Education for All (EFA), UN Literacy Decade (UNLD), and Millennium Development Goals (MDG). But it should also support equally important initiatives such as the International Decade for a Culture of Peace and Non-Violence for the Children of the World (2001-2010) and the World Programme for Human Rights Education (WPHRE). It has been observed that existing UN literature on ESD do not include these initiatives which form a constituent part of the concept of ESD.

The need to link different programs support that view that "we will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights"[60] – the very restatement of the interrelatedness of human rights as well as the relation between human rights and other concerns of the UN. It is thus recommended that

> **All UN agencies and programmes must further support the development of policies, directives and guidelines to integrate human rights in all aspects of the UN's work**. The UN Common Understanding on a Human Rights-based Approach to Programming and the UN-wide Action 2 Programme— developed and adopted by 21 heads of UN agencies, programmes and departments—should provide useful guidance in this.[61]

The programs on education of the different UN agencies/programs/offices would therefore be served well with the appropriate integration of human rights education in them.

The same can be said of the "strategic plans" of national human rights institutions and the national action plans of governments. The linkages with every relevant institution in implementing these plans will likely address issues of mainstreaming, sustainability and probably effectiveness.

On the same issue of interrelatedness, there

is also a need to clarify the link between right to education, quality education and human rights education. Some governments would like to treat human rights education as a separate issue, and of lesser priority than right to education and quality education. But a rights-based approach to education provides the link between right to education, quality education and human rights education – by arguing that one cannot be separated from the others. This is provided for in the Convention on the Rights of the Child, which complements access to education with the aims of education. Article 29 of the CRC provides in part that the:

> 1. States Parties agree that the education of the child shall be directed to:
>
> (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
>
> (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

Thus the rights-based approach to education is explained as follows:[62]

> A quality education based on a human rights approach means that the rights are implemented throughout the whole education system and in all learning environments. It means that the education systems are oriented towards human values allowing the realisation of peace, social cohesion and the respect for human dignity. This implies reforming national education systems to include fundamental change of education structures, the management of the education system, the teaching/learning practices, the revision and adaptation of learning materials, the adequate preparation of educational personnel, etc. This was also reaffirmed by the CRC: "every child has the right to receive an education of good quality which in turn requires focus on the quality of the learning environment, of teaching and learning processes and materials, and of learning outputs."

Considering the number of countries with weak (or non-existent) human rights education programs in the school system, the adoption of the rights-based approach to education to be able to promote human rights as part of the mainstream education system is one area to pursue.

While there are notable achievements in terms of growth of human rights education in the formal education systems in Asia, the question remains on why such developments have not influenced many other countries in the region from following suit.

With the rise in the number of institutions as well as activities on human rights education, at national and regional levels, why do many governments still hesitate to implement their repeated declaration of commitment to supporting human rights education in schools?

In view of the diversity of the countries on Asia, there is probably no single answer to these questions. Each country may have its own peculiar reason for either supporting human rights education in general, or neglecting it.

What is important to note is that despite the hesitance of some governments to fully engage in human rights education in general, and human rights education in schools in particular, other institutions are continuing the important task of making people better their lives with the understanding and realization of human rights – theirs and those of others.

Endnotes

[1] In general, when Asian governments are asked whether or not human rights education exists in their formal education systems the answer may fall under any of the following:

- Civic education (Vietnam, Malaysia)
- Moral studies (Indonesia, Malaysia, Pakistan)
- Legal education (Philippines, China, Mongolia)
- Religious education (Malaysia, Pakistan)
- Values education (Thailand, Philippines, India, South Korea)

- Peace education (Thailand, South Korea, Philippines)
- Gender and development education (Philippines).

Other countries not listed above may cite other educations as vehicles for human rights education in their school systems.

[2] HURIGHTS OSAKA, *Schools, Human Rights and Society - Report of the 1998 Workshops on Human Rights Education in Schools* (Osaka: HURIGHTS OSAKA, 1999) available in www.hurights.or.jp/database/E/98wsrpt/index.html.

[3] Ibid.

[4] See *World Plan of Action for Education on Human Rights and Democracy* adopted at The International Congress on Education for Human Rights and Democracy, Montreal, Canada, 8 to 11 March 1993. The Pune Declaration on "Education for Human Rights in Asia and the Pacific" adopted by the Asia & Pacific-Regional Conference on Education for Human Rights, Pune, India, 6 February 1999.

[5] The definition of human rights education under the Plan of Action of the UN Decade has been reiterated in the World Programme first phase plan, see United Nations General Assembly resolution A/RES/59/113, 10 December 2004.

[6] See Purificacion Valera Qusiumbing and Lydia Navarro Agno, editors, *Teacher Practical Law – Level 1* (Quezon city: University of the Philippines Law Complex, 1987).

[7] See Lawrence W. Beer, editor, *Constitutional Systems in late Twentieth Century Asia* (Seattle: University of Washington Press, 1992) for a discussion on how to evaluate constitutions in terms of human rights.

[8] See *Learning to Live Together in Peace and Harmony, Values Education for Peace, Human Rights, Democracy and Sustainable Development for the Asia-Pacific Region, A UNESCO-APNIEVE Sourcebook for Teacher Education and Tertiary Level Education* (Bangkok: UNESCO Principal Regional Office for Asia and the Pacific, 1998).

[9] See 2003 Annual Report UNESCO Office, Jakarta (Bangkok: Regional Science Bureau for Asia and the Pacific).

[10] These values are: Care and Compassion, **Doing Your Best,** Fair Go, Freedom, Honesty and Trustworthiness, Integrity, Respect, Responsibility, and Understanding, Tolerance and Inclusion. See http://www.valueseducation.edu.au/values/default.asp?id=8757

[11] Richard Pierre Claude, "Human Rights Education in Asia", in Michael Jacobsen and Ole Bruun, editors, *Human Rights and Asian Values* (Surrey: Curzon Press, 2000), page 289.

[12] See *Human Rights Education Teaching Exemplars for Elementary/Secondary Schools* (Quezon city/Pasig city: Commission on Human Rights and Department of Education, 2003).

[13] See UNESCO, http://portal.unesco.org/education/en/ev.php-URL_ID=4611&URL_DO=DO_TOPIC&URL_SECTION=201.html

[14] Citizenship Education, in http://portal.unesco.org/education/en/ev.php-URL_ID=4732&URL_DO=DO_TOPIC&URL_SECTION=201.html

[15] Submission of the Human Rights and Equal Opportunity Commission to the Joint Standing Committee on Electoral Matters regarding Inquiry into Civics and Electoral Education (2 June 2006).

[16] See Mandla Mchunu, Karthy Govender, Edward L O'brien, Mary Curd Larkin, *Democracy for all: education towards a democratic culture* (Kenwyn: Juta and Co. Ltd., 1994).

[17] See Ch. Altangerel, "Human Rights Education in Mongolia Schools: Present State and Challenges" in *Human Rights Education in Asian Schools* 9:66. The Open Society Institute Street Law Network Program, for example, has national programs in Kazakhstan, Kyrgyzstan, and Uzbekistan.

[18] See Sungmi Lee, "Korean National Human Rights Commission: Spearheading Human Rights Education in Schools," *Human Rights Education in Asian Schools 10*.

[19] See Chia Fan Lin, "Student Rights and Human Rights Education: Taiwan's Experience," *Human Rights Education in Asian Schools 10.*

[20] See George M. Jacobs, Zhuo Qiong-yan, Patricia C. Jocson, Marti Sevier, Ong Chye Wah, Maria Elizabeth D. Austria and Winnie Teo, "Asian Views on Gender-inclusive English" in *Human Rights Education in Asian Schools 4*.

[21] The discussion under this section is taken from Jefferson R. Plantilla, "Educational Policies and Human Rights Awareness – Linking Two Ends of the Human Rights Education Spectrum," *Educational Policies and Human Rights Awareness – Japan, the Philippines, India and Sri Lanka* (New Delhi: Academic Excellence, 2008) pages 242-264.

[22] The Japanese version of the survey questionnaire has only 29 items. This is due to the disapproval by the local education board of the issues being discussed in the other items. See Yoshiro Nabeshima, "Education Policies and Human Rights Awareness of Secondary School Students in Japan" in *Educational Policies and Human Rights Awareness – Japan, the Philippines, India and Sri Lanka,* ibid.

[23] This result however has to be qualified by the fact that the Philippine questionnaire has three related items – 1) media, 2) television and radio, and 3) newspapers and magazines – for respondents to choose from (multiple-choice format). And there is a higher percentage of responses citing television/radio (82%) as source of human rights knowledge than family (78%). See Nava, et al., *Human Rights Education in Philippine Schools* (Manila: Philippine Normal University, 2007) page 68.

[24] See HURIGHTS OSAKA, "Training Workshop on Human Rights Lesson Plans" in *Human Rights Education in Asian Schools 9* for more discussion on the activities of HURIGHTS OSAKA in Southeast Asia.

[25] The *Human Rights Lesson Plans for Southeast Asian Schools*, English version, is available in the following websites:

a. UNESCO Asia-Pacific Bureau of Education www.unescobkk.org/index.php?id=3125

b. Friedrich Naumann Foundation Manila Office www.fnfasia.org/news/regionalnews/humanrights_lesson_plan.htm

c. University of Minnesota www1.umn.edu/humanrts/edumat/ http://www1.umn.edu/humanrts/edumat/SoutheastAsianHRE.pdf

d. Human Rights Education Associates (HREA) http://www.hrea.org/erc/Library/display.php?doc_id=2971&category_id=18&category_type=3

e. Amnesty International Australia www.amnesty.org.au/resources/teachers

f. HURIGHTS OSAKA www.hurights.or.jp/education_e.html#5

[26] Based on e-mail messages of Chiam Heng Keng (29 April 2005) and Mahmood Maharom (19 May 2005) on the citizenship and civic education courses.

[27] Based on e-mail message of Chin Yahan (22 July 2005).

[28] Based on Plantilla, "Educational Policies and Human Rights Awareness – Linking Two Ends of the Human Rights Education Spectrum, " op. cit., pages 239-240.

[29] General Information Paper for the UNESCO Expert Meeting on Education for Sustainable Development (ESD): Reorienting Education to Address Sustainability (1-3 May 2006, Kanchanaburi, Thailand)

[30] UNESCO, Ibid.

[31] See "ACCU-UNESCO Asia-Pacific Programme for ESD" in *FOCUS Asia-Pacific*, issue number 43 for the announcement on the project. The announcement is also available at www.hurights.or.jp/asia-pacific/043/09.html

[32] See Jefferson R. Plantilla, "From WPHRE to ESD: Opportunities and Challenges for HRE" in *Buraku Liberation News*, number 139, 1st quarter 2006 (Osaka, Japan).

[33] See Plantilla, ibid.

[34] Annex II, Further Promotion and Encouragement of Human Rights and Fundamental Freedoms, Including the Question of the Programme and Methods of Work of the Commission (E/CN.4/1998/50 - 12 March 1998).

[35] The other priorities are national plans of action for the promotion and protection of human rights and the strengthening of national capacities; national institutions for the promotion and protection of human rights; and strategies for the realization of the right to development and economic, social and cultural rights

[36] Ibid. This document mentions the agreement in the Amman workshop in 1997 regarding the step-by-step approach toward discussing regional arrangement for human rights in the Asia-Pacific.

[37] A similar statement was also adopted in the Concluding Statement of the 12th Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific (Doha, Qatar, 2-4 March 2004). This shows either the determination of the governments to pursue the issue or the need for them to be reminded repeatedly on what they have previously agreed to in order for concrete action to take place at the national level.

[38] http://asiapacificforum.net/annual_meetings/tenth/concluding.htm

[39] Paragraph 26, *Dhaka Declaration*, Thirteenth Summit meeting of the South Asian Association for Regional Cooperation (SAARC) (Dhaka, Bangladesh on 12 - 13 November 2005) in www.saarc-sec.org/main.php?id=159&t=7.1

[40] See SAARC Social Charter, www.saarc-sec.org/main.php?id=13

[41] *Dhaka Declaration*, op. cit.

[42] See reference number 1.1.4, Political Development, ASEAN Security Community, Annex 1 of the Vientiane Action Programme, www.aseansec.org/16474.htm.

[43] The Eminent Persons Group of ASEAN presented the proposals.

[44] "ASEAN charter big step forward for revitalization" editorial of *The Nation,* 16 January 2007 (Bangkok, Thailand).

[45] "Will envisioned ASEAN charter change ASEAN?" Editorial of *The Daily Yomiuri*, 16 January 2007 (Tokyo, Japan).

[46] ASEAN Vision 2020 (Kuala Lumpur, 15 December 1997)

[47] See summary of proposals of the Eminent Persons Group to ASEAN on the provisions of the planned ASEAN Charter, www.mfa.gov.sg/internet/press/16012007/

[48] ASEAN Inter-Parliamentary Organization (AIPO) 14th AIPO General Assembly Kuala Lumpur (September 1993).

[49] See Good Governance, Attachment A. Implementation Strategy: Initiatives for the First Three Years (2006-2008), *Pacific Plan for Strengthening Regional Cooperation and Integration (Pacific Plan)*, November 2007, page 19. Full document of Pacific Plan available in www.pacificplan.org.

[50] See Annex I of the VAP, pages 28-29.

[51] Ibid.

[52] *Pacific Plan, page 7, op. cit.*

[53] See report on this roundtable discussion organized by the ASEAN Working Group (March 23-25, 2006, Bangkok) in *FOCUS Asia-Pacific*, issue number 43 (March 2006).

[54] See Attachment B. Pacific Plan 2006-2015: Monitoring and Evaluation Framework of the *Pacific Plan*, page 19, op, cit.

[55] Taken from Jefferson Plantilla *Creating Synergy: NGOs and NHRIs for HRE*, powerpoint presentation in the Regional Workshop on NHRIs-NGOs Cooperation (30 November – 1 December 2006) Bangkok, Thailand organized by the Asian Forum for Human Rights and Development.

[56] The date of the Afghan NHRI action plan is not confirmed to be 2005.

[57] The Japanese funding support is called *Japanese Funds in Trust*.

[58] Plantilla, "From WPHRE to ESD: Opportunities and Challenges for HRE," op. cit., page 7.

[59] HURIGHTS OSAKA, "UNESCO Expert Meeting on ESD: Reorienting Education to Address Sustainability" in *FOCUS Asia-Pacific*, in www.hurights.or.jp/asia-pacific/044/05.html

[60] Cited in the report of the Secretary-General's High-level Panel on UN System-wide Coherence in the Areas of Development, Humanitarian Assistance, and the Environment entitled *Delivering as One* (advanced, unedited version, November 2006) page 26 in www.un.org/events/panel/resources/ pdfs/HLP-SWC-FinalReport.pdf.

[61] Ibid., page 27.

[62] *Human Rights Education at the Heart of Quality Education* in http://portal.unesco.org/education/en/ev.php-URL_ID=4731&URL