

A brief report of

1st South Asian People's Summit
8-10 December 2000
Colombo, Srilanka

SAP-International

1st South Asian Peoples Summit December, 2000

The South Asian People's Summit 2000 was held from 8-10 December 2000 in Colombo after the postponement of the XI SAARC Summit. South Asia, a continent with an ancient civilization and a rich cultural heritage, is today confronted with challenges and problems. Complex tasks lie ahead. It is in this context that SAP-International called for a Summit to identify major issues and concerns of the South Asian community and to evolve possible solutions.

The main objective of the People's Summit was the designing of a campaign to alleviate poverty, prevent violation of human rights, establish good governance and promote human development within the region. The Summit participants included representatives of NGOs, CBOs, trade unions, women's movements and civil society organizations as well as students.

In order to effectively implement priority concerns, a process was adopted to prioritize major issues confronting the region. These were identified as:

- Peace and Regional Cooperation.
- Governance: Local and Regional.
- Human Rights and Human Development.
- Empowerment of Women.
- The Rights of the Child.

These issues were the base of the various thematic commissions that constituted the working sessions of the People's Summit. The discussion and recommendations that followed provided a platform for the formulation of South Asian People's Agenda.

Children's Summit

A decision was taken to hold the SAARC Children's Summit in August 2001 in Colombo. "Children's participation should be elevated from present tokenistic levels to active, equal and informed participation in all decisions concerning them," stated the Commission on the Rights of the Child.

This was in keeping with what one of the keynote speakers at the inaugural session of the Summit, Ms. Nandana Reddy of Concern for Working Children, had stressed: "We should have a SAARC of children – they should be an integral and recognized part of the structure." Speaking on the perspectives of her organization, she added, "Our focus is on creating political space for children... the underlying principle is the best interests of the child. Now how do you determine the best interests of the child if the child is not part of the consultative process?"

While questions may be asked as to how representative the children attending the Summit will be, how informed and articulate they may be and whether such politicization is really in the best interests of the child, the forthcoming Summit may convince the doubters, of children's rights and capability, to be part of the consultative process – at least in matters that concern them. And this would certainly equip them with a measure of control over their own life and destiny.

Plenary on the International Criminal Court

The closing day of the Summit saw, for the first time, media attention being directed upon the imperative need to ratify the International Criminal Court (ICC), which is visualized as a permanent body empowered to try those

individuals accused of the most heinous crimes that offend human conscience: aggression, genocide, crimes against humanity and war crimes.

In a plenary session on the issue, governments in the region were urged to sign and ratify the ICC statute. The Commission on Human Rights specifically recommended that all south Asian governments should sign and ratify the conventions for setting up the ICC and additional protocol of the Geneva Convention.

“The globalization of justice, led largely by the historic ICC process, is an amazing development in international affairs, and an antidote to so many other dark and dangerous global forces. The NGO Coalition for an ICC (CICC) is aware that tremendous efforts must still be made and that dangerous forces – those emerging from chaos as well as from ignorance – will threaten to undermine this great initiative,” said CICC Convener, Mr. William R. Pace in the August 1999 issue of *The ICC Monitor*, one of the papers circulated at the plenary session of the Summit.

Highlights of Thematic Commissions

The overall development of the region is not possible without peace and nuclear disarmament. Heated arguments for a nuclear-free zone were raised by several of the speakers, among them former Chief of Naval Staff, India, Admiral L. Ramdas. Mr. Karamat Ali of Pakistan shredded the doctrines of national security used by governments in the region to justify the continued nuclearization of the region.

Journalist and author of *South Asia on a Short Fuse*, Mr. Praful Bidwai, hit out at the alarming failure of India and Pakistan to perceive that a nuclear bomb is not just a bigger weapon but a qualitatively different weapon of mass destruction that would inevitably boomerang on the user as well.

One of the lighter features of the Summit was a student debate on whether South Asia needs a nuclear bomb. One of the young speakers highlighted the fact that the future decision-makers of the country are “an uninformed lot. We know about the issue but not about the real magnitude of the problem. Student politics is banned in India and student activism is frowned on. So, we are not contacted by NGOs or given the information we need to counter arguments based on jingoistic nationalism.”

In the light of the urgency of working for peace, the Commission on *Peace and Regional Cooperation* pressed for a South Asian Conference on a Nuclear Weapons Free Zone some time in 2001. Relaxation of visa restrictions and the free exchange of goods, services and people in the region was another recommendation. The South Asian people’s group should work towards obtaining observer status with the official SAARC.

The Commission on *Local and Regional Governance* advocated direct elections for all tiers of local government; restoration of joint electorate to ensure equal rights of representation and enfranchisement to religious and ethnic minorities; and decentralization of powers from central to state and provincial governments and clear-cut demarcation of powers.

Key among the recommendations of the Commission on *Human Rights and Human Development* was that the governments should, in association with the people, formulate a Convention on Refugees in the South Asian region, since none of the governments has signed the 1951 Refugee Convention. The Commission also stressed that people must act as pressure groups to address basic human development issues like education and health. Political parties must be pressurized to give space for the participation of women in politics.

The exclusion of women from decision-making and from the benefits of economic policies was an aspect underlined by the Commission on *Empowerment of Women*. Legislation should be enacted on violence against women for both preventive and punitive action. Law-enforcement should be gender-

sensitive and supportive structures are essential in civil society. Another problem in the South Asian region is that women and children are often the prime victims of all forms of religious fundamentalism. The media can help change the social climate by portraying positive images of women.

The Commission on the *Rights of the Child* recommended that SAARC member states must develop and implement a common charter of code of ethics to address the problem of portrayal of violence against children in the media. The reporting process must be revamped, with the government, civil society and children synchronizing their reports. Civil society must facilitate a South Asian Children's Commission on Rights of the Child with consultative status within the SAARC.

South Asian People's Agenda

We the people, representing civil society organizations from Bangladesh, India, Nepal, Pakistan and Sri Lanka, who have gathered here to re-affirm our solidarity to our mutual struggles of South Asia, re-affirm our commitment to restore human rights for all men, women and children. Promote justice, democracy and participation of all peoples in governance at all levels of society. Campaign for making nuclear free South Asia a reality and to completely free the world of nuclear weapons. Appeal to all nations across the world in the region, to ratify the Statute for an International Criminal Court – Rome UN Treaty.

Towards this, we call for the immediate convening of the SAARC Summit.

We pledge to continue our efforts in a participatory manner to find solutions to our problems both common and regional.

We urge the governments of the region to create the necessary socio-economic and political conditions to promote unity in diversity, and peace and understanding, and towards that end, work to actively roll back programs of militarization and nuclearization.

Recognizing that the global order of governance is responsible for many of the ills in this region, we will continue to promote processes and actions for an equitable and just global governance, and for a balanced and equitable international social, economic and political order and to educate people on that responsibility as world citizens caring for the neighbor and the environment.

We salute the courage of internally displaced people in this region and appeal to all including governments that there be powers to respect their dignity, human rights and aspirations.

Towards the goal of eradicating economic poverty from the region, we will continue to strive for just and democratic patterns of economic development that are based on the creation of a more equitable control over economic and natural resources. Towards that end, we will strengthen the alliances of people's movements, trade unions, peasant organizations, children's organizations, CBOs and NGOs.

Our goal is to create a self-reliant, independent, peaceful and just region. It is our wish and belief as people of South Asia that the Agenda delineated above shall surely lead the region to justice, peace and prosperity.

To pursue the above said People's Agenda, we declare the launching today of the South Asian People's Forum (an NGO Forum) that unites all civil society networks and institutions which endorse the above vision in the region.

This Summit resolves that the civil society organizations and their networks represented have set up five independent South Asia Commissions, comprising leading non-governmental experts and eminent personalities, to oversee the progress of the South Asian nations in the following areas:

1. Peace and Regional Cooperation.
2. Governance: Local and Regional.
3. Human Rights and Human Development.
4. Empowerment of Women.
5. The Rights of the Child.

Each Commission may comprise a representative each from the SAARC countries and meet at least twice a year to consider annual and other occasional reports that national level commissions (to be set up under this scheme) submit and direct their responses to national, regional and international concern groups and bodies for information and action.

Based on the reports received from national counterparts, the five commissions together may publish bi-annually a report titled *Progress of South Asian Nations*. The report could be of five parts representing the concern areas of the five commissions.

**10 December 2000,
Colombo.**

Commission on Peace and Regional Cooperation

South Asia is one of the most strife-torn and militarized regions of the World, with numerous ethnic conflicts raging within and across the borders of the states. It is also one of the poorest regions of the world, with appalling indices of poverty, deprivation, discrimination against women and social injustice.

These two features are related. Redressing this unacceptable situation calls for comprehensive measures of demilitarization democratization, empowerment of women, social reform and evolving social development.

With the militarization of India and Pakistan since May 1998, South Asia has become even more dangerous and volatile. The probability of a nuclear catastrophe here is higher than during the Cold War at least since the Cuban Missile conflict of 1962.

This calls for urgent steps for nuclear constraint and disarmament, including an immediate freeze on India's and Pakistan's nuclear weapons and missiles programs, and a possible materials ban, leading to the demilitarization of South Asia along with separation of nuclear warheads from missiles and actual disarmament of nuclear weapons elsewhere in the world.

It is imperative to confront root causes of the war and violence which engulf much of the region. As a first step, we must stop the hemorrhage of precious human life and huge amounts of scarce resources by adopting correct steps for ceasefire of hostilities, de-escalation of constraints in resource and reconciliation including full demilitarization.

Sustained reconciliation and lasting peace cannot be achieved unless issues of the people's security, including social empowerment, economic security and ecological justice are seriously addressed. This task requires the full demilitarization of the states of the region, and the establishment of participatory governance which is responsive to the masses and their unfulfilled needs.

Such a process must involve the recognition and institutionalization of equal rights for all citizens, and non-discrimination against the ethnic minorities. This means combating the manifestations of bellicose nationalism that are growing in our countries. Civil society organizations have an irreplaceable role to play rectifying the present situation by combating structural violence, promoting democratic society and humane and equitable development.

An important item of this agenda is regional cooperation. South Asia is probably the world's single region with the largest population (more than 1.2 billion people) without an economic or trading block. Despite the unique commonalties among South Asian countries in economy, culture, political structures, there is a growing gap and absence of exchange and expectation in these areas. There is an imperative need to redeem this situation. Free trade within South Asia alone would help to save US\$ 7 billion and more than double the amount the region receives in direct investment and several times the flows of aid to the region.

There is much scope for greater exchange cooperation and interaction between countries of the region, including governments, civil society organizations and ordinary citizens for free movement of people, trans-border media exchange, intensive cultural transactions, and joint programs in the social services, science and technology.

Discussion

Coordinator: Mr. Karamat Ali

Rapporteur: Mr. Eugene Wikramanayake

Discussions of the Commission were held in two sessions on 8 and 9 December 2000. At the outset, it was reiterated that peace was the absence of war and that war at any level was detrimental. It had human, ecological and economic costs. The economic costs are of special relevance to South Asia because defense budgets drain the scarce resources available to alleviate the condition of the socially and economically deprived comprising majority of the population in the region. Globalization has further increased the problems of this majority.

The strength of South Asia is in the numbers and the rich diversity of its peoples. Democratically elected governments have a duty to protect all its citizens. Most governments of the region, however, seem to be alienated from the people. Concurrently, there appears to be a shift from democracy to authoritarianism in the region.

Poor governance promotes dissension amongst the diverse groups of people living in peaceful co-existence resulting in conflicts, which if not resolved, end in war. The reaction of governments is unrestrained militarization leading to human rights violations of its citizens. There can be no peace without justice or rights without responsibilities.

Society, when not assured of justice, reacts by fighting for rights at the expense of responsibilities. Unresolved inter-state conflicts resulting in war in the region are even more reprehensible. When the solution as perceived by the warring states is the need to build up nuclear warheads, the South Asian region as a whole is threatened with annihilation.

The Commission also discussed the role of SAP-International in bringing about peace in the region through mutual cooperation. On each day after the oral presentations, the participants engaged in free discussion and exchange of views. The first day's discussions were centered on the threat to peace in the region. On the second day, the emphasis was on regional cooperation and strategies to resolve conflict – both intra-state and inter-state.

Although there were both intra-state and inter-state armed conflicts in the region, the greatest threat was seen as the nuclearization of two member states – India and Pakistan. It was disclosed that there had been secrecy and lack of transparency in the build up to nuclear power. What was conceived as a deterrent to war has produced greater insecurity not only to the two powers concerned but to the whole South Asian region.

India was stuck in an arms race – spending 28% of its budget on defense. The same held for Pakistan. Scarce resources for development were drained by nuclearization. In addition, there was no strategy for safeguarding the ultimate use of nuclear warheads. In India, even the National Security Act was repealed in 1998.

The threat of nuclear war, therefore, looms large on the horizon of the whole region with the inevitable costs in loss of life of human beings, animals, plants and the accompanying devastation of the ecology. In both India and Pakistan, the media has not played its vital role in making the citizens aware of these dangers. In the rest of the region too, the media has been largely non-committal.

The threat to peace in the region brought about by unresolved internal armed conflicts in Nepal, Bangladesh and Sri Lanka were also discussed. SAP-Nepal had already initiated a peace building process. In Bangladesh, the conflict was entrenched in religious intolerance and discrimination against the minorities. The question whether secularization of states would lead to the establishment of peace

was also mooted.

It was noted that in all these conflicts, including the Indo-Pakistan war, cease-fires had been declared. The on going internal armed conflict in Sri Lanka was discussed in depth. At the present moment, there is hope for a negotiated settlement.

The role of India in the conflict has to be disentangled. The organizations working for peace were divided and there was no awareness of the need for peace. It was felt that SAP-Sri Lanka could bridge this gap.

During the discussion, it was emphasized that sustaining peace through reconciliation was vital after the fighting ceases. A plan of action for sustained peace must include mustering people's support for changes in governance to downgrade militarization, eschew violence and protect the rights of the minorities. This could be done by establishing an Independent Citizens Task Force at the national level.

At the regional level, the consensus was on South Asian mediation in areas of border or internal conflict towards strengthening the economies of the South Asian states through regional cooperation. The following strategies were suggested:

- The South Asian region should work towards complementary economies with opportunities for trade investments by lower tariffs and removal of visa barriers. The benefits of these must accrue to the people.
- There should be free exchange of art and culture, and science and technology in the region in order to establish a South Asian identity.
- South Asia should face and interact with globalization as one region and propose a World Trade Organization with bargaining powers for the Third World.

Presentations Made During the Commission Sitzings:

1. *A People's Movement Landmark: Convention for Nuclear Disarmament and Peace* (**Mr. Praful Bidwai**; Coalition for Nuclear Disarmament and Peace, India).
2. *Peace and Regional Cooperation* (**Mr. Sarath Fernando**; Movement for National Land and Agricultural Reform, Sri Lanka).
3. *South Asian Security – Nuclear Disarmament* (Mr. **Hemachandra Basappa**; Documentation and Dissemination Center for Disarmament Information, India).
4. *Political and Civil Society Approaches to Ending the Civil War in Sri Lanka* (**Mr. Jehan Perera**; National Peace Council of Sri Lanka).
5. *European Union – A Model for Regional Unification* (**Dr. James Arputharaj**; SAP-International).
6. *Peace Building Process Initiated by SAP-Nepal.*

Recommendations

The Commission on *Peace and Regional Cooperation*:

1. Endorses the earlier recommendations made by the various conferences held in the region by organizations and groups engaged with the issue of Peace and Regional Cooperation, such as the:
 - Peace Conference – Karachi (February 1999)
 - South-Asian/South East Asian Conference against Nuclear Arms – Dhaka (February 2000)
 - Pakistan-India People’s Forum for Peace and Democracy – Bangalore Convention (March-April 2000)
 - Indian Coalition for Nuclear Disarmament and Peace – Delhi Convention (November 2000)
1. Endorses the decision of the above conferences to form a South Asian Peace Coalition and urge the participants to support and promote the work of the Organizing Committee formed at Dhaka.
2. Endorses peace groups to actively engage in peaceful resolution of both inter-state and intra-state conflicts prevailing in the South Asian Region.
3. Demands of all South Asian states to declare and observe year 2001 as the Year of Cease-fire and recognizing that all parties to a dispute commit themselves to democratic and peaceful resolution of conflicts.
4. Seeks to work collectively to make South Asia a nuclear free zone and to promote this objective, organize a South Asian Conference on Nuclear Weapons Free Zone some time during 2001.
5. Calls for an immediate holding of the official SAARC Summit to address the Social, Political and Economic problems faced by the people, and to undertake urgent steps to implement the agreed cooperation measures, such as South Asia Free Trade Agreement, relaxation of visa restrictions, enhanced unrestricted exchanged of goods and services among the people in the region.
6. Urges this Conference to set up people’s groups to interact with the official SAARC mechanisms and to promote people’s ideas and aspirations vis-à-vis South Asian Regional Cooperation. It urges work for obtaining observer status for the South Asian Peoples Group (collective) with the official SAARC.

Commission on Governance:

Local and Regional

The commonalities and specifications that inform the problems of governance in South Asia generally, and the issues of local and regional governance particularly, were thoroughly discussed in the presentations, deliberations and discussions of the commission.

Discussion

Coordinator: Mr. Buddhadeb Ghosh

Rapporteur: Ms. Nazeera Sadhikien

The discussion in the Commission centered on the prevailing nature of governance at local levels in the region. One comment was that there were no strong laws in South Asian countries and that the ability of private individuals to file plaints is limited. The dominance of political power at local level prevailed in all South Asian countries.

Further, it was commented that over-centralization of power and bureaucracy created injustice. Special emphasis was made regarding the position of women in the region who were subject to much discrimination. The role of media was discussed and delays in administration of justice pointed out. In this context, a suggestion was made that the SAP Network should be a regional forum that could make

representations to the UN agencies.

Presentations Made During the Commission Sittings:

1. *Towards Participatory Governance: Local Democracy in India* (**Mr. Buddhadeb Ghosh**; Institute of Social Sciences, India).
2. *Governance at the Local Level in Bangladesh* (**Ms. Rokeya Kabir**; Nari Progati Sangha, Bangladesh).
3. *Towards Participatory Governance: Local Democracy in India* (**Mr. Buddhadeb Ghosh**; Institute of Social Sciences, India).
4. *Local Governance in Nepal: Issues and Challenges* (**Dr. Durga P. Paudyal**; Rural Self Reliance Development Center, Nepal).
5. *Right to Information* (**Mr. Victor Gunewardena**; Sri Lanka Foundation Institute).
6. *Wanted – A Forum for Civil Society* (**Ms. Ranganayaki Pathmanathan**; Sri Lanka Tamil Women's Union).
7. *Media Advocacy* (**Ms. Bandana Rana**; Sancharika Samuha, Nepal).
8. *Governance – Regional and Local* (**Mr. Rashed Rehman**; Social Democratic Movement, Pakistan).
9. *The Role of Local Government in Tackling the Issue of Children* (**Dr. Shayam K. Bhurtel**; Association for Development Committee, Nepal).
10. *Media Advocacy* (**Mr. David Devadas**; Business Standard, India).

Recommendations:

1. The legacy of over-centralized post-colonial governance in South Asia requires decentralization of powers from central to state and provincial governments, and devolution of powers to regional and local governments based on the principle of subsidiary: whatever can be done at the lower level should not be done at the higher levels. In this process, there should be no attempt to bypass the legitimate sphere belonging to the state or provincial levels.
2. Constitutional cover should be provided where necessary and violation of constitutional provisions, where they already exist, should be prevented to ensure the existence, growth and functioning of local governments to prevent the past neglect and manipulation for partisan political purposes of local government powers and functions.
3. There should be a clear division of powers between central, provincial or state and local governments. Concurrent lists of subjects in the constitutions should be abolished and those subjects should be transferred to the provincial or state governments.
4. Legally recognized rights and powers of local bodies, such as *panchayats* and village councils, should be accorded protection and retained.
5. Traditional forms of conflict resolution bodies, such as *jirgas* in tribal areas, which disempower women and uphold ante diluvium codes of so called honor, should be replaced by democratic local bodies.
6. Joint electorates, where not available, should be restored to extend equal rights of representation and enfranchisement to religious and ethnic minorities.
7. In the interests of positive, affirmative representation and enfranchisement of women and other

marginalized groups, communities and sections of the population, reservation of seats should be ensured in all tiers of government, local to national, until such time as they are able to participate in the democratic process as full and equal citizens. Serious efforts should be initiated and carried through to create an enabling environment for such participation.

- 8.** Local government decisions, functions and operations should be open to the public, with the wherewithal provided for regular dissemination of information to the electorate concerning all these matters.
- 9.** Access should be provided to all citizens to call for and scrutinize records. Public audit of local government finances should be instituted.
- 10.** Direct elections for all tiers of local government should be adopted where this is not presently available.
- 11.** Allocations of state resources for discretionary use by elected representatives should be abolished.
- 12.** Institutional arrangements should be set up or strengthened to ensure effective participation and functioning of women and other marginalized groups in local government through enabling skill enhancement, confidence building and overcoming traditional biases and prejudices on the part of men and other privileged groups.

Commission on Human Rights and Human Development

Fundamentally, South Asia adheres to human rights laws of international bodies. However, unlike other regions which enacted human rights laws to accommodate their specific criteria, South Asia lags behind in setting up implementing bodies on human rights law that are peculiar to its region.

Furthermore, most countries, with the exception of South Asian states, have instituted the Bill of Rights in their national constitutions whereas the South Asian constitutions have judicially enforceable economic and social statutes. However, though enacted, these statutes fail to reach the masses.

Special commissions to address specific socio-economic issues are a recent phenomenon in South Asia. Nepal has its own Human Rights Commission (HRC) in practice currently, while the HRCs in India and Sri Lanka have existed for five years and two years respectively. Although India has HRC at the regional level, decentralization of the Commission in practice would reach the masses only if the people are educated on the existence of these commissions.

There is a need for a South Asian Regional Commission encompassing the whole of South Asia to address the following:

- National Security Laws.
- Women's Rights.
- Indigenous Group Rights.
- Socio-economic and cultural rights across the region, not unlike the European Commission.

The UN General Assembly on Human Rights recognizes not only the individual's right to development, but also the development ambitions of developing economies. The World Bank and other multilateral organizations lay down certain conditionalities before granting aid to countries. These take the form of sound financial discipline and macroeconomic policies like liberalization, privatization, free markets, structural adjustment and so on. As newer priorities emerged, technical and financial assistance was linked to concepts like human rights and good governance.

Discussion

Coordinator: Mr. Kalynanda Tiranagama

Rapporteur: Ms. Pearl Thevanayagam

The Commission discussed that constitutions across the world have largely recognized individual rights and enacted laws, both locally and internationally. While several countries adhere to these laws and the people have recourse to justice under these laws, citizens in many countries are restrained from obtaining reprieve for violation of their basic human rights despite democratic governance. South Asia, in particular, is undergoing tremendous shift in government policies because of transition from one form of government to another – be it through national polls, coup d'etat or military takeover – and fundamental rights are violated purportedly in the name of national interest.

The panel formed during the sittings of the Commission comprised of eminent judges, lawyers, academics and political analysts like Justice Kamal Hussein (Bangladesh), Dr. Gamani Corea, former UNCTAD Secretary General), Mr. Bradman Weerakoon (former Presidential Advisor on International Affairs), Prof. Swarna Jayaweera (Sri Lanka), Mr. Desmond Fernando (President, International Bar Association), Dr. Deepika Udagama, Mr. Kalynanda Tiranagama, Mr. R. K. W. Goonesekera (Human Rights Commission, Sri Lanka) and Dr. W. Selvakumaran.

Presentations Made During the Commission Sitzings:

1. *National Security Laws and Human Rights in South Asia* (**Mr. Kalynanda Tiranagama**; Lawyers for Human Rights and Development, Sri Lanka).
2. *Human Development in Bangladesh* (**Advocate Rokhsana Khondker**; Bangladesh Children's Rights Forum and Khan Foundation).
3. *Human Rights Overview* (**Dr. Deepika Udagama**; Faculty of Law, University of Colombo, Sri Lanka).
4. *Human Rights* (**Dr. Gamani Corea**; Sri Lanka).
5. *Human Rights* (**Mr. Desmond Fernando**; Sri Lanka).
6. *Human Rights – Role of the Judiciary* (**Dr. W. Selvakumaran**; Faculty of Law, University of Colombo, Sri Lanka).
7. *Human Rights Overview* (**Ms. Ramani Muttetuwegama**; Law and Society Trust, Sri Lanka).
8. *Human Rights* (**Mr. Bradman Weerakoon**, Sri Lanka).

Recommendations:

1. South Asia should establish Human Rights Law enforcement bodies to address issues such as:
 - Militarization of region.
 - Constitution of special courts and commissions circumventing normal court procedures.
 - Violation of human rights by non-state armed groups.
2. People's rights to water in our region should remain unrestricted, and not controlled to the detriment of health and livelihood.
3. The South Asian governments should sign and ratify the conventions setting up the International Criminal Court and Additional Protocol of the Geneva Convention.
4. The South Asian governments should, in association with the people, formulate a Convention on Refugees in the South Asian Region.
5. Promote the strengthening of social capital which is vital to the activism of civil society.
6. The South Asian governments should take measures, both individually and collectively, to provide humanitarian assistance to those refugee groups which are outside the mandate of international assistance.

Commission on Empowerment of Women

The Commission had presentations on *Empowerment of Women* in the perspective of each country represented under the South Asia Gender Network (SAGN): Bangladesh, India and Pakistan. The recommendations are based on the deliberations by the speakers, discussions, debates, and a video film presentation on theater and violence against women worldwide.

Discussion

Coordinator: Ms. Nazmunnessa Mahtab

Rapporteur: Ms. Lakshmi Samarakoon

Most of the speakers stressed the unequal position of women in the region and the urgent need to implement existing laws for the removal of such discrimination. Reference was also made to studies conducted in 12 southern countries in a number spheres such as economic and educational.

Presentations Made During the Commission Sitzings:

1. *Empowerment of Women: Bangladesh Perspective* (**Ms. Nazmunnessa Mahtab**; SAGN, Bangladesh).
2. *Women Empowerment* (**Ms. Geeta Menon**; Street Jagruti Samiti, India).
3. *Women's Empowerment* (**Ms. Sheema Kermani**; Tehrik-i-Niswan, Pakistan).
4. *Empowerment of Women – Economic Self Reliance Through Micro Credit* (**Mr. Rakesh Mittal**; Center for Contemporary Studies, India).
5. *Empowerment of Women: An Approach* (**Ms. Chitra Ghosh**; SAGN, India).
6. *Women's Development in Pakistan* (**Ms. Shaheen Attiq-ur-Rehman**; Ministry of Social Welfare, Women Development and Literacy Punjab, Pakistan. **Dr. Yasmin Rashid**; Bunyad Literacy Community Council, Pakistan).
7. *Credit Card for Women System* (**Mr. Sukumar David**; Mutually Aided Cooperative Society, India).

Recommendations:

1. SAGN should be reorganized under the aegis of SAP-Bangladesh within three months. After reorganization, the members of this network would meet twice in a year in their respective countries and annually on a regional basis. The activities of this network should be evaluated and monitored by SAP organizations in each country on a quarterly basis.
2. Women should be elected directly to the National parliaments instead of the present practice of their indirect election to the reserved seats.
3. Functional education programs should be introduced with priority in literacy, reproductive health and economic interventions.
4. "Development" should be redefined to focus on women. Expression of cultural oppression against women through theater should be promoted.
5. Capacity building and leadership training programs for women leaders should be designed and implemented on a comprehensive scale in each SAGN member country.
6. Creation of women-mentoring groups should be initiated for promotion and development of other women.
7. Documentation of best practices and establishment of role models of successful women should be encouraged.
8. Strong partnerships should be developed with the media for portrayal of positive images of women.
9. Micro-credit programs should not be focused only on the quantitative assessment of economic independence, but should also emphasize the qualitative changes and achievement in the beneficiary women's lives.
10. *Human Development Report 2000* should be considered as a building block and all organizations should develop set of standards/indicators to measure their achievements for the purposes of accountability.

11. Women's organizations and NGOs working on human rights issues should lobby, advocate and campaign to the governments of their countries to ensure protection of women against any act of violence.
12. Laws made to prevent violence against women should be properly implemented and violators should be punished.
13. The government, civil society and citizens should all collaborate to work towards a society based on justice, equality, development and peace.

Commission on the Rights of the Child

The SAARC Summit decision to eliminate all forms of child labor by 2010 should be fully implemented. The process should be such that the withdrawal of children from work places would not cast them into greater hardships and exploitations.

Observing that the governments have not made a comprehensive plan of action to eliminate child labor, the Commission recommended that all countries should make definite plans of action. The SAARC governments must gear themselves to implement fully the Jom Tien decision of making qualitative primary education free and compulsory for all children. The need to ensure that all children have access to education that is appropriate and relevant was also stressed.

Discussion

Coordinator: Mr. Leo Fonseka

Rapporteur: Ms. Trixie Marthenezs

The Commission proceedings started with the coordinator reminding the participants that the Convention on the Rights of the Child (CRC) was ratified in 1993, but with reservation. He stressed the fact that the children are people with rights, and there was a need to follow up and implement the agreement made by the governments under the CRC.

Presentations Made During the Commission Sittings:

1. *Convention on the Rights of the Child, Child Labor and Trafficking* (**Mr. Bijaya Sinju**; Concern for Children and Environment, Nepal).
2. *Malnutrition: an Obstacle to National Development* (**Dr. Jayam**; Perinatal Research Foundation, India).
3. *Conventions on the Role of the Girl Child and Trafficking* (**Ms. Rosaline Costa**; Commission for Justice and Peace, Bangladesh).
4. *Adult Responsibility Towards a Child Friendly Environment for Today's Child* (**Ms. Kanthi Perera**; Sri Lanka).
5. *If SAARC Doesn't, the People Will* (**Mr. Leo Fonseka**; Sri Lanka).
6. *The Meaningful Participation of Children* (**Ms. Nandana Reddy**; Concern for Working Children, India).
7. *Child Participation and Issues* (**Mr. Sunil Kumar**; Social Activities for Rural Development Society, India).
8. *An Insider View as a Member of the National Monitoring Committee* (**Mr. Bradman Weerakoon**; Presidential Advisor on International Affairs, Sri Lanka).
9. *Child Labor Right to Education* (**Mr. Sukumar David**; Integrated Rural Development, India).

Recommendations:

1. Children's participation should be elevated from present tokenistic levels to active, equal and informed participation in all decisions concerning them. Structures and mechanisms should be promoted in the region to engage the children, according to their evolving capacities, in determining what their best interests are.
2. Children should be protected from all forms of exploitation or abuse. All actions or interventions must keep the best interest of the child as uppermost.
3. Ensure that all children have access to education that is appropriate and relevant. This education should also include information and skills that empower children, and enable them to resolve conflicts, understand reproduction and manage their health.
4. The SAARC countries must expand the scope of the National Monitoring Committees and convert them into permanent National Commissions on Child Rights.
5. Children should have access to information. They must be given appropriate opportunities to examine and comment on the National CRC reports, and draft legislations concerning them before they are finalized. Structures necessary for these arrangements at national and sub-national levels should be promoted by governments and civil societies.
6. Civil societies should promote establishment of lateral and vertical linkages between and among different children's organizations, intra and internationally; and help federate their groups at local, national and regional levels as an effective social movement.
7. The SAARC states must develop and implement a common charter or code of ethics to address the portrayal of violence against children in the media.
8. SAARC should have its own regional reporting mechanism, where the member states are required to submit the reports bi-annually, as reporting every five years to the UN Committee on CRC is inadequate.
9. Civil society networks must come together and set up a Regional Commission on Children and issue bi-annual State of the South Asian Child Reports for SAARC consideration.
10. Civil society networks must enable and facilitate a South Asian Children's Commission on Rights of the Child by, of and for children. These Commissions should have consultative status with the SAARC, and should also be set up at national levels. The governments at all levels are urged to consult these committees on the well being and rights of the children.