

PEOPLE'S SAARC 2008



18-20 July 2008
Colombo, Sri Lanka

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Sri Lanka Preparatory Committee
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Executive Summary

The South Asian Peoples Assembly took place in Colombo, Sri Lanka, from 18 - 20 July, 2008, as a part of the process of People's SAARC, to forge a vision for a People's Union of South Asia. Over 1000 Sri Lankans and 400 delegates from other South Asian countries including India, Pakistan, Bangladesh, Maldives, Nepal, Bhutan and Afghanistan participated.

The international delegates bore their own expenses to attend the Assembly. Prior to the South Asian People's Assembly taking place in Colombo, People's SAARC had made its mark among many people in the South Asian region, at People's SAARC 2007 in Kathmandu. Among those who participated at the South Asian Peoples Assembly (SAPA) 2008 were women, labourers, peasants, urban and rural poor, cultural activists & organic intellectuals, students, youth, marginalised & excluded social groups and communities. All activists groups, social movements, progressive intelligentsia, cultural activists, writers, journalists and all those who subscribe to the ideas of the People's SAARC were also galvanized for the assembly.

The workshops were organized by the participating organizations, on the basis of their interest and involvement. Following were the themes of the workshops held: Burma: Caste Discrimination and Social Exclusion in South Asia, Climate Change and Ecological Justice, Conflict, Right to Protection and Transitional Justice, Debt Cancellation, Democracy and Governance/People's Participation, Ensuring the rights of the Disabled, Towards a Disaster-Free Asia, Food Sovereignty, Agrarian Crisis and Pro-people's alternatives, Labour Rights, Media and Right to Information, Men, Masculinity and Gender-based violence, Migration and Free Movement of Labour, Migration Internal and External, Nation States and Challenges, National Security Ideology Policies and Practices, Refugees/IDP's, Regional Alternatives: People's Vision, Religious Extremism and Communalism, SAARC Convention on Basic Health Needs, SAARC Convention on Trafficking; Housing and Urban Development, Women in Politics in South Asia, WTO, South Asian Trade and FTAs. A network of organizations and experts in the region undertook the responsibility of organizing and facilitating the workshops. The issues identified and recommendations made were recorded by Rapporteurs hired for the purpose.

Following the 29 workshops, representatives of People's SAARC resolved to issue the Colombo Declaration as the People's SAARC Declaration. The Declaration, incorporating the major recommendations made by various country consultations and workshops of SAPA 2008, was compiled by the Regional Drafting Committee and presented to the plenary convened to finalize the Declaration in the morning of the third day at the New Town Hall. After the sharing of views and experience of country representatives, the Draft Colombo Declaration of SAPA 2008 was presented to the delegates and adopted with changes proposed.

Having issued the Colombo Declaration, nearly 4,000 people mobilized for a mass rally in the main streets of Colombo, demonstrating their spirit of commitment and solidarity, reflecting their unity in diversity. Flags, props, pandols and picket boards addressing the issues of democracy, justice, war, economic issues, etc. were displayed in the parade. Creative banners and picket boards with anti-war slogans were carried in the procession, e.g., 'no to violence', 'stop the war', 'no killings', 'stop disappearances', 'end domestic violence', 'yes to democracy', etc. The rally was coordinated by Women and Media Collective.

People's SAARC Secretariat,
Colombo,
December, 2008

1.0 Introduction

SAPA 2008 was held in Colombo, Sri Lanka, from 18-20 July, 2008, under the theme “Towards a South Asian Union”. Over 1,000 participants, representing the SAARC countries attended the Assembly

In all, 29 workshops were held in three different sessions, under the common theme of 'Movements, Resistance and Alternatives' in order to stress the importance of people's movements, the need to resist anti-people policies, programs and trends, and to work towards alternatives that will bring meaningful and effective changes to people's lives.

The delegates met in the New Town Hall, Colombo, on 18th July morning for the inauguraal ceremony and plenary held under the theme “South Asia Today and the New South Asia We Want.” A SAARC Parliamentarian's Forum was arranged on 19th July on the sidelines of People's SAARC, in which legislators from several countries had the opportunity to meet and discuss common issues and concerns as well as interact with regional civil society activists. The forum was facilitated by former Parliamentarian and veteran socialist political activist, Vasudeva Nanayakkara, Leader of the Opposition in the Colombo Municipal Council. Resolutions and proposals for alternatives from workshops and sectoral meetings were received on the 20th for incorporation into the 'Colombo Declaration', which raises a people's agenda for SAARC.

The closing event on the 20th, took the form of a 4,000 strong procession of people culminating in a rally addressed by representatives from each SAARC country the Veddah (indigeneous peoples), Chief Uruwarige Wanniyala Aththo, and leading Trade Unionist Bala Tampoe of the Ceylon Mercantile Industrial and General Workers Union.

As the Women's rights and peace activist Nimalka Fernando commented “People's SAARC embodies the desire of the people of South Asia to tear down the barriers and boundaries that divide us and to forge in place of the ritual and increasingly meaningless summits of SAARC, a People's Union of South Asia.

1.1 Background

The people of South Asia share contiguous geographical space and similar social and cultural ethos that shape the people's lifestyle, belief systems, cultural specialities, material practices and social relationships.

The South Asian Association for Regional Cooperation (SAARC) was established at state-level with the following objectives: promoting the welfare of the people of South Asia; improving their quality of life; accelerating economic growth, social progress and

cultural development in the region; giving all individuals an opportunity to live in dignity and to realize their full potential. Through these endeavours it was expected to overcome the traditional geographic hostilities, rivalries and conflicts and create a culture of mutual trust, friendship, understanding, confidence and economic cooperation among the countries in the region.

South Asia is among the world's most conflict-prone region due to the legacy of the colonial past and subsequent war on terror. Protracted ethno-political conflicts produces a vicious cycle of civil war with consequences of violence, death, displacement of civilian population and violation of civil and human rights. In such a vision, massive standing armies of each country can be replaced with people safeguarding and protecting one another. This means, demilitarization, denuclearization and reallocation of defence budgets to social welfare and poverty eradication.

But SAARC failed to fulfill the promised goals for a better South Asia. Instead, the policies pursued by the rulers of the region created conditions of exclusion, marginalization and denial of rights, justice and democratic freedom to the majority of the people in the region. They have had only had limited gains out of democracy. Owing to the leaders' failure to deliver, rising aspirations of millions of women, men and youth have been shattered.

Women continue to bear the heaviest burden in poverty in South Asia. They have a disproportionately lower level of participation in the world's labour force. Lower education and skill levels have led to lower earnings. Outside recorded history, millions of women are being impoverished in this sub-region. There is unprecedented displacement and destruction of livelihood and increasing malnutrition, even hunger deaths. Children suffer permanent brain damage. Such a situation is compounded by discrimination based on gender, caste, ethnicity and religion and class origin.

The South Asian countries' economies are structurally adjusted by neo-liberal orthodoxy, directing towards a closer integration with the world markets and economy. One sees increased operations of global capital within these countries with minimum or no restrictions and free flow of finance capital with the intervention of World Bank, IMF and WTO and IMF. The World Bank imposes conditions that impinge on the economic sovereignty of the debtor country, dictating the control not only of specific projects and sectors but commanding the direction of the entire-macro-economic policy.

Neo-liberalism results in skewed division of labour. This changes the economic structure of the country, with manufacturing being trans-nationalized, fragmented and dispersed across the country and becoming extremely capital-intensive and requiring constant labour replacement. Such a scenario is a far cry from the long cherished dream of growth with justice, equity and self-reliance.

The current global crisis of climate change is a serious threat and a big challenge to humans. Increased incidents of extreme climate change are likely to be most severe in the region as many south Asian countries will be affected by the rising sea levels. The people of south Asia are witnessing increasing natural disasters causing devastating impacts from climate change, speeded up by globalization which has scant regard for human and ecological needs, thus affecting farmers, peasants, fisher-folk, etc. Addressing the climate crisis requires radical solutions such as incorporation of the wider issue of sustainability and equity.

With the state level SAARC being unable to fulfil its promises, the idea of People's SAARC was mooted over 10 years ago. The South Asian Alliance for Poverty Eradication (SAAPE) and other like-minded organizations deliberated in several forums the vision and objectives of People's SAARC.

1.2 People's SAARC 2007

People's SAARC 2007, was jointly organized by representatives from a number of organizations (trade unions, peasant associations, cultural groups, religious councils, *Dālits* and indigenous nationalities, disabled people's unions, women's associations, natural resources users groups, professional organizations, parliamentarians and media) and SAAPE.

It was held in Kathmandu, Nepal, from 23-25 March, 2007, under the theme "Strengthening South Asian People's solidarity for Democracy, Justice and Peace." More than 20,000 people, representing the SAARC countries, attended the assembly. A total of 21 parallel sessions and forums were organized on social, political, economic and cultural issues concerning South Asia, viz. food sovereignty, ecological agriculture, farmer's rights, disability, youth and politics, children's rights, women in politics, Dalits and social inclusion, natural resources management, refugees, migration human trafficking, parliamentary forums, right to education, *Jānājātis* and indigenous people's issues. A campaign "Imagine a New South Asia" was also launched along with the

opening program of People's SAARC.

The Assembly began with the inaugural session on 23rd March. This was followed by the Forum of the South Asian Platform of Parliamentarian and People's Movement Kathmandu Nepal on 24th March, 2007. The Declaration issued by the Forum of the South Asian Platform of Parliamentarian and People's Movement Kathmandu, Nepal, was as follows:

- Recalling the historic movement of the establishment of the SAARC in 1983 and different regional documents and mechanism under its August initiatives,
- Realizing, however, that the SAARC has not been able to address the people's aspirations and became a formal talk forum,
- Emphasizing the need to take initiatives from the people's perspectives for strengthening the SAARC Charter, its working modalities and space for sharing the people's agendas,
- Requesting to pursue for common values, problems, standards and agendas in order to codify and institutionalize any mechanism to be established.

We the delegates from Bangladesh, India, Nepal, Pakistan and Sri Lanka of the People's SAARC Parliamentary Platform hereby declare the following:

- Urge the SAARC, to review its Charter to make it more pro-poor and pro-people and change its modalities for letting the people's agendas to be allowed and included during the discussions.
- Urge all the parliamentarians of the South Asia Region to search for common issues, problems and agendas for further discussion, strengthening and bringing them at the Regional level for discussion through the People's SAARC Parliamentary Forum.
- Urge the members of the Parliament of the South Asia to take initiatives for the establishment of a Parliaments Forum, of permanent nature, with its regular meetings, in the official capacity, to explore further initiatives to strengthen the Forum in the years to come.

- Urge the members of the Parliament to work closely, on the common issues, with the Civil Society to address the issues of constitutionalism, rule of law, inclusiveness, equality, justice and protection of human rights. Further, request that reform in the South Asia must be based in the historical context of our civilization.
- Urge that democracy, independence of judiciary, protection of human rights, measure to tackle corruption and law enforcement authorities must be reformed and strengthened.
- Urge that any armed conflict in the Region must be solved through dialogue.

People's SAARC 2007, concluded on 25th March after a mass rally, and was followed by a public meeting at which the “Kathmandu Declaration” was issued.



People's SAARC 2007 Declaration towards Justice, Peace and Democracy, 25th March 2007, Kathmandu, Nepal.

We, the participants of people's SAARC from Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka met from 23rd to 25th March 2007 at Kathmandu to affirm our commitment to justice, peace and democracy in the region. We also affirm and commit ourselves to the vision of an alternative political, social, economic and cultural system in the region that will do away with all distinctions and discriminations of gender, caste, religion, language and ethnicity; lead to a situation free from exploitation and oppression; inaugurate a climate in which each individual will have the opportunity, in concert with the collectivity; realise the full development of her or his human potential; restore the balance and harmony with nature; liquidate the artificial and human barriers that divide lands, collectivities and minds; and transcend all boundaries. Such a South Asia must be

the goal of the people of this region and of their solidarity.

Shared socio-cultural history of the region

We, the people of South Asia, not only share a contiguous geographical space but also a social and cultural history that shapes our life styles, belief systems, cultural particularities, material practices and social relationships. Our natural environments are related, interdependent, and form elements of a common eco-system. There is a similarity in our life practices. Our belief systems and cultural practices influence/complement each other, thus exhibiting distinct similarities. On the other hand, the unique diversity of our region in all aspects has enriched the common heritage, and we celebrate a sustained history of mutual respect for one another.

However, we also recognize the reality that the ruling elites in the post colonial period within our respective countries, have kept the people of our region apart through the creation of walls of suspicion, hostility, intolerance, dis- and mis-information and the prevention of interaction amongst the people, in order to maintain their status-quo over their societies. Whilst recognizing the existence of the identities and natural boundaries of the people in the region, we note with concern that one of the mechanisms for the creation of spurious consent and fraudulent legitimisation for the rule of the ruling class and systems of oppression and exploitation is due to the constant creation of suspicion and fear among neighbours leading to constant insecurity over the national security and hence to militarization. This system also creates ideal conditions for the advancement of paranoia, war hysteria, militarization, proliferation of nuclear weapons and dominance of the armed security forces along with an ultra- nationalist ideology, which self-righteously curbs democratic debate and dissent on many vital issues.

The formation of SAARC was welcomed by the people across the region, as it aroused the hopes and aspirations amongst them for a better South Asia and the hope that SAARC would enhance people-to-people linkages, free flow of people across the borders of the region and mutual cooperation amongst people to build a strong, vibrant societies as well as create a new era of prosperity; of a qualitatively more humane, egalitarian, secular

(promoting religious harmony, respecting each others religious and cultural beliefs), democratic, ecologically balanced, socially just and sustainable societies hitherto unknown in the region.

The Present Predicament

However, contrary to expectations, the official SAARC failed to fulfill the promised goals of a better South Asia. Instead economic policies pursued by ruling classes and parties of the region created conditions of exclusion and marginalization, denial of rights, justice and democratic freedom in different countries of the region.

As a result, South Asia and its people stand at a very testing and critical crossroad in the history of the region. The logic and thrust of the policies and programmes of SAARC have failed to address the issue of sovereignty of the people, including their economic, social and cultural rights.

The present crisis calls for a new response. The globalization of South Asia and its people, buttressed by the Structural Adjustment Policies (SAP), spells doom on the economic front; presents a threat even to the existing democracy and unleashes the demon of communalism and fundamentalist intolerance; increases disparity and discrimination; erodes livelihood opportunities; withdraws existing services and facilities, and instead encourages militarization and gender violence; and brings forth social and cultural deprivation. This process further reinforces and reconstitutes exploitative and oppressive structures in newer and newer forms. Finally, it breaks up the social cohesion by the degradation of the human spirit. All this is, of course, in the name of progress, development, modernization and reform.

Changing Politics of the Region

1. The states seek to control and contain all potential or actual discontent through strict regulation and use of naked force. The actual solutions vary depending on specific situations. From monarchic or military dictatorships to exercise of dictatorial power under the guise of democracy and to 'functioning' formal democracies, all variations exist in the region. In substance, the regimes severely restrict the rights of the

people, particularly through modifications of labour laws and limits on legitimate protests in words and action.

2. The rulers direct popular wrath against soft false enemies. Chauvinism, nationalism, and fundamentalism thus flourish under covert or overt state/ruling class patronage. Border conflicts, national chauvinism, ethnic strife, religious fundamentalism, or revivalism thus dominate politics. The major causality is of course democracy-in concept, institution or practice.
3. The state as an instrument for the peaceful resolution of various forms of social conflict remains fragile as political institutions have been robbed of their relevance and there grows the danger of the whole normative framework of democracy becoming undermined. Ironically, while the state has abdicated its social responsibility, it has equipped it self with draconian powers of control, legal or extra legal, which aim to curtail people's rights of movements and legitimate forms of organisation & protest.

Our system has constructed political, constitutional, administrative and developmental mechanisms in a manner that denies the masses the rightful access to the instruments necessary for realizing these rights. The parliamentary, democratic processes in one way has provided a space for legitimate social action but, on the other hand, the system has exploited each and every situation of crisis and has taken away these democratic rights of the masses and imposed the laws and rules that in reality have spelt a flagrant violation of the spirit of people, of their own constitution and the commitment to uphold the principles of human rights. These laws have empowered security forces to arrest citizens without warrants and detain them without trial for long periods. Torture, custodial rape and extra-judicial killings have become common occurrences.

Neo-liberal growth model, marginalization, and exclusion

The last three decades of this century have witnessed an unprecedented neo-liberal growth model that has severely and even violently restructured the region's economic policies and cultural life of the people. Inequality and exclusion are not merely the extravagant outcomes but the results of systematic distortion of the system, which form the very logic of the new paradigm for sustaining the growth and

permanence of the system. The growing economic power of TNCs and MNCs and the role of international financial institutions, as well as unequal and unfair trade relations under the WTO regime have resulted in severe erosion of our sovereignty, means of livelihood, agriculture and destruction of natural resources.

Agriculture

Agriculture along with related activities is the main stay for millions of people in South Asia. A vast majority of the population of almost all countries in the region survive on subsistence and small-scale agriculture. The current economic trends have plunged agriculture into a crisis and particularly the cultivating peasantry is in deep distress. Corporate logic, single cash crops, dependence of corporate seeds, fertilizers, and pesticides as well as vulnerability to vagaries of the market has made agriculture cash intensive. This has pushed the cultivating peasant into a debt trap that often becomes a death trap. Millions are forced to sell off their land and become urban destitute in search of any means of livelihood. The forcible acquisition of land of the peasants in the name of development compounds this problem. The increased over-urbanization in South Asia is an indicator of agrarian destitution and transfer of the poor from the countryside to the cities.

Dangerous Moves

The governments of the north and south - including those of South Asia inspired by the strange logic of their multilateral donor's indulgence in policies and moves - all in the name of progress and development - have increased the stranglehold of capital and large corporations over the people and their lives. These grandiose schemes seriously undermine the living standards and livelihoods of the people. The achievements so far of so called Millennium Development Goals (MDGs) in South Asia are minimal, hence there is a strong doubt that majority of these goals will be achieved by the set date line of 2015. Moreover, the livelihood needs of the people are urgent and need to be addressed with an urgent action, so it is ridiculous to ask people to wait until 2015. Also the MDGs have failed to take into account the gender dimensions of poverty. We therefore, fear that these may prove to be the essential mechanisms to pave the way for an entry of private capital into all sectors including public services and supply of essential commodities rather than addressing the fundamental needs of the marginalized group of people.

While we laud and support all voluntary free

exchange between the people of the region, we are very suspicious of market driven and dominated mechanisms like the South Asia Free Trade Area that may further exacerbate the inequalities and disparities in the region and in turn intensify poverty.

The SAARC states should first give an honest account of their achievements in the fields on which they have made public commitments, for example reduction in poverty.

Gender Justice

Women in South Asia are particularly the victims of all kinds of oppression, exploitation, and violence that are now a feature of this region. Traditions as well as modern forms of patriarchy have pushed the women into virtual servitude in various forms. Violence is perpetrated against them in various ways and forms. We believe that all actions and struggles for democracy, justice and peace will have to put women in the centre of their thinking. None of these can be achieved unless gender equity and justice is simultaneously achieved.

We affirm;

1. The participants are unanimous that today's economic globalization is unequal, inequality enhancing, socially unjust and disruptive. It must be firmly resisted, as it represents the triumph of corporate capitalism which totally restructures the economic, social and cultural life of the people in the region. We resist the dominance of financial capital which imperils the world's monetary equilibrium. It transforms states into mafias. It proliferates hidden sources of capital accumulation such as trafficking, arms race and child slavery. It is time to refuse the dictatorship of money.
2. We shall unitedly work to develop and strengthen people based governance systems from grassroots to national and regional levels. We also affirm that organic and sustainable agriculture is an imperative for food security at the household, local and national levels based on the age-old practices and knowledge systems of our ancestors.
3. We also commit ourselves to conserve biodiversity, land, water and marine ecosystems and marine life and simultaneously resist the intellectual property rights imposed by the northern countries as a mechanism to take away

the living resources of the people of the South. We also commit ourselves to reduce the hostilities and tension in the region which can release critical energies and scarce resources towards the betterment of the living conditions of the masses in the region.

4. We the people of South Asia, unitedly in solidarity declare that we are not enemies of each other, that we do not want war against each other, that we do not want to be armed into starvation. We further call upon all the governments of different countries in the region to cease all covert and overt hostilities, to resolve all disputes through amicable dialogue to immediately reduce tensions, to decrease the militarization of the borders and to take urgent steps to bring about total disarmament in the region.

We demand the following immediately;

1. Ensure (barrier) free mobility of people across the region by guaranteeing the notion of visa free South Asia.
2. Strengthen & institutionalizes democracy, human rights and justice and proportional participation of women at all level of state and civil society institutions.
3. Demilitarise and denuclearize the states and its machineries.
4. Promote communal harmony within and between communities, societies and states.
5. Combat religious, ethnic and gender based violence and outlaw all types of fundamentalism.
6. Address environmental sustainability as an urgent priority.
7. Protect biodiversity, water, forests, fisheries and other natural resources from which the majority of the people derive their livelihood; protect indigenous community wisdom.
8. Guarantee women's rights to be free from all kinds of discrimination and live a life without any form of violence.
9. Guarantee sovereign rights of the people for food.
10. Respect independence of all judiciary and judicial systems.
11. Solve the issues of refugees and IDPs; support just struggle of Bhutanese refugees.
12. Respect the right to information and promote free media.
13. Promote gender equality in all spheres - economic, social, political and cultural; Make provision for at least 50% reservation to women in all political, social and economic spheres of the society.
14. Make firm commitments regarding state obligations to provide health, education and basic needs; considering women's right to their body, sexuality and reproduction and make special provision for women's access to health care from women's perspective.
15. Stop free trade model that has been responsible for increasing poverty, trafficking of human beings, food insecurity and environmental destruction in the region.
16. Freeze defence budget and cut it at least by 10%. This amount should be diverted to social development. We realize that the lavish spending on weapons by poor South Asian countries is one of the major causes of rampant poverty in the region. We also demand that India and Pakistan stop arms race and give up nuclear weapons which pose great threat to 1.5 billion inhabitants of this peaceful region.
17. Globalisation has resulted in eroding labour rights; we demand SAARC states to ensure enforcement of Core Labour Rights at work places including Special Economic Zones (SEZs) and informal sector of work.
18. Stop using state force against their own citizens in the name of so called war on terror and stop operating as agents of America by allowing land to be used as military bases.
19. Declare 2007-2017 as SAARC Dalits rights decade with enactment of concrete Acts, policies, programme and action plans.
20. Formulate separate policies for Himalayan and mountainous regions because of regional specificity and ecological sensitivity of this region.
21. Broaden the definition of violence against women (VAW) and provide justice to victims of all forms of violence. VAW is not only limited to physical or mental violence, but also all forms of discriminatory practices against women.
22. Ban use of genetically modified seeds and organisms. Urgent action is needed to save the genetic contamination of the vast biodiversity of the SAARC region.
23. Stop commercialisation of basic education; ensure right to education for all; treat equally to all students in terms of fee payment (e.g., applicable fees should not be charged in US\$ irrespective to the country of origin of the student in the SAARC region.)

24. Ensure rights of the children; include child rights in school curricula and declare children as Zones of Peace.
25. Promote religious co-existence, cooperation and harmony among and between the communities of the region;
26. Recognize labour as one of the important resources of the region and provision of Labour Advisory Committee with the involvement of trade unions as a formal recognized body in SAARC.
27. Respect and recognize the identity of South Asian Indigenous Peoples and ensure their social, political, economic and cultural rights in the constitution.
28. Free the region from all forms of bonded labour system.
29. Review present SAARC Convention on trafficking in women and children for prostitution and reformulate it from Human Rights perspective by broadening its definition on trafficking which can encompass trafficking for all purposes, and adding provisions which can protect rights of trafficked persons to have access to justice, voluntary return home and fund for appropriate support and care.
30. We urge our Governments to Protect Rights of Migrants workers and their families by signing UN CONVENTION ON MIGRANT WORKERS AND RIGHTS OF THEIR FAMILIES 1990.
31. End HIV and AIDS related stigma and discrimination at all levels by introducing and implementing progressive HIV & AIDS legislation to protect the rights of people living with HIV & AIDS.
32. Guarantee the free access of HIV & AIDS related medicines including ART for people living with HIV & AIDS with their meaningful participation and representation at all levels of decision making process both in state and non-state domains.
33. Ensure the focused intervention of SAARC on HIV & AIDS.
34. Ratify the Convention on the Rights of Persons with Disabilities (CRPD 2006) by all the countries of SAARC as state party; and
35. Ensure effective implementation and monitoring of CRPD 2006 so that persons with disabilities are truly liberated from being among the poorest of the poor, and at the extreme end of isolation, exclusion and all forms of discrimination. This is expected to ensure full and effective enjoyment of human rights, fundamental freedoms and social development on an equal basis with others as per UN standard.

The delegates also met in specific thematic workshops to discuss issues of vital concern to the people of the region. The resolutions, declarations, and demands of these thematic workshops that deal with specific sectors, areas, and concerns form the Annexure to this Declaration.

We conclude this Declaration by;

- Expressing our solidarity with the people of Nepal in their struggle for realising loktantra and further strengthen and defend the gains of pro-democracy movement. We also call upon all the democratic forces in the region to extend all possible support to strengthen democratic movement in Nepal;
- Expressing our concerns of the present predicament of the peace process in Sri Lanka, and vehemently request the parties to recommence negotiations and end armed hostility forthwith;
- We warn from the topmost range of the world 'the Himalayan Mountains' that the people of the region are sovereign and they are independent to decide the way they like.

The process of networking for Peoples SAARC 2008 began on 31 January 2008 at a regional meeting convened in Colombo by the South Asian Alliance for Poverty Eradication (SAAPE). Subsequent meetings were organised by Peoples Space Sri Lanka (Janavakasha/Jana Avakasam) on 3 April, 22 April and 13 May. The aim of each meeting was to become more inclusive and diverse and to strengthen the organisational capacity for South Asian People's Assembly (SAPA) 2008 by including new organisations and individuals.

The Sri Lankan Preparatory Committee for Peoples SAARC is a voluntary ad-hoc network of local organisations and individuals who undertook the responsibility of organising and hosting the South Asian Peoples Assembly (SAPA) 2008 in Colombo. The Regional Preparatory Committee Meeting - a delegate based meeting of national preparatory committees from all SAARC member states met on 31st May, 2008, to prepare for SAPA 2008. The objectives of this meeting included; sharing information on country preparations for SAPA 2008, discussion and finalisation of themes and format of SAPA 2008 and discussion on draft 'Colombo Declaration'.

1.3 Vision and objectives of People's SAARC

Vision

People's solidarity in South Asia must legitimately cherish the vision and perspective of an alternative, political, social, economic and cultural system in the region which will disregard all distinctions and discriminations of gender, caste, religion, language and ethnicity; will lead to a situation free from exploitation and oppression' will inaugurate a climate in which each individual will have the opportunity to realize the full development of her/his potential; will restore the balance and harmony with nature; will liquidate the artificial and inhuman barriers that divide lands, collectivities and minds and transcend all boundaries. Such a South Asia must be the goal of the people of this region and of their solidarity.

Objectives

As a process, we feel that the people of South Asia should come together to face the challenge of combating marginalization of vulnerable groups, communal division and fragmentation and degradation of environment, through widespread sharing of ideas and experiences and by forging solidarity across the borders. This may constitute the following pertinent issues;

- Democracy: Strengthening democracy through human rights and justice
- Harmony: promoting communal harmony and combating religious and ethnic violence
- Environment: maintaining sustainable development and resolving river water issues
- Economic: resisting neo-liberal policies and exploring possible alternatives
- Peace: striving for demilitarization and denuclearization
- Gender: Devising a common charter of civil rights

2.0 Inauguration and Thematic Plenary Sessions

2.1 Inauguration

Over 500 people assembled in the New Town Hall, Colombo, on the morning of 18th July 2008 for the inauguration and thematic plenary sessions. The proceedings began with the lighting of the traditional oil lamp.

The welcome address by **Nimalka Fernando**, was followed by the opening remarks of **Prof. Babu Mathew** and the commencement of thematic plenary sessions thereafter, where senior leaders of several people's movements from South Asia also spoke. Representatives of national and international media were present to capture the proceedings of the inauguration and plenary sessions, in order to highlight in their news bulletins and newspapers.

Several leading civil society representatives such as Indian feminist writer and activist Kamla Bhasin, Indian academics Prof. K. M. Pannikar and Prof. Kamal Chenoy, former Senator and Chairman of the Human Rights Commission of Pakistan, Iqbal Haider, Nepali Health and Democratic Rights Activist Dr. Mathura Shrestha, former Maldivian Cabinet Minister, Ahmed Mujuthaba, Prof. Q. K. Ahmed, and Sri Lankan human rights defender Sunila Abeysekera, spoke on the theme of "South Asia Today and the New South Asia We Want." Filipino scholar-activist and founder of 'Focus on the Global South', Prof. Walden Bello, spoke at the inauguration as a Special Guest Speaker

Nimalka Fernando, President of the International Movement against Discrimination and Racism (IMADR) and a leading civil society activist, extended a warm welcome to all participants on behalf of the Sri Lankan Organizing Committee. She firmly believed SAPA 2008 would give an opportunity for concerned citizens and groups of the South Asian region to converge and discuss methods of ending communal hatred and shun all discrimination based on caste, class, ethnicity and gender and seek new experiences of solidarity calling for justice, peace and democracy in the region.

The welcome address was concluded with a vote of thanks to all those who had helped organize SAPA 2008 and enriched the inauguration with their cultural performances.

The fact that SAPA 2008 is an unprecedented historic event for the people of South Asia to assemble and discuss issues affecting their region was remarked upon by **Professor Babu Mathew**. Accordingly, one can begin by listening to the drums of the earth beaten by the oppressed Dalit women calling for freedom from control. These sentiments are echoed by farmers as well who wish to control their means of agricultural production rather than being dictated to by neo-liberalists. It was Mathew's belief that basic rights such as security and peace must be assured as pledged by the

South Asian leaders. Neo-liberalism has deprived people of their basic right to food, education, jobs and aggravated hunger and death on account of starvation and plundered the earth of all its natural resources. The policies pursued by the rulers of the South Asian region has created conditions of exclusion, marginalization and denial of rights, justice and democratic freedom to the majority of the people. Despite these setbacks, the People's Liberation Army of Nepal ensured the democratic freedom of the Nepali people by choosing the ballot over the bullet. They defied convention by inviting women into the political mainstream resulting in the new Constituent Assembly of Nepal having women representatives. It was the speaker's belief that it is not too late for the people of the other South Asian nations to change their lives for the better. Accordingly, such a change can only take place through unity of the discriminated/marginalised and excluded groups such as dalits, farmers, tribals, sexual minorities etc. It was further pointed out that one sees at the state, country, and regional-level, democratic space diminishing. This is owing to the reason that SAARC leaders have aligned themselves with the aims of neo-liberalists, such as calling for foreign direct investment. Therefore, it was Mathew's belief that it is upto the South Asian people to resist the policies of neo-liberalists. In concluding the opening remarks, he appealed for the promotion of non-violence and adoption of the peaceful way of life of Gautama Buddha, *Māhātmā* Gandhi and Rabindranath Tagore and to envision a new South Asia led by the Peoples Movements



2.2 Thematic Plenary Session 18/07/08 South Asia today and the new South Asia we want

Mr. Iqbal Haider began his address by proclaiming his admiration for the people of Nepal for gaining democratic freedom, which he considered a great achievement, strengthening the aspirations and

struggles of other countries and oppressed people in the SAARC region, Pakistan included.

He also viewed 9th March 2007, as a new era in the Pakistani People's struggle, with rule of law, democracy and the independence of the judiciary reigning over military rule. However, it was pointed out that SAARC leaders have not fulfilled their promises to ensure democratic freedoms. Therefore, it was the speaker's belief that it is upto people's movements such as People's SAARC to push its leaders to deliver their promises.

The speaker also saw petty disputes between nations affecting the stability of the region. Accordingly, such disputes could be resolved through discussion and compromise and by the formation of a South Asian Union. Yet, he saw impediments in the form of religious terror unleashed by imperialist forces under the guise of 'war on terror' and the imposition of the 6th period of martial law in Pakistan. Accordingly, martial law has been made possible through the free flow of armaments, which manufacturers benefit the most out of the situation.

Therefore, it was the speaker's belief that such unscrupulous elements need to be identified and brought to book. Yet it was felt that reining them in would only be possible by the South Asian Union establishing a South Asian Human Rights Commission or Tribunal. Accordingly, the South Asian people have more a legal than a moral duty to ensure the formation of such a legal body. In conclusion, it was requested to nominate at least two persons from each SAARC member state to attend to the preliminary work in connection with the setting up of a Human Rights Commission or Tribunal.

The fact that SAPA 2008 is taking place at a difficult time for the people of Sri Lanka, was the opening remark of the next speaker, **Ms. Sunila Abeysekera**. In elaborating this point, she informed that human rights violations are taking place on a massive scale and the most recent being the attacks on media, ranging from violence to abduction through to detention. The speaker cited the case of JS Tissainayagam, a Tamil journalist who has been detained and sought the Assembly's support in signing a petition demanding his immediate release. Regarding the Sri Lankan conflict, she informed that the protracted ethno-political conflict of three decades has produced a vicious cycle of civil war with consequences of violence, death, displacement of civilian population and violation of civil and human rights. Abeysekera noted that several debates have taken place nationally and internationally regarding identity-based politics, which outcomes accordingly are determined by social dynamics.

The people of South Asia share similar social and cultural ethos that shape the people's lifestyle, belief systems, cultural specialities, material practices and social relationships. Despite these similarities, they lack knowledge of each other, especially regarding politics. As a member of Sangat a South Asian feminist

collective the speaker collectively called for the formation of a South Asian Union minus borders between states and selves - elites and Dalits, straights and gays, etc. In elaborating this point, she read an extract from a manifesto on a peoples' union of south asia. In concluding her address, the speaker suggested for a South Asian region that promotes a supra national identity and social transformation.

Prof. Pannikkar commenced his remarks by commenting on the impact of neo-imperialism on the South Asian region. Accordingly, globalization has been promoted under the guise of 'development', whereas it has succeeded in culturally transforming the middle class, a large segment of the Indian society, to alarming proportions.

Therefore, he called for a resistance of globalization by the middle class, in order to ensure balance and stability in their lives. Another lament was that de-indigenisation and homogenisation of the South Asian people is taking place to develop a hybrid culture. According to the speaker, hybridity is not an outcome of equity but is based on superiority, which matter is cause for concern. Further, he observed the South Asian people accepting 'cultural colonisation' little realising that they are being affected by 'colonisation of culture' in their choice of food, communication, arts, etc.

There is a connection between globalization and the cultural existence of people. Accordingly, it is important to resist globalization. Yet, it was pointed out that resistance cannot be organized through large movements but through localities or small communities. In concluding his presentation, the professor advised participants to ensure consistency and continuity in resisting globalization, as accordingly then will the results be effective.

The fact that at the state, country, and regional level, one sees democratic space diminishing was the opening remark of **Dr. Mathura Shrestha**. Therefore, he urged the South Asian people to closely monitor the roles and programs of the World Bank, IMF and WTO, which under the guise of 'development' try to program their minds to become sectarian domesticated societies.

It was the speaker's concern that although people's power reigned in Nepal, they are not yet rid of colonization. If at all, Colonization of Culture has dominated the lives of the middle class. Whereas, it was the belief of Shrestha, that Civil Society, as the custodians of democracy,

could lead in launching a revolution with a difference, one which is peaceful and reconstructs society.

Further, Shrestha informed that the people of South Asia need full gains out of democracy instead of limited gains. He also stressed on the importance of peace in development. In conclusion, the speaker advised civil society to seek the support of non-governmental organizations and professional bodies to advocate for change.

Dr. Quazi Kholiquzzaman began his speech by fully endorsing the previous speakers views of the South Asian people's struggle to establish democracy and human rights in the region. With regard to globalization, it was informed that Bangladesh, as its counterparts, has been resisting neo-imperialist forces, who with their neo-liberal ideologies have been trying to rule the South Asian economies and destroy the livelihoods of the grassroots-level people. In order to avoid such a fate befalling them, the speaker advised to establish a people-centred paradigm to ensure the people's wellbeing and restore human dignity and self-respect. Such a paradigm, according to Dr. Kholiquzzaman, could be achieved through social activism and capacity-building of civil society, towards equitable distribution of economic growth and the reconstruction of industrial programmes. Unity in diversity should be on the basis of rule of law in order to ensure human dignity. Democracy should be participatory and pluralistic in order to effectively manage changes. It was further pointed out by the speaker that the establishment of a people-centred paradigm requires preliminaries such as researching, sensitizing government and raising awareness of people. Also, the fact that the political, economic, social and cultural processes should take into account the needs/growth of the people and not that of neo-imperialists. It was also advised to minimize the impacts of climate change through sustainable strategies. Accordingly, another right of people is water security, Yet, one finds, water insecurity a major problem in South Asia, within and across borders. Although debates have taken place on the issue, no concrete steps have been taken yet. The inaction was attributed to hegemonic bureaucracy. In overcoming these hurdles, the speaker called for the people of South Asia to unite and work together.

Mr. Mohan Tamang began his presentation by giving the political background of Bhutan. He informed that Bhutan's current political system is undemocratic and does not provide equal rights to all ethnic groups, but is based on the hegemonic bureaucracy of the ruling elite and their ethnic group. Highlighting the refugee issue,

it was informed that 20% of the Bhutanese population live as refugees in Nepal and face immense hardship. It was the speaker's belief that India has geographical compulsion to intervene in resolving the prolonged impasse. Further that Bhutan must accommodate the voice of 20% of the people if she wants to enter into the club of democracies. Accordingly, sustainable democracy is not the private property of the king of Bhutan to be bestowed upon the people of Bhutan, but one which is developed from within and bottom up. As far as resettlement is concerned, it was Mr. Tamang's belief that the international community and the host countries must respect the rights of the exiled Bhutanese and simultaneously press Bhutan to repatriate those who wish to return to Bhutan. The speaker further urged all South Asians to raise their voices in solidarity for democracy in Bhutan and drew participant's attention to the human rights violations of the Bhutanese government. In concluding his address, Mr. Tamang hoped that SAPA 2008 would yield effective results and that some of the recommendations made would be incorporated to the SAARC agenda.

Mr. Mujuthaba began his speech with the observation that although 23 years have passed since the formation of SAARC, the leaders have yet to meet the set objectives. He observed that neo-liberalism and globalization has replaced colonialization and denied people of social welfare. Its program of downsizing has created deliberate unemployment and jobless growth and lowered the quality of life of the South Asian people. Further, that the South Asian countries economies has seen slow growth. There has been no progress in the social and cultural spheres. SAARC gives priority only to trade and economic systems and not cultural development. Instead of giving all individuals an opportunity to live in dignity and self-respect and to realize their full potential, they have been discriminated against and marginalized, particularly women, based on gender, caste, ethnicity and religion and class origin. Further, the political will of SAARC leaders has been to militarize and nuclearise the region. In order to address these issues, unity in diversity is needed to ensure rule of law. Unity in South Asia is also needed to provide all children regardless of gender, a physically and mentally healthy environment and prepare them for gainful employment. Since most of the South Asian countries are signatory to the UDHR, they are legally bound to ensure equality and non-discrimination.

All that is required to address these issues is political will. Through such a will, not only the quality of life of the people but the environment also gets better. In concluding his presentation, the speaker requested participants to imagine a future SAARC united as a region and able to exert influence on issues such as

poverty, disease, global warming and human rights. Accordingly, all these issues could be solved by applying humanity as the keyword and making patriotism a dead word.

At the outset, **Mr. Sayed Ihsanullah Dileri** gave the background to Afghanistan from the time of the Soviet invasions to that of the recent creation of an International Security Assistance Force (ISAF) comprising NATO troops. Highlighting the human rights situation it was informed that Afghan women are discriminated against in enjoyment of basic rights such as education, health, employment and freedom of expression. Rampant poverty prevails combined with more than 40% unemployment rates. Further, it was informed that there has been an increasing number of civilian casualties in the bombings of NATO and coalition forces. Such incidents are not publicized by the western media. Instead, peace-loving Afghan citizens are portrayed as terrorists. In the minds of many people in the west, Afghanistan is equal to Taliban, war, opium poppies, and so on. In 2005, the United States and Afghanistan signed a strategic partnership agreement committing both nations to a long-term relationship. In 2001, 25 billion US dollars was committed by the international community for the reconstruction of the country. Out of this, only 15 billion US Dollars has been spent. Ironically, the government of Afghanistan does not know how one-third of all aid (around US Dollars 5 billion) has been spent. There has been no transparency or accountability by the UN agencies, bilateral donors, coalition forces or many other foreign actors. About 40% of aid goes back to donor countries in the form of foreign corporate profits and foreign consultants salaries which is estimated at about US Dollars 6 billion. The defense expenditure in Afghanistan is staggering. Since the year 2001, an estimated US Dollars 100 million per day has been spent by the US military alone. However, only US Dollars 7 million per day has been spent by all donors in Afghanistan since 2001. Corruption within the bureaucracy is rampant. Under such circumstances, poverty cannot be eliminated in Afghanistan. History has proved that winning the hearts and minds of Afghans by guns has never worked. If there had been sincere efforts and serious investment in development of Afghanistan, the situation for the Afghan people would have been much better. In concluding his speech, Mr. Dileri informed that no one could give a specific answer about the future of Afghanistan. Yet, he was hopeful that by highlighting these issues at such assemblies as SAPA 2008, due justice could be brought to the people of Afghanistan.

2.3 Thematic Plenary Session 19/07/08 Towards a New South Asia

Prof. Ram Babu made a critical analysis of neo-liberalism. Accordingly, the South Asian countries' economies have had a closer integration with neo-liberalism and globalization with creditors imposing conditions that impinge on the economic sovereignty of the debtor country, dictating the control not only of specific projects and sectors of the economy but commanding the direction of the entire-macro-economic policy. South Asia is among the world's most conflict-prone region due to the legacy of the colonial past and subsequent war on terror. Protracted ethno-political conflicts produces a vicious cycle of civil war with consequences of violence, death, displacement of civilian population and violation of civil and human rights. In such a vision, armies of each country can be replaced with people safeguarding and protecting one another. Yet, one finds, neo-liberalist countries such as the U.S. and its allies under the guise of 'war on terror' increasing its defence expenditure for military and nuclear programs and posting massive standing armies in Afghanistan and Iraq. Rather than bringing the desired peace and development to these countries, they have promoted conflict and halted economic growth. According to Babu, neo-liberalism removes social welfare and results in division of labour. Its program of downsizing creates deliberate unemployment and jobless growth. There is free play of private finance and subordination of social justice and equity with systematic exclusion of marginalized/ indigenous groups and grassroots level people, e.g., women, dalits, sexually oriented persons, farmers, fisher-folk, etc. Among the different styles of neo-liberalism is capitalism. Present day capitalism witnesses a financial crisis and economic downturn. According to a news item, the year 2008 has been termed 'The year of the demise of neo-liberalism and globalization'. Therefore, Babu thought it apt to conclude his presentation with the quote "*It is upto us to decide whāt kind of world it turns out to be. Cāpītālism hās no future. Sociālism is the the ānswer. If we hāve victy over cāpītālism we would experience triumphs.*"

At the outset, it was the belief of **Mr. Sarath Fernando** that the need of the hour is radical change for South Asia. Such alternatives are necessary taking into consideration the unprecedented displacement and destruction of livelihoods and increasing malnutrition, even hunger deaths. At the turn of the century the world powers set the Millennium Development Goal of halving hunger by year 2015. Yet, one saw 840 million people affected by poverty and hunger by year 2008. Such staggering data/figures show that no alternative change has taken place, resulting in an exacerbation of the poverty and hunger situation. Further, it was informed that the people of South Asia witnesses increasing natural disasters causing devastating impacts from climate change speeded up by neo-liberalism and globalization, with scant regard for human and ecological needs.

Accordingly, Sri Lanka too is feeling the effects of climate change with the harvesting season experiencing heavy rains and destroying crops, when the lands should have been dry and ready. Therefore, it is up to the South Asian people, especially the grassroots level, excluded and marginalized people such as farmers, fisherfolk, women, and indigenous groups, to bring about this change.

Ms. Kamla Bhasin wished to supplement her predecessors' comments with a feminist perspective in story form, as she felt stories relate to people's lives better. The first story was about an indigenous community leader who is asked thrice what the most important thing in his life is. On all three occasions he replies that it is people.

The indigenous leader is likened to the South Asian Nations and the people to the people of South Asia. Accordingly, it is upto citizens such as farmers, fisherfolk and indigeneous groups to unite to tackle issues such as poverty, hunger and climate change. The second story was based on Gautama Buddha's childhood.

One day, his cousin shoots down a bird with an arrow. Gautama runs to the bird and picks it up to treat the injuries whereas the cousin claims ownership to the bird with the explanation that it is his arrow that pierced it. Accordingly, the bird represent the indigeneous groups and fisherfolk. The cousin represents neo-liberalist backed LP gas-profit-mongers who do not see the plight of the bird (people) but is driven by greed for money and power. The arrow represents militarization and nuclearization. The bird also represents women, who bear the heaviest burden in poverty and are discriminated against. The cousin also represents neo-liberalist forces such as the U.S.A., which plunders 60% of the earth's natural resources for the use of its 6% population. Accordingly, the biggest threat facing South Asia today is hegemonic masculinity, which behaviour is displayed by Gautama's cousin. It was revealed that in India, the sex ratio has been declining at a rapid pace over the past 50 years. 35 million girls and women have been killed in the name of patriarchy. There has not been, leave alone a shout, a whimper of protest from men (and some women) against these injustices. Ms. Bhasin attributed hegemonic masculinity for such behaviour.

It was her belief that it is not too late for men to follow the feminist principle of tolerance and peace. In concluding her presentation, Ms. Bhasin related a story from Mahatma Gandhi's life. In 1942, when at a

Press Conference, it was observed by the press that midway through the conference the Mahatma halts the discussion and goes into the house several times. This interruption irks the press. When asked the reason for the interruption, Mahatma Gandhi informs that it is in order to take the bedpan to his sick wife, which statement holds the press in awe - for the complete absence of hegemonic masculinity in his actions and words, but understanding and tolerance of his wife's health condition. Thus, it was hoped by Ms. Bhasin, that the day will come when all men will follow in the footsteps of Mahatma Gandhi.

2.4 Thematic Plenary Session and People's SAARC Declaration - 20/07/08

At the outset, it was the belief of the first speaker, **Prof. Walden Bello** that the present day food and fuel crisis represents the unraveling process of neo-liberalism and globalization. Accordingly, trade liberalization by WTO, and FTAs have destroyed the livelihoods of agricultural farming communities. The integrated global food market has no room for the poor and the marginalized. The central cause for poverty is price increase and the offering of subsidies by US and EU. Whereas, the financial crisis is owing to deregulation by creditors/banks. One finds global warming a consequence of overconsumption of developed countries economies linked to policies of economic growth with high green house emissions.

Ironically, the U.S. has refused to reduce green house emissions. At the G8 Gleneagles Summit, although a pledge was made to reduce child mortality and poverty by half by 2015, this has not happened. Owing to this reason, the civil society feels manipulated. However, not all countries have embraced neo-imperialism and globalization, but taken radical steps to prevent its spread, e.g, Bolivia nationalised its resources as did Argentina. Just the same way, Ecuador decided to keep its oil in the ground without pumping. Presidents Chavez, Correia and Morales of South America plan on regional integration based on cooperation instead of FTAs. It was the speaker's belief that such a pragmatic and innovative approach could be emulated by the people of South Asia. Accordingly, People's SAARC as part of an anti-globalization movement should offer alternatives to the South Asian people, such as moving to a less globalised or deglobalized world. In concluding his presentation, Dr. Bello informed that People's SAARC should not be out to build efficient economies, but effective economies with strong vibrant societies, which assures democracy, equality, justice and solidarity. Accordingly, forming a South Asian Union would be the first step.

The next speaker, **Ms Selina Hossain** focused her

presentation on grassroots-level people. Accordingly, their lives have been affected by neo-liberalism and globalization with its vicious cycle of discrimination and marginalization, class struggle, religious extremism, militarization and nuclearization. Whereas, it was Ms. Hossain's belief that the formation of a South Asian Union is the need of the hour towards bringing peace, security and stability to the South Asian region, particularly in ensuring the rights of women and children. Accordingly, it is people themselves that can bring about effective change. In such a vision, massive standing armies will be replaced with people safeguarding and protecting one another.

There will be visa-less travel. Trafficking of women or girl children will not take place. Terrorists and smugglers will have difficulty finding safe havens. One country will not endanger the sovereignty of the state and rights of the people by unfair control of another's natural resources. There will be demilitarization and denuclearization of the region. People will have food security. It was further pointed out by Ms. Hossain that people's right to food cannot be undermined. Yet, one finds neo-liberalism and globalization robbing grassroots level people of their livelihoods resulting in poverty and hunger.

Accordingly, such a situation exists in Bangladesh. Added to it is disease and malnutrition. Women continue to bear the heaviest burden in poverty, with a disproportionately lower level of participation in the labour force. Lower education and skill levels have led to lower earnings. Such a situation is compounded by discrimination based on gender, caste, ethnicity and religion and class origin. It was further informed that culturally, in Bangladesh, the women in villages eat after men and that too fodder, which is hardly enough to sustain them.

According to the poet, the insufficient nutrition, which is referred to by the medical specialists as 'Silent Famine' attack women in greater numbers in Bangladesh. Whereas, it was Ms. Hossain's belief that if the countries of South Asia give more priority to the right of food in the governance of the state and show

Mr. Ibrahim Ismail began his presentation by examining the terms 'democracy', 'peace' and 'justice'. Accordingly, democracy is the bedrock of justice leading to peace. Yet it is found in South Asia that the majority of the people are still struggling to achieve these fundamental rights. Mr. Ismail attributed the non-realization of these rights to the workings of imperialist forces constituting the minority, who under the guise of 'neo-liberalism' and 'globalization' controls the economies and plunders the natural resources of the majority in the South Asian nations. Accordingly, the hidden agendas of capitalist nations has had a chain reaction on the grassroots-level people - loss of livelihoods, poverty and hunger. This situation has led to social issues such as migration and human trafficking. However, Mr. Ismail assured that all is not lost. Accordingly, with diligence, the South Asian people can work towards a peaceful transition to democracy, justice and peace.

The need for peace was stressed by the speaker seeing conflict in the South Asian region producing a vicious cycle of civil war with consequences of violence, death, displacement of civilian population and violation of civil and human rights. Mr. Ismail was proud of the fact that Maldives has achieved much within a short period of time without violence. With regard to the democracy component, it was his belief that calling for free and fair elections does not constitute real democracy, but that it is more upholding the UDHR equality and non-discrimination component which does. Yet, Mr. Ismail considered it unfortunate that most of the South Asian nations political systems are undemocratic and do not provide equal rights to all ethnic groups, but is based on the hegemonic bureaucracy of the ruling elite. Accordingly, Civil Society Organisations has much to do in ensuring South Asian democracies uphold equality and non-discrimination and rule of law. In concluding his speech, Mr. Ismail requested the participants to pursue an egalitarian path towards democracy, peace and justice.

The speech of the next speaker, **Ms. Radha Adhikari** of Bhutan was from a gender perspective. She began by highlighting the Convention on the Elimination of Discrimination Against Women (CEDAW), which most South Asian countries are signatory to. Yet, she observed women such as Dalits being discriminated against, based on gender, caste, ethnicity, religion, and class origin. Accordingly, South Asia is recorded as the 4th largest refugee-producing region, with more than 80% comprising women who are trafficked for prostitution and undergo gender based violence. As migrant workers, they face sexual abuse, torture and abandonment. Their misery is compounded by arbitrary arrests, extortion and disease. Highlighting the situation of women in Bhutan, Ms. Adhikari informed that the Bhutanese women face equal discrimination as their counterparts in the region in education, livelihoods and in the political and decision-making process.

They also faced gender based violence but were unable to bring these injustices to the notice of the international community owing to the monarchy controlling the media. Accordingly, 49% of Bhutan's refugees comprise women who face violence. It was informed by Ms. Adhikari that until recently there were only two women's organizations in Bhutan, which were controlled by the Monarchy and did not represent the voices of women. Frustration set in resulting in the mushrooming of many women's organizations/movements, which engaged in advocacy programs for their rights, particularly property and reproductive rights. According to Ms. Adhikari none of these successes would have been possible without the support of grassroots level people. In concluding her speech Ms. Adhikari appealed for participants to change their attitudes for the better and unite towards

enjoying equality and non-discrimination. She particularly sought the support of the grassroots-level people, whom she felt should address burning issues such as poverty, hunger, health, GBV, education, and last but not least livelihoods. Special emphasis was made regarding the livelihoods of women. This is taking into consideration the fact that they are discriminated against based on their gender, caste, ethnicity, religion, and class origin.

It was the perception of Pakistani Senator **Abdul Malik**, that SAARC failed to fulfill the promised goals for a better South Asia, but that the policies pursued by the rulers of the region created conditions of exclusion, marginalization and denial of rights, justice and democratic freedom to the majority of the people in the region including the Pakistani people, who had to face six years of military rule. Highlighting the Baluchistan issue, Malik informed that Baluchistan has been in the news since 1947 when Pakistan came into existence as a theocratic state, ostensibly as a homeland for Indian Muslims. However, Baluchistan refused to join Pakistan and demanded independence and self-determination and held out till 1948 when the Pakistan Army with tanks launched military operations to militarily annex it. Baluchistan never gave up its struggle for independence and is now once again being subjected to military operations by the Pakistan Army for the fifth consecutive time. It was further revealed that the Pakistan Army has been engaged in military operations in Baluchistan for the last two years but these have intensified in December 2005. According to the speaker, the Baluchis are against development of new army cantonments in their region and also the diversion of their oil and gas revenues from provincial development to military projects. The military regime has no respect for rule of law and refuses to release hundreds of Baluch political prisoners, many of whom have been in prison for several years without a fair trial or court hearings. In closing, it was Malik's belief that towards a peaceful settlement, the Pakistani regime should initiate a sincere and serious dialogue with Baluch nationalist parties. Further, that the Pakistani government should respect constitutional and democratic freedoms, allowing all political parties to function freely by respecting human rights such as free expression, free assembly, free association and movement, and produce all detainees before the courts and release political prisoners.

Whereas, the Indian journalist **Mr. Kuldip Nayar** drew participants attention to the discrimination based on gender, caste, ethnicity and religion and class origin in the South Asian region. Accordingly, women continue to bear the heaviest burden in poverty in South Asia. Trafficking and migration makes them vulnerable to gender-based violence.

South Asia is among the world's most conflict-prone region due to the legacy of the colonial past and subsequent war on terror. This is despite the South Asian people sharing contiguous geographical space and similar cultural beliefs. It was Mr. Nayar's belief that the people of South Asia need full gains out of democracy instead of limited gains as they are having now. Further, that democracy should be participatory and pluralistic in order to effectively manage changes. The speaker also pointed out that neo-liberalism has deprived people of their basic right to food, education, jobs and aggravated hunger and death on account of starvation and plundered the earth of all its natural resources. He further observed that, under the guise of globalization, there are increased operations of global capital within South Asia with minimum or no restrictions and free flow of finance capital with the intervention of World Bank, IMF and WTO. Further, despite sharing contiguous geographical space, the people of South Asia are unable to travel freely without visas. Taking these facts into consideration, Mr. Nayar urged the South Asian people to unite towards forming a borderless South Asia.

Following the plenary session, 29 workshops were held in three different sessions, under the common theme of 'Movements, Resistance and Alternatives' in order to stress the importance of people's movements, the need to resist anti-people policies, programs and trends and to work towards alternatives that will bring meaningful and effective changes to people's lives. The 29 workshops were organized by the participating organizations, on the basis of their interest and involvement. Following were the themes of the workshops held: Burma; Caste Discrimination and Social Exclusion in South Asia; Climate Change and Ecological Justice; Conflict, Right to Protection and Transitional Justice; Debt Cancellation; Democracy and Governance/People's Participation; Ensuring the rights of the Disabled; Towards a Disaster-Free Asia; Food Sovereignty, Agrarian Crisis and People's alternatives; Labour Rights; Media and Right to Information; Men, Masculinity and Gender-based Violence; Migration and Free Movement of Labour; Migration Internal and External; Nation States and Challenges; National Security Ideology Policies and Practices; Refugees/IDP's; Regional Alternatives People's Vision; Religious Extremism and Communalism; SAARC Convention on Basic Health Needs; SAARC Convention on Trafficking; Housing and Urban Development; Women in Politics in South Asia; WTO, South Asian Trade and FTAs. A network of organizations in the region undertook the responsibility of organizing and facilitating the workshops. The issues identified and recommendations made were recorded by Rapporteurs.

Following these workshops, representatives of People's SAARC resolved to issue the Colombo Declaration as the People's SAARC Declaration. The Declaration, incorporating the major recommendations made by various country consultations and workshops of SAPA 2008, was compiled by the Regional Drafting Committee and presented to the plenary convened to finalize the Declaration in the morning of the third day at the New Town Hall. After the sharing of views and experience of country representatives, the Draft Colombo Declaration of SAPA 2008 was presented to the delegates and adopted with changes proposed.



3.0 Outcomes of Thematic Sessions

3.1 National Security Ideology, Policies and Practices

(Session coordināted by representātives of Prāyāthnā, Peāce Mumbāi, Sāngāt, AIPSO ānd SAAPE)

The fact that the national security ideology has been used by state authorities of the South Asian region to harass, detain, torture, even kill innocent civilians, was the opening comment of the moderator. It was further informed that people, instead of protecting and safeguarding one another, resort to violence and destruction, all under the name of national security. Such a scenario has been made possible with militarization and nuclearization. Although there are said to be national security laws to prevent such atrocities, the violence and destruction continues.

Discussion

The discussion commenced by highlighting the Pakistani experience with regard to the national security ideology. The people of Pakistan, accordingly have been subject to many forms of injustices under the guise of national security, including arrest and detention by the Army under

emergency law. Another representative saw a new dimension to the emerging national security ideology, with the country's political system based on the hegemony of the ruling elites. Accordingly, such a scenario leaves to question the national security ideology whose purpose it serves. The conclusion arrived at was that it serves the vested interests of the powers that be internally the Army, whereas externally the USA.

It was further pointed out that, in achieving real national security, the ballot has proved to be far more effective than the bullet, as was seen in Nepal. Therefore, it was urged for the South Asian people to be kept informed and motivated towards participating in the democratic process in achieving peace.

According to a Sri Lankan speaker, the national security ideology of Sri Lanka is no different from that of their counterparts in the South Asian region. Just as much as the threat to national security has been from the inside (JVP insurrection and LTTE formation), it is equally or more from the outside (the United States and India). The other threat to national security has been neo-imperialism and globalization which has altered the South Asian economies and robbed the grassroots level people and marginalized groups of their livelihoods. More recently in Colombo, under the guise of national security, the media has been intimidated, detained, and tortured to silence or forced into exile. Taking these facts into consideration, it was pointed out by the speaker that one has no recourse but to believe that the national security ideology is not static but encroaches every aspect of civil society's existence.

According to the Indian speaker, the issue of conflict is not new to the women of South Asia, as the majority face it at home in the form of discrimination and violence, be it in gender, education, health, welfare, etc. Accordingly, the national security ideology is linked to militarism. Yet, one finds, national security not being the main issue affecting the people of South Asia, but more lack of human security food, shelter, health, education, etc. National security is supposed to assure dignity, self respect, human rights, participation, and inclusion of all people, but this is not the case in South Asia. The reality is, under the guise of national security, militarisation and nuclearization has taken place, thus violating the rights of innocent civilians. Neo-liberalism and globalization also affect human security with lack of jobs and livelihood opportunities, climate change and resultant natural disasters. Accordingly, for peace, there needs to be justice at home, in the community, at country and global levels. Women, who understand nature also believe in earth democracy - protection of rivers, seas, forests and trees. If there is to be real national

security, patriarchy, masculinity and militarization & nuclearization must be done away with. In such a vision, massive standing armies of each country can be replaced with people safeguarding and protecting one another. This means, demilitarization, denuclearization and reallocation of defence budgets to social welfare and poverty eradication.

Whereas, it was the perception of another speaker, that the national security ideology has affected and impacted upon many concerned South Asians. Accordingly, discussions are taking place towards a visa-free South Asia. Yet, there are impediments to this process under the guise of national security, which has served to oppress people than give them the desired security and freedom of mobility and interaction. Despite gaining independence, the patriarchal attitudes of the majority of the South Asian people have not changed. If at all, it has intensified with time, but not in the case of the Nepali people, who have succeeded through people's power. Currently, there is 33% participation of women in the Constituent Assembly of Nepal, which is a commendable feature, considering they can ensure human security in terms of education, health, employment etc. Overall, the national security ideology should give priority to political, economic, social and cultural rights of people, such as assuring human rights, equitable gains, etc., without giving priority to militarization and nuclearization which oppresses and exploits them.

Taking the above facts into consideration, it was the general perception that the South Asian people should unite and dialogue with each in finding solutions to their problems rather than letting imperialist forces exploit and oppress them. Accordingly, restoration of democracy cannot be achieved alone but by the collective voice of the South Asian People's Assembly.

The conclusion arrived at was for a peaceful and just resolution of all conflicts in the region, including those on the border, through political negotiations, and revoking the so called national security laws that give a free-hand to state authorities to commit atrocities against their own peoples.

3.2 Democracy and Governance/ People's participation

(Session coordināted by Prāyāthnā, SAAPE, Vikās Adhyāyān Kendrā and NGO Federātion of Nepāl)

At the outset, it was informed by the moderator that the people of South Asia have had limited gains out of democracy instead of the full gains promised by their leaders.

With regard to governance, it was the perception that the people of South Asia, particularly the discriminated

and marginalized people such as women and children and grassroots level people such as farmers, fishermen, indigenous groups/tribals and disabled have lost out on their basic rights such as education, health, employment and political and decision-making processes. The discrimination is based on gender, caste, ethnicity, religion, class origin and sexual orientation. As a result, they continue to bear the heaviest burden in poverty in South Asia. Rule of law, which determines the quality and good governance of a country has not been applied. Public institutions do not conduct public affairs and manage public resources in an honest manner. Neither do the governments guarantee the realization of human rights. There is lack of transparency and accountability in the policies laid down by the governments resulting in abuse of power. Corruption and nepotism is rife. The rule of law in these countries do not provide for equal protection. If at all, there is authoritarian rule with no guarantee of civil liberties or tolerance for meaningful opposition.



As for people's participation in democracy and governance, it was seen that it is low, more owing to discrimination, bad governance and non-application of rule of law. There is weakening of civil society with an attempt to impose controls on virtually all elements of society.

Discussion

Whereas, it was discussed that the need of the hour is strengthening democracy through human rights and justice and making it participatory and pluralistic for the common good of the people. For this purpose, all groups have to agree to a minimal consensus regarding shared values, which tie the different groups to society, and shared rules for conflict resolution between the groups. The most important value is that of mutual respect and tolerance, so that different groups can coexist and interact without anyone being forced to assimilate to anyone else's position in conflicts that will naturally arise out of diverging interests and positions. These conflicts can only be resolved durably by dialogue which leads to compromise and to mutual understanding.

With regard to poverty reduction strategies, the

recommendations made were: good governance, import substitution and export industries, land redistribution, microloans, empowerment of women, economic growth and fair trade practices.

As for civil society participation in democracy, good governance and rule of law, it was pointed out that their participation could be increased, by facilitating better awareness and a more informed citizenry - those who make better voting choices, participate in politics, and hold governments more accountable as a result.

3.3 Refugees/IDPs

(Session coordināted by Community Trust Fund, Centre for Policy Alternātives, Centre for Women's Development, Mānnār Citizens Committee, Women's Front Indiā, SAAPE, Māldives Aid ānd moderāted by Dr. Pāikiāsothy Sārāvānāmuttu)

At the outset, the moderator served to define the words IDP's and refugees. Internally displaced persons (IDPs), accordingly, are people forced to flee their homes or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, but who, unlike refugees, remain within their country's borders, whereas, refugees flee to a foreign country or power to escape danger or persecution war and violence, on account of race, religion, nationality, political opinion, or membership in a particular social group.

Accordingly, an estimated 80% of refugees are women. They often carry the heaviest burden of survival for themselves and their families. Women and adolescent girls in refugee settings are especially vulnerable to exploitation, rape, abuse and other forms of gender-based violence. Children and youth constitute approximately 50 percent of all refugees worldwide. They are the deliberate targets of abuse, and easy prey to military recruitment and abduction. They typically miss out on years of education, particularly the younger ones'. Children living in conflict-affected areas do not have a chance to go to school. Girls in particular face significant obstacles accessing education. They are typically pulled out of school before boys, often to help with traditional care-giving and work roles including care for younger siblings, gathering firewood and cooking. Early or forced marriage can also derail a girl's education.

With refugees displaced for longer periods of time than ever before, the ability for refugees, particularly women and youth, to earn a living and sustain themselves and their families is becoming even more critical. Lack of education, minimal job prospects, and disproportionate responsibility at home all limit the livelihood opportunities of women and youth.



Unlike the case of refugees, there is no international humanitarian institution which has the overall responsibility of protecting and assisting the refugees as well as the internally displaced. A number of organizations, such as UNHCR and ICRC have stepped into the breach in specific circumstances.

People may stay in refugee camps, receiving emergency food and medical aid, until it is safe to return to their homes or until they get retrieved by other people outside the camps. In some cases, often after several years, other countries decide it will never be safe to return these people, and they are resettled in "third countries," away from the border they crossed. However, more often than not, refugees are not resettled. Camps are the breeding ground for disease, child soldiering, terrorist recruitment, and physical and sexual violence.

The current system which is often referred to as the collaborative approach, shares the responsibility for protecting and assisting IDPs among the UN agencies, i.e. UNHCR, UNICEF, WFP, UNDP, Office of the High Commissioner for Human Rights, the inter-governmental organization IOM, the ICRC and International NGOs. Coordination is the responsibility of the UN Emergency Relief Coordinator and the Humanitarian Coordinator in the country concerned. They are assisted by the Inter-Agency Displacement Division and are housed in the UN Office for the Coordination of Humanitarian Affairs (OCHA)

The IDP population in South Asia is significant. Sri Lanka has 406,000 IDP's due to the civil war between the government and the LTTE. Sri Lanka Tamils have fled to India, Europe (mostly France, Denmark, the United Kingdom, and Germany), and Canada.

Discussion

Citing the Sri Lankan experience, several participants

informed that women are especially vulnerable to exploitation, rape, abuse and other forms of gender-based violence. Children do not have a chance to go to school. Girls in particular cannot access education. They are made to stay in the camp and help with traditional care-giving roles including caring for younger siblings and attending to household chores. Lack of education, minimal job prospects, and disproportionate responsibility at home all limit the livelihood opportunities of women. Refugee camps are the breeding ground for disease, child soldiering and terrorist recruitment.

With regard to the Indian refugee/IDP situation, it was informed by an Indian participant that about 500,000 *Kāshmiri Pāndits* from the entire state of Jammu and Kashmir have been internally displaced due to the ongoing violence. Kashmir is believed to have one of the highest troops to civilian ratios in the world with an estimated 700,000 Indian troops and paramilitary forces in the region. Some 300,000 Hindus have been internally displaced from Kashmir due to the violence.

As for Tibetan refugees, it was informed that more than 150,000 Tibetans live in India, many in settlements in Dharamsala, Mysore and Nepal. These include people who have escaped over the Himalayas from Tibet, as well as their children and grandchildren. In India the overwhelming majority of Tibetans born in India, are still stateless and carry a document called an Identity Card issued by the Indian government in lieu of a passport. This document states the nationality of the holder as Tibetan. It is a document that is frequently rejected as a valid travel document by many customs and immigrations departments.

A participant from Bangladesh wished to highlight the refugee/IDP situation in his country. Accordingly, during the Bangladesh Liberation War in 1971, owing to the civil war in Bangladesh (formerly East Pakistan) and *Operation Seārchlight*, more than ten million Bengalis fled to neighbouring India. The Bangladesh-India border was opened to allow panic-stricken Bengalis safe shelter in India. The governments of West Bengal, Bihar, Assam, Meghalaya and Tripura established refugee camps along the border.

Exiled Bangladeshi army officers and the Indian military immediately started using these camps for recruitment and training members of *Mukti Bāhini*. During the Bangladesh War of Independence around 10 million Bengalis fled the country to escape the killings and atrocities committed by the Pakistan Army.

Citing the Bhutanese experience, it was informed that in 1991-92, Bhutan expelled roughly 100,000 ethnic Nepalis, most of whom have been living in seven refugee camps in eastern Nepal ever since. In March 2008, this population began a multi-year resettlement to third countries including the United States, New Zealand, Denmark and Australia. At present, the United States is working towards resettling more than 60,000 of these refugees in the US as third country settlement program. a person who belongs to a sect of Hindu Pandits who originate from the Kashmir region in the Indian subcontinental planned military pacification carried out by the Pakistan Army to curb the Bengali nationalist movement in erstwhile East Pakistan in March 1971. Meanwhile, as many as 200,000 Nepalese were displaced during the Maoist insurgency and Nepalese Civil War which ended in 2006.

In concluding the session, the moderator informed of protection and assistance given to IDP's. Accordingly, in international law, it is the responsibility of the government concerned to provide assistance and protection for the IDPs in their country. However, as many of the displaced are a result of civil conflict and violence or where the authority of the central state is in doubt, there is no local authority willing to provide assistance and protection.

3.4 SAARC Convention on Preventing & Combating Trafficking in Women and Children for Prostitution

(Session coordināted by ACTFORM, Migrānt Forum in Asiā, SARI-J, IMADR Asiā ānd moderāted by Williām Gois. The Pānellists comprised of Mr Ziā Mādhāvān, Ms. Soni, Ms. Nimālkā Fernāndo, ānd Ms Sāleemā)

The objective of the session was to examine the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, and share experiences regarding trafficking in women and children within the SAARC region and the overlapping issues encountered. Accordingly, human trafficking, is the illegal recruitment, sale, transport, receiving of, and/or harboring of human beings through force, deceit, coercion and abduction for the purpose of all forms of forced labour and servitude.

It was believed by the first panellist, Mr. Zia Madhavan, that in order to address the issue of

trafficking in women and children for prostitution, the root cause needs to be examined first. Poverty is found to be the root cause of the problem. Victims are sometimes tricked or lured by false promises or physically forced to take up prostitution. As the victims are also pushed into drug trafficking, many of them face criminal sanctions. Trafficking of children often involves exploitation of the parents' extreme poverty. The latter may sell children to traffickers in order to pay off debts or gain income or they may be deceived concerning the prospects of training and a better life for their children. Thousands of children from South Asia are sold into the global sex trade every year. Often they are kidnapped or orphaned, and sometimes they are actually sold by their own families.



Another cause of trafficking is armed conflict. In this context, armed conflicts increased the high level of female headed-households, who in many cases are living in abject poverty. There is a tendency for women's migration from those areas in search of better opportunities other than in their home country. During wartime, the safety and economic situation of many women deteriorates so drastically that the offer of refuge and paid employment in another country may seem impossible to refuse, thereby heightening women's vulnerability to being trafficked. Frequently aided by government, police and military, traffickers encounter few deterrents. In all cases, coercive tactics including deception, fraud, intimidation, isolation, threat and use of physical force, or debt bondage are used to control trafficked women.

Actions taken to combat trafficking vary from government to government. Some have introduced legislation specifically aimed at making trafficking illegal. The countries of South Asia have ratified SAARC Convention in Preventing and Combating Trafficking in Women and Children for Prostitution. Yet, the Convention addresses trafficking only in terms of prostitution and not in the broader sense of rights such as the right to education, good health, housing/land, or livelihoods. In a situation of trafficking and migration women and children risk health hazards such as HIV/AIDS. The governments within the region have a bounden duty to protect its civilians

both from within and outside borders. This becomes extremely relevant when dealing with issues such as trafficking and migration.

In patriarchal societies such as those found in South Asia, the history of violence against women is tied to the history of women being viewed as property and a gender role assigned to be subservient to men. Legislation framed to deal with trafficking and migration appear to be limited only to paper. The situation is no different in the SAARC Convention in Preventing and Combating Trafficking in Women and Children for Prostitution.

The role civil society could play in preventing and combating trafficking is invaluable. They can increase visibility of the issue of trafficking and migration and pressurize governments to address the problem. Therefore, it is necessary for governments to implement legislation, increase awareness through civil society initiatives and adopt a holistic approach to the issue of trafficking and migration.

Whereas, the second panellist, Ms. Soni, wished to highlight the issue of trafficking in women between Nepal and India. It was informed that as many as 200,000 Nepali girls, many under 14, have been sold into sex slavery in India. Often, victims are tricked or lured by false promises or physically forced into prostitution. Some of those who manage to return to their motherland are found to be infected with HIV/AIDS or other sexually transmitted infections. Organizations such as WARIC have set up information centres to provide assistance to women who migrate for employment in neighbouring countries, but one finds this information service underutilized owing to customs and patriarchal attitudes and fear of reprisals preventing the women from accessing the available information. The other reason for underutilization of this service is the fact that the governments turn a blind eye and makes no effort to punish the perpetrators. As a result, the women lose faith in the system. In closing, it was the panellist's belief that the only way trafficking in women and children can be prevented and combated is by implementing legislation.

On the other hand, the third panellist, Ms. Nimalka Fernando wished to give a regional perspective to trafficking and migration. Highlighting the Sri Lankan situation, it was informed that migration of women to the Middle East as housemaids has become a critical issue for the country. Generally, female migration has increased steadily due to factors ranging from globalization, open economic policies, brain drain, media publicity, war and conflicts, unemployment, through to publicity of overseas job opportunities. On the other hand, the reason for the increase in migration of unskilled women migrants is due to state-facilitated migration and increase of foreign employment promoters and legal and illegal intermediaries. The other reason being, less valued socio-economic roles and

discriminations at work such as low wages, lack of dignity and harassment. The war and ethnic conflict has had an impact in increasing female migration in Sri Lanka.

The Sri Lanka Demographic and Health Survey 2000, which excluded the North and East, found that one fifth of the households were female-headed. This is due to the ethnic conflict which has been on for more than 25 years in the northern part of the island. Many men have either joined the government army or rebel groups or migrated from the area to find protection. In this context, armed conflicts increased the high level of female headed-households, which women in many cases live in abject poverty. There is a tendency for women migration from those areas in search of better opportunities other than in Sri Lanka. One has difficulty assessing the enormity of the migration issue due to insufficient research. However, two sets of legislations have been passed in Sri Lanka, which has been borrowed directly from the SAARC Convention, but it addresses trafficking only in connection to prostitution. The Sri Lankan situation is bleak due to the government's failure to understand trafficking within the cultural framework of Sri Lankan society. Many people are either misinformed or completely ignorant of the issue. Creating awareness in such a situation is a challenge. It was concluded that Sri Lanka needs the establishment of strong networks to care for and protect the rights of victims of trafficking and assurance of the implementation of existing laws.

Whereas, it was the belief of the fourth panellist, Ms. Saleema, that the issue of trafficking needs a holistic approach in order to understand its root causes. Worst Forms of Child Labour Convention, was adopted by the (ILO) in 1999 as ILO Convention No 182. Among the worst forms of child labour is trafficking of children, meaning the recruitment of children to do work far away from home and from the care of their families, in circumstances within which they are exploited. In Nepal and India predominantly the strong network of child labour result in young boys becoming victims of trafficking for prostitution due to the open borders, e.g. as manual labourers from bangle factories. These issues further emphasise the fact that trafficking of children is not limited to prostitution, but other violations including illicit international adoption, trafficking for early marriage, or recruitment as child soldiers, beggars, and for sports such as child camel jockeys.

According to the fifth panellist, Mr. Ansar Amar Khan of Bangladesh, his government has actively promoted the emigration of workers at all skill levels. As in India, a Bureau of Manpower, Employment and Training has been established in Bangladesh, in order to manage orderly migration,

particularly to monitor and control the performance of recruitment agents, with a quota system introduced. Yet, this quota system has not served the purpose of bringing relief to the migrant workers. If at all, the high cost of legal migration has resulted in children being sold by their own poverty-stricken families for illegal trafficking. Therefore, it was believed that the root cause of the problem, which is poverty, needs to be attacked first.

Discussion

With regard to Mr. Zia's reference to women and children being pushed into drug trafficking and in the process facing sexual exploitation and resultant sexually transmitted infections, what steps have been taken to address this issue was questioned. It was informed that stringent laws and procedures such as screening and resultant delays in issuance of visas and border clearance has greatly restricted the flow of traffickers. However, the need for diplomatic intervention in addressing the issue more aggressively was stressed. Also making specific provisions related to minimum wages and days off in the labour contracts. When doing so, formulate labour contracts taking into account international labour standards. For this purpose., the South Asian countries should enter into bilateral agreements and Memorandum of Understanding, stipulating minimum wages and conditions of work. All these initiatives it was believed would deter unscrupulous elements from engaging in human trafficking.

Whereas, it was the thinking of Ms. Niloufer from Bangladesh, that by reducing poverty and creating employment opportunities locally, it would eliminate the need for push and pull factors of migration (economic, political, cultural and environmentally based). Contributing to the discussion, a Sri Lankan participant, Ms. Lakshmi Chandrasekera, informed that many people yet do not understand the term 'human trafficking'. She found it commendable that the Sri Lankan government has taken action to raise awareness amongst potential victims, which has proved to be successful with an average of five out of twenty women realizing they have been victims of trafficking of some sort.

Ms. Nimalka Fernando added that due to the stigma, discrimination and violence attached to prostitution, many women do not admit to the full extent of sexual exploitation. Further, due to the illegal nature of trafficking and differences in methodology, the exact extent is unknown. Thus the figures for persons trafficked for sexual exploitation are likely to be greatly underestimated.

According to Mr. Nadesan of the Human Development Organization, Kandy, plantation

workers represent a large percentage of the Sri Lankan labour force. Women are the most vulnerable. They do not have the opportunity to work in conditions of equity, be it in wages or work hours. If at all they are discriminated against based on gender. These compel them to migrate in search of better opportunities, in the process falling victim to the wiles of unscrupulous traffickers. There was another view that by reducing the stigma and discrimination related to prostitution, women will gain confidence to come out with their stories. For this purpose, NGOs and GOs should work closely with victims. Whereas, it was believed that trade unions could play an integral role in addressing the issue of non-equitable treatment of women in the plantations

Disability was another issue highlighted. Apna Sahana, accordingly is a self help group that works in the area of disability caused by polio, road accidents and trafficking. It was informed that many syndicates cripple children and use them as beggars to further their interests. Such issues fall under trafficking. As such, appropriate steps must be taken to deal with it.

The conclusion arrived at was that poverty, which is the main cause for trafficking should be eradicated first in order to address the issue of trafficking of children. For this purpose, parents should be empowered with employment, whereby children will not be compelled to go in search of jobs, but engage in education, which is their right.

The session ended with the recommendation that migrants should be assured of dignity and right of work as well as physical protection, basic amenities and adequate wages and that the victims of trafficking must be protected, especially women and children.

3.5 Regional Alternatives: People's Vision

The purpose of the workshop was to discuss the People's vision for South Asia. This is taking into consideration the fact that the South Asian leaders have failed its people. At the outset, it was the moderator's view that the policies pursued by the rulers of the region has created conditions of exclusion, marginalization and denial of rights, justice and democratic freedom to the majority of the people. Neo-imperialists with their neo-liberal ideologies have tried to rule the South Asian economies and destroy the livelihoods of the grassroots-level people. One could clearly see the South Asian people accepting 'cultural colonization' little realizing that their lives have been taken over by 'colonization of culture'.

The formation of a South Asian Union was believed to be the answer to these issues, as it would pave the way for alternatives such as the inclusion and realization of civic and human rights and bring peace, security and stability to the South Asian region. Yet, it was informed that such a Union first requires demilitarization and denuclearization of the region and the rejection of neo -

-imperialist forces. However, the South Asian Union should be led by the South Asian people and not the State. In such a vision, massive standing armies of each country can be replaced with people safeguarding and protecting one another. This means, demilitarization, denuclearization and reallocation of defence budgets to social welfare and poverty eradication.

The long history of interaction and constructive movements of ideas and influence across South Asia in so many fields literature, arts, music, trade, commerce and other human engagements has enriched social and cultural life. It is unfortunate that our secular open and pluralistic past is under threat. The interaction among the South Asian people have been less owing to walls of suspicion being erected, encouraging hostility and intolerance. Through this union, it is expected for free movement of people within the region, in building trust and forging bonds of friendship and making accommodations.

Yet, it was believed that in order for such a union to take place, two strategies are needed - entering into a 'No War' pact to reduce poverty and creating alternative regional trade and economic cooperation frameworks that meet the needs and aspirations of small producers and labourers. In such a vision there would be demilitarization and denuclearization and India would agree to sell their products at the buying rate to regional countries and share technological information, in the process fostering peace and harmony in the region. Another strategy proposed was educating South Asian youth of the long history of interaction and constructive movements of ideas and influence across South Asia in so many fields, whereby they would have a greater understanding and forge bonds of friendship and make accommodations. However, these endeavours need systematic planning of national security to safeguard and protect each other.

It was concluded that civil society also must be made aware and their involvement encouraged for the formation of the South Asian Union whilst creating alternative regional trade and economic cooperation frameworks that meet the needs and aspirations of the discriminated and marginalized including women, children, small producers and labourers.



3.6 Conflicts, Right to Protection and Transitional Justice

(Session coordināted by HHR, LST, Inform, Rights Now, CHRD, SAHR, SAAPE, RRN, Peoples Foundātion in Māldives, INHURED ānd moderāted by Ms. Dulāni Kulāsinghe)

At the outset, the moderator sought to define the political term, "conflict" and highlight the Sri Lankan conflict situation, including that of the military's and the Tamil Tigers' gross violations of human rights.

Mr. K. S. Ratnavel contributing, informed that the national security ideology with a state of emergency implemented, has been used by state authorities to harass, detain, torture, even kill innocent civilians, tantamounting to gross violation of human rights.

In informing and elaborating on existing institutions for human rights protection and their effectiveness, Mr. J. C. Weliamuna first sought to define the term "Right to Protection". It accordingly is another human right to protect civilians against retroactive penal laws and testimonial compulsion. Yet in Sri Lanka, under the Prevention of Terrorism Act (PTA), any terror suspect can be arrested and convicted based on testimonial compulsion, which clearly displays a complete breakdown of functions of national institutions to protect civilians. Further, under the guise of national security, the media has been intimidated, detained, and tortured to silence or forced into exile.

Rule of law, which determines the quality and good governance of a country has not been applied. If at all, there is authoritarian rule with no guarantee of civil liberties or tolerance for meaningful opposition. The integrity of existing institutions meant to give protection is questionable considering they have become protectors of the government instead of the people. One such institution is the Police Commission, said to be set up for the purpose of protecting the people. Its formation was greeted with much hope for due redress, but were soon to be dashed with the realization that its functioning was only limited to acceptance of complaints and not bringing due relief to people.

Another Commission that failed the people was the Presidential Commission of Inquiry set up purportedly to inquire into gross human rights violations in the country. Rather than bringing due relief/justice to the victims and their families, witnesses and civil society were harassed and the government protected. The other institution set up to give protection to civil society is the Judiciary. Instances are not unknown when it too have failed to protect civil society.

Article 26 of the ICCPR stressing on the equality of persons, which statement is also made in Chapter III of Sri Lanka's Constitution, addresses Fundamental Rights, under the component Right to Equality 12. (1). This has not been upheld. If at all both have been blatantly flouted. The complete breakdown of the functions of national institutions is attributed to the ineffectiveness of the 17th Amendment to the Constitution, with its non independent appointments. Therefore, the solution is the appointment of people with integrity who stand for rule of law and good governance.

Yet, it is found not enough has been done by civil society on their part to ensure democracy, good governance and rule of law. This is all the more reason why civil society should actively participate towards ensuring democracy, good governance and rule of law. Their participation could be facilitated through better awareness and a more informed citizenry, who make better voting choices, participate in politics, and hold government more accountable as a result.

Mr. Gopal Krishna Siwakoti, citing the Nepali experience, informed that up until the time people's power reigned, the country experienced internal conflict owing to the gross violations of human rights perpetrated by the Monarchy, including harassment, detention and torture of innocent civilians. The conflict displaced many and made thousands more refugees. Although institutions were said to been set up to inquire into these violations, it continued unabated. Having no other recourse but to seek their own protection, the civil society together with the Maoists worked towards an end to the Monarchy and a peaceful transition to democracy. One of the most important developments in terms of human rights was the proposal to set up the Truth and Reconciliation Commission, to investigate facts about persons involved in gross violations of human rights and crimes against humanity during the course of armed conflict and establishment of an environment of reconciliation in the society. It is hoped that through

this Commission, perpetrators will be brought to book and appropriate justice meted.

There was no denying conflicts produces a vicious cycle of civil war with consequences of violence, death, displacement of civilian population and violation of civil and human rights. As such, it was believed that the people of South Asia must seek their own protection and transitional justice.

Discussion

With regard to the Truth and Reconociliation Commission, how far it has progressed in investigating facts on human rights violations and crimes against humanity was asked. It was informed that so far none of the perpetrators (Maoists who are now the victors) have been brought to book, as they are now under the government's protection. However, organizations such as INHURED is trying to ensure the maintenance of good governance and rule of law in Nepal.

Whereas, it was pointed out by another participant that Sri Lanka's civil society focuses more on the human rights violations committed by the government than the Tamil Tigers. This situation was attributed to lack of awareness. However, it was believed that the situation could be improved with proper awareness, whereby civil society could make better voting choices, participate in politics, and hold government more accountable as a result.

In citing the Indian experience of conflict, the ethnic conflict in Nagaland was cited, which protracted war has been on since the early 1950s and has brought on consequences of violence, death, displacement of civilian population and violation of civil and human rights. It was further informed that unlike in Sri Lanka, there is no Consortium of Humanitarian Agencies to address humanitarian issues in Manipur. As such, a need for such a Consortium in India was felt. Yet it was brought to participants notice that although such a Consortium exists in Sri Lanka, its work has been restricted by the government under the guise of national security. NGO and media personnel has been intimidated, detained, and tortured to silence or forced into exile for doing their job properly.

It was concluded that in order to arrest all of these issues democracy, good governance and rule of law is the need of the hour.

3.7 WTO, South Asian Trade and FTAs

(Session coordinated by MONLAR, Focus on Global South, All Nepal Peasants Association, Pakistan Institute for Labour Education and Research, Equity and Justice Working Group, INSAAF, NFFPFW)

The moderator having outlined the objectives of the Session of the workshop, introduced the first panellist. In the eyes of Dr Walden Bello from the Philippines, the WTO is associated with the ideologies of neo-liberalism and globalization, with government policies attuned to liberalization of tariffs and trade, deregulation and privatization. Neo-liberalism accordingly has not brought prosperity to the people, but resulted in more poverty, inequality, economic stagnation and greater instability in the region. This situation has led to demonstrations by civil society in Seattle, Geneva, Cancun and Thailand. The mere fact that the WTO talks collapsed is a clear indication of the power of the people. Likewise, it was felt that the South Asian people have a right to voice their concerns regarding FTA's.

It was pointed out that FTA's have not been signed for the benefit of the South Asian nations, but to secure the U.S.'s geo-political interests in the region. Heartening was the fact that not all Asian countries have fallen victim to the neo-liberal ideologies of the US, for e.g. South Korea not going into FTA with the US. In closing, Dr. Bello informed that the WTO Mini-Ministerial Meeting will take place in Geneva from 21-25 July 2008, in order to revive the flawed WTO Doha Round. Therefore, he urged South Asian nations to commit to the creation of alternative regional trade and economic cooperation frameworks that meet the needs and aspirations of small producers and labourers. It was hoped that through the formation of a South Asian Economic Union this commitment will be kept, unlike SAFTA which failed.



Mr. Reza Salim of the Equity and Justice Working Group, Bangladesh, commenting on SAFTA stated that the seven foreign ministers of the region signed a framework agreement on SAFTA with zero customs duty on the trade of practically all products in the region by end 2016. The SAARC Preferential Trading Arrangement (SAPTA), with concessional duty on sub-continent trade, went into force on 7 December

1995. SAFTA, requires the developing countries in South Asia, i.e., India, Pakistan and Sri Lanka, to bring their duties down to 20 percent in the first phase of the two year period ending in 2007.

In the final five year phase ending 2012, the 20 percent duty will be reduced to zero in a series of annual cuts. The least developed nations in South Asia consisting Nepal, Bhutan, Bangladesh and Maldives have an additional three years to reduce tariffs to zero. Accordingly, Pakistan has signed but not ratified the treaty, though there is hope in India that it will do so sometime in 2008. Taking these facts into consideration, Mr. Salim urged the South Asian nations to commit to the creation of alternative regional trade and economic co-operation frameworks that meet the needs and aspirations of small producers and labourers. Accordingly, such aspirations and needs can only be met through the formation of a South Asian People's Union.

Whereas, it was the perception of Ms. Umi Daniel of Action-Aid, India, that many Civil Society Organizations are concerned about WTO and FTAs, particularly about the European Union's desperate bid to take the WTO forward. Trade Related Intellectual Property Rights (TRIPS) agreement administered under WTO+ setting down many standards for intellectual property regulation is not viewed favourably by India. Despite this, there are moves to sign FTAs. Two other industries/sectors affected by FTAs are leather and fisheries. Whilst leather is engaged in by marginalized communities (Dalits and Muslims) fisheries is dominated by grassroots level people. Currently, the EU focuses on controlling the retail sector. India is against corporatization of retail.

This has resulted in massive protests being made held by civil society organizations and social movements. The same issue exists with regard to government procurements. By this, India suffers huge losses in social sector spending. Recently the UN Committee on Economic, Social and Cultural Rights (CESCR) compiled a report on India. Its observation on EU/India FTA revealed a lack of transparency, especially with regard to nuclear deals. Evidently civil society organizations have not done enough to monitor and follow-up on these deals, more through ignorance than lack of will. As such civil society needs to be made aware through strong networks. In conclusion, it was observed that although CESCR has carried out a trade impact assessment on EU-India FTA specifically on food security and social issues, the issue of exclusion has not been addressed. Therefore, Ms. Daniel urged Civil Society Organizations to hold regular consultations and keep themselves updated of developments towards finding solutions to their issues.

According to Mr. Gautam Mody of India, his country faces two battles. The first is corporatisation, which has had disastrous effects on grassroots level people. Media represents the free market and monopoly. While corporatisation and state regulations muffle free expression, the force of public interest strive for greater freedom and openness. Politics and capitalism thrive on the liberties of a democratic system that continues to evolve into a functional hybrid of chaos and disorder. The other battle India has is with the retail chains. The trend of having retail chains and mega-mergers is wiping out small business everywhere and with it the distinctiveness of local cultures. Retail chains benefits only the elites that have agency houses working for them. One also sees covert attempts by India to take control of the South Asian region through FDI. Policy liberalization since 1991 is seen as an instrument of global economic integration of the Indian economy. Trends and patterns reveal a sharp rise in numbers and magnitude of FDI, especially over the past 3 years for geographical diversification, sectoral distribution and changing motivations. In the former, 60% development has been in developed countries.

Whereas, sectoral distribution focuses on services such as: high tech manufacturing, natural resources extraction, etc. The motivation has been to seek strategic assets, have strategic access to markets and natural resources through acquisitions. Pre-1990, the destinations were Asian and African low-income countries (light engineering, palm oil refining, mining), whereas post 2000, the destinations have been strategic resource-rich countries such as U.K., U.S.A., Russia, South Korea and Singapore in sectors such as metals, Pharmaceuticals and automobile production. Among the South Asian countries, which economies have been structurally adjusted by neo-liberal orthodoxy and closer integration with the world markets and economy, is Pakistan, with the elites going into FDI with the oil rich, dollar trading middle-eastern countries. The anonymity that shrouds such investment makes it a possible tool for money laundering. In conclusion Mr. Mody believed that in order to effectively deal with economic issues in the region, there needs to be a separate process such as the formation of a South Asian Economic Union.

Whereas, it was pointed out by Fr. Guy de Fontgalland of Sri Lanka, that India and Sri Lanka have finalised a Comprehensive Economic Partnership Agreement (CEPA) which is expected to be signed on the sidelines of the SAARC Summit.

The agreement is the culmination of 12 rounds of talks at the level of Joint Secretaries and Secretaries of the two countries and finalised at talks. Ironically, no civil society member or organization was invited to these talks. Whereas, civil society has the right to know its contents. So great is India's influence over Sri Lanka,

that it has affected the Sri Lankan agriculture sector, e.g., pepper exports. In December 2006, the Indian government imposed a cap on the import of pepper from Sri Lanka into India under the Indo-Sri Lanka Free Trade Agreement (ISFTA). Sri Lanka had exported 6,853 tonnes of black pepper during January - September 2005, before the introduction of the cap. Low productivity and high wage structure makes Indian farmers' cost of production high compared to other producing countries, hence the need to import. This situation led to the Pepper Exporters in Sri Lanka urging India to remove the cap of 2,500 tonnes per annum on exports.

On the other hand, it was Mr. Ashok Chaudhary's perception that WTO is getting nowhere and that it has a very uncertain or bleak future. Many South Asian countries depend on India to safeguard themselves against aggression by powerful nations. The governments of South Asia, in their haste to open up economies to global capital and global capitalist markets bend over backwards to align themselves with the aims and objectives of the neo-imperialist forces, thus altering their economic policies, political arrangements and foreign policy stances to suit the interests of the neo-imperialists, often under the direct or indirect dictates of the World Bank, IMF, WTO and so on. South Asia is very rich in natural resources. Neo-imperialist forces under the guise of FTA try to tap the natural resources of the South Asian nations. WTO and SAFTA have the same objectives, which is to open up economies to global capitalist markets. An alliance of South Asian people is essential to prevent such FTAs taking place. Although there are numerous resistance movements in South Asia, their representation in People's SAARC is inadequate. The need of the hour is mass mobilization of people's movements including trade unions within SAARC to resist neo-imperialism.

Neo-imperialism and globalization directly affects the landless people and poor peasants. Unless united on agrarian reform, civil society cannot fight. There must be an effort to unite working class movements with peasant movements. The new emerging political forces, e.g., Nepal and Pakistan can help. Through the formation of a South Asian Union, they could be engaged in a discourse towards resisting neo-imperialism.

In concluding his comments, Mr. Chaudhary pointed out that the National Agri-Marketing Association's role is to market agri-businesses. Yet, it is questionable whether it safeguards the interests of the landless and peasants. Accordingly, there is a difference between agriculture and forestry. As such, it was questioned how one differentiate between the two. It was also pointed out that Artisans, who are a part of the traditional economy and culture are also directly affected by neo-imperialism and globalization. Therefore, a strategy needs to be developed to bring all these sectors into one forum. At the same time the role of political parties in this process should not be undermined.

Whereas, it was Ms. Sangeetha Sharma's belief that social movements must commit to work with groups across the region and elsewhere to ensure that no deal comes out of the WTO Mini-Ministerial Meeting at Geneva from 21-25 July 2008. She further informed that on 11th June, 2008, over 25 leaders of different agricultural forums met in New Delhi to deliberate the proposals circulated by the multilateral trade body, particularly the country's food security situation. India had rejected the May 19 Agriculture text under Doha round of trade talks, stating that it does not address the livelihood concerns of poor farmers in developing nations. In concluding her comment, Ms. Sharma seconded Mr. Mody's view that the Indian elite is not interested in addressing the livelihood concerns of the people, but more making money for themselves. Therefore, what must be done is resist the initiatives of these elites by mobilizing peoples movements.

The session concluded with a call for the creation of alternative regional trade and economic co-operation frameworks that meet the needs and aspirations of small producers and labourers. This will ensure the defeat of neo-liberal instruments such as the World Trade Organization and Free Trade Agreements in the region. In the light of current attempts to revive the flawed WTO Doha Round we commit to work with groups across the region and elsewhere to ensure that no deal comes out of the WTO Mini-Ministerial Meeting at Geneva from 21-25 July 2008.

3.8 Food Sovereignty, Agrarian Crisis and Pro-People Alternatives

(Session coordināted by MONLAR, Vikālpāni, Sāngāt, IBON South Asiā, Focus on Globāl South, SANSAD, RRN, SAAPE ānd Sociāl Liberāl Pārty, Māldives)

At the outset, the moderator served to define the term "food sovereignty". Food Sovereignty accordingly is a term originally coined by members of *Viā*

Cāmpesinā in 1996 to refer to a policy framework advocated by a number of farmers, peasants, pastoralists, fisherfolk, Indigenous Peoples, women, rural youth and environmental organizations, namely the claimed "right of peoples to define their own food, agriculture, livestock and fisheries systems," in contrast to having food largely subject to international market forces.

Yet, one finds in South Asia, neo-liberalism has deprived people of their basic right to food and aggravated hunger and death on account of starvation and plundered the earth of all its natural resources. The present day food crisis represents the unravelling process of neo-liberalism and globalization.

Such a situation is compounded by discrimination based on gender, caste, ethnicity and religion and class origin. Women are the most affected. In Sri Lanka, personal laws such as Thesawalamai, Muslim law, and Kandyan law have placed, unreasonable and unjust conditions on women which deny them equality in the eyes of these personal laws, e.g., Thesawalamai requires that married women get the written consent of their husbands prior to transferring land. Whereas, Muslim law decrees that inheritance is given in the ratio of 2/3 to the sons and 1/3 to the daughters. In Kandyan law, inheritance is dependent on whether marriages entered into are *Binnā* marriages or *deegā* marriages. Inheritance of state agriculture land allocation under the Land Development Ordinance is from father to son. The widow does not have any claims to the land even in the form of life interest, even though she may have worked equally to develop the agricultural lands.

Neo-liberalists such as the U.S.A., has plundered 60% of the earth's natural resources for the use of its 6% population. Trends and patterns reveal a sharp rise in numbers and magnitude of FDI including Sectoral distribution, which focuses on services such as natural resources, extraction, etc. The motivation has been to seek strategic assets, have strategic access to markets and natural resources through acquisitions. The destinations were Asian and African low-income countries for palm oil refining and mining.

Fisher-people do not have the right to fish in territorial waters and are not legally protected through proper mechanisms. Innocent fishers are incarcerated for wandering into neighbouring territorial waters. This is because democracy, rule of law and good governance has not been applied. Public institutions do not conduct public affairs and manage public resources in an honest manner. There is lack of transparency and accountability in the policies laid down by the governments resulting in abuse of power. In other words, neo-liberalism has deprived people of their basic right to food.

Several factors have contributed to the rising food prices. While developed countries pressured the developing world to abolish subsidies in the interest of trade liberalization, rich countries largely kept subsidies in place for their own farmers. In recent years the United States government subsidies have been added which pushed production toward bio-fuels rather than food. However, the bio-fuels are competitive when compared with petroleum. It results in diversion of feed stocks, food gains and edible oil seeds. It is likely that with other impacts bio-fuels may cease to be competitive. The domestic market will depend on factors influenced by public policies controlling foreign currencies, border controls, tariffs, quotas and taxes.

Accordingly, people who understand nature, such as the indigenous groups, believe in earth democracy such as conservation of rivers and forests and trees. Yet, one finds, water insecurity a major problem in South Asia, within and across borders.

Although debates have taken place on the issue, no concrete action has been taken yet. The inaction is attributed to hegemonic bureaucracy. Further, the availability of technological development to increase agriculture yields (investment on research and development) is less. Impact of climate change is not properly realized. There is population increase and urbanization. These are factors contributing to the agrarian crisis.

It was further informed by the presenter that the food demand will rise while supply will fall. Climate change will be a major concern. Further, there will be diversion of farm produce, such as conversion from sugar to bio-fuels. People will have to decide between food and wheat production. The oil price hike compels people to grow more food and feed crops, with scant regard to land degradation.

Accordingly, neo-liberalism removes social welfare and results in division of labour. Its program of

downsizing creates deliberate unemployment and jobless growth. There is free play of private finance and subordination of social justice and equity with systematic exclusion of marginalized/indigenous groups and grassroots level people, e.g., women, farmers, fisher-folk, etc. Under international law, it is the responsibility of the governments concerned to provide assistance to these groups.

The session concluded with the recommendation for operationalization of food Sovereignty through building alliances of women, peasants and agriculture labour. This would involve the creation of seed and grain banks, promotion of participatory research and sustainable technologies and the rejection of monopolistic and environmentally destructive technologies such as genetically modified organisms.

3.9 Debt Cancellation

(Session coordināted by Plāntātion Sector Sociāl Forum, Vikās Adhyāyān Kendrā, IBON South Asiā, Rurāl Reconstruction Network, SUPRO, Equity ānd Justice Working Group)

At the outset, it was the moderator's view that faced with the possibility of losing their investments, lenders proposed a variety of Structural Adjustment Programs (SAPs) to fundamentally reorient Southern economies. Rather than bringing the desired relief, the conditions laid by lenders such as the World Bank and IMF impinged on the economic sovereignty of the debtor country, dictating the control not only of specific projects and sectors but commanding the direction of the entire-macro-economic policy. The conditions included drastic reduction in public welfare spending, through FDI focusing economic output on direct export and resource extraction, providing an attractive investment climate to multinational investors and generally enhancing the rights of foreign investors, *vis-à-vis* national laws. Such conditions, rather than bringing the desired relief to the debtor countries, put them in a more vulnerable position with lack of welfare (food, education, shelter and healthcare), plundering of valuable natural resources and money laundering.

Further, one finds that under the guise of globalization, increased operations of global capital within South Asia with minimum or no restrictions and free flow of finance capital with the intervention of World Bank, IMF and WTO.

The people of South Asia are also witnessing increasing natural disasters causing devastating impacts from climate change, speeded up by globalization. When the 2004 Indian Ocean earthquake and tsunami hit, the G7 announced a moratorium on debts of twelve affected nations and the Paris Club suspended loan payments of three more. By the time the Paris Club met in January 2005, its 19 member-countries had pledged a total of \$3.4 billion in aid to the countries affected by the tsunami. The debt relief for tsunami-affected nations was not universal. Sri Lanka was left with a debt of more than \$8 billion and an annual debt service bill of \$493 million.

Whereas it was suggested to analyze debt in the context of Official Development Assistance (ODA), with the flows of official financing administered with the promotion of the economic development and welfare of developing countries as the main objective, and with concessions with a grant element of at least 25 percent (using a fixed 10 percent rate of discount).

The session concluded with the recommendation for unconditional cancellation of loans from International Financial Institutions & bilateral debt.

3.10 Climate justice in South Asia

(Session coordināted by SLNF, PSSF, FFI, IBON South Asiā, One World South Asiā, SANSAD, VAK ānd VOICE)

The moderator commenced the session by informing the participants that the current global crisis of climate change is a serious threat and a big challenge to humans. Increased incidents of extreme climate change are likely to be most severe in the region as many south Asian countries will be affected by the rising sea levels.

Accordingly, the people of south Asia are witnessing increasing natural disasters causing devastating impacts from climate change, speeded up by globalization which has scant regard for human and ecological needs, thus affecting farmers, peasants, fisher-folk, etc. Among the impacts of natural disasters is disease due to poor sanitation and lack of healthcare. Climate change and resultant natural disasters also affects children's education, with access routes and schools made inaccessible or completely destroyed. Worst affected are the discriminated and the marginalized such as women, farmers, fishermen, indigenous groups and the disabled, with flooding

destroying their livelihoods and access to basic needs such as food, shelter, education and health. In such situations, women and adolescent girls especially vulnerable to exploitation, rape, abuse and other forms of gender-based violence.

It was observed that global warming is due to overconsumption of developed countries economies linked to policies of economic growth with high green house emissions, with scant regard for human and ecological needs.

Countries such as Maldives is threatened by global warming. The seas are rising and none of the Maldivian islands are more than six feet above sea level. Six thousand people have been already moved from their homes due to rising seas. It is estimated that around 50 - 80% of the Maldives is likely to be lost within the next 50 years if nothing is done to curb the rising tide. To add to that threat, people on inhabited islands are sand mining on a commercial scale, literally digging their own graves.

Addressing the climate crisis requires radical solutions such as incorporation of the wider issue of sustainability and equity. Also start such initiatives such as 'Everest Climate Change' to force action on global warming or impose a carbon tax to protect the environment by reducing emissions of carbon dioxide thereby slowing climate change Unlike other approaches, direct taxation has the benefit of being easily understood and can be popular with the public if the revenue from the tax is returned by reducing other taxes. Alternatively, it may be used to fund environmental projects.



The session concluded with a call to achieve climate justice by ensuring that the burden of adjustment is borne by the elites. This requires a fundamental departure from the current industrial and economic paradigm in the region. Also, people's right to

information, knowledge, skills, housing, education, health, food security and their organizations must be fulfilled to strengthen their resilience to hazards.

3.11 Caste Discrimination and social exclusion

(Session coordināted by Humān Development Orgānisātion, SAAPE, Nātionāl Coāalition on Dālit Humān Rights, IMADR, TWNF, Puthiyā Thāmil Zhāngām ānd Pirānthā Mānn Trust)

The session commenced with the moderator defining the term 'discrimination' and its bases. Accordingly, discrimination toward or against a person or group is the treatment or consideration based on class or category rather than individual merit. Gender refers to power differences between males and females, e.g. roles, privileges, etc. Castes are hereditary systems of occupation, endogamy, social culture, social class, and political power. An ethnic group is a group of human beings whose members identify with each other, usually on a presumed or real common heritage. A religion usually encompasses a set of stories, symbols, beliefs and practices, often with a supernatural quality, that give meaning to the practitioner's experiences of life through reference to an ultimate power or reality. Social class refers to the hierarchical distinctions (or stratification) between individuals or groups in societies or cultures. Discrimination based on gender, caste, ethnicity and religion and social class is prevalent in many parts of South Asia.

Citing the Nepali experience of discrimination, it was informed that despite people's power reigning, discrimination continues. Women are the most affected with disproportionately lower level of participation in the labour force and lower education and skill levels leading to lower earnings. Thousands are impoverished in the country. There is unprecedented displacement and destruction of livelihood. Many have been sold into sex slavery in India. Often, victims are tricked or lured by false promises or physically forced into prostitution. Poverty and illiteracy is found to be the root cause for trafficking in women and children for prostitution. However, there being 33% participation of women in the Constituent Assembly of Nepal, was viewed as a commendable feature, considering they can now ensure human security in terms of education, health, employment and livelihood, etc.

Whereas, it was informed by the next panellist that caste-based discrimination is yet a hidden issue in Sri Lanka. People are yet in denial of it, be it in marriage, jobs, and so on. According to a recent survey, the caste system in Sri Lanka is a division of society into strata, differing somewhat from the classic *Vārnās* of North India but is similar in nature to the *J ti* system found in South India. The Sinhalese and Tamil people who make

up the majority of the population have their own distinctive caste system and veneration of these also exist based on geographical lines. As a result of the *Mudāliyār* class created by the British in the 19th century, the majority caste among the Sinhalese population now is the *Goyigāmā*. It appears that the Goyigama comprise at least half the Sinhalese population. Here again, Sinhalese society is divided between Kandyan and Low Country.

There are two groups of Tamils in Sri Lanka: the Sri Lankan Tamils and the Indian Tamils. The Sri Lankan Tamils (or Ceylon Tamils) are descendants of the Tamils of the old Jaffna Kingdom and east coast chieftaincies. However, just like amongst the Sinhalese, the caste structure of the Northern Tamils is somewhat different compared to the Eastern Tamils. Northern Tamil caste system is mostly dominated by the *Vellālār* except in some coastal regions where *Kārāiyār* have numerical and ritual superiority over others. In the East coast, the fisher castes are dominant numerically that they have used to create ritual superiority over other castes except the Vellalar who seem to be newer arrivals from the North. Paradoxically, *Mukkuvārs* who are at the bottom of the caste hierarchy in the North are almost at the top in the East. The protracted ethnic conflict of 30 years has displaced many Tamils. Most belonged to the low caste and had limited resources. Even if they did, they were not allowed to purchase property by the higher castes or have access to basic facilities including education.



On the other hand, Indian Tamils (or Hill Country Tamils) are descendants of bonded labourers sent from Tamil Nadu to Sri Lanka in the 19th century to work on tea plantations. They live in the central highlands. Before their arrival in Sri Lanka they belonged to the Dalits. Despite hope of ridding themselves of the stigma and discrimination attached to their caste, discrimination yet exists, be it in marriage, trade union leadership, etc. Accordingly, urban sanitary workers, also people of Indian origin belong to the sanitary labour caste. Their conditions have not improved over the past 150 years, but remain the same - discriminated and marginalized in almost all rights. From the foregoing facts it was seen that in Sri Lanka, the caste system plays an important role in people's lives.

According to the next speaker, in India, Hindu society has traditionally been divided into several thousands of groups, castes or communities called *Jātis*. The phrase "Hindu Caste System" mixes up two different schemes - the Varna (class/group) which is the theoretical system of grouping found in Brahminical traditions and some medieval codes, and the Jati system prevalent in Indian society since historical times. By the 7th century AD, there were people excluded from society altogether - the group of outcastes now referred to as Dalits or the "downtrodden." Thus, an *untouchāble*, or an "outcaste", was a person who was deemed to not have any "Varna by those who claimed to possess it." Accordingly, Mahatma Gandhi, B. R. Ambedkar and Jawarharlal Nehru had radically different approaches to caste, especially over constitutional politics and the status of "untouchables" While the caste system has been formally abolished under the Indian constitution, there is still discrimination and prejudice against Dalits in South Asia.

Since independence, significant steps have been taken to provide opportunities in jobs and education. Many political parties in India have openly indulged in caste-based politics. Parties such as Bahujan Samaj Party (BSP) rely on Dalits for their representation in Parliament.

The Prevention of Atrocities Act (POA) is a tacit acknowledgement by the Indian government that caste relations are defined by violence, both incidental and systemic. In 1989, the Government of India passed the Prevention of Atrocities Act (POA), which clarified specific crimes against Scheduled Castes and Scheduled Tribes (the Dalits) as "atrocities," and created strategies and punishments to counter these acts. The purpose of the Act was to curb and punish violence against Dalits. It clarified what the atrocities were: both particular incidents of harm and humiliation, such as the forced consumption of noxious substances, and systemic violence still faced by many Dalits, especially in rural areas. Such systemic violence includes forced labour, denial of rights such as land, water and other public amenities and sexual abuse of Dalit women. Despite this Act, one finds Dalit women being discriminated against in their rights, including disproportionately lower level of participation in the labour force and lower education and skill levels leading to lower earnings. Thousands are impoverished in the country. There is unprecedented displacement and destruction of livelihood of Dalit women. Many have been sold into sex slavery and forced labour.

Discussion

A plantation representative opening the discussion informed that the caste system plays a major role in the central highlands. Accordingly, some traditions

of the Kingdom of Kandy survived after its collapse in 1818, preserved in unique forms of the caste system until the post independence period. The most important feature of the old system was *rājākāriyā*, or the "king's work," which linked each caste to a specific occupation and demanded services for the court and religious institutions.

The connection of caste and job is still stronger in the Central Highlands, and at events such as the Kandy *Perāherā*, the various castes still perform traditional functions. Even in the selection of the chief (lay) incumbent or the "*Diṅyāwādānā Nilāme*" of the temple, the caste system plays a big role. The Goyigama in the highlands differ from those of the low country because they preserve occupational divisions within the caste such as herdsmen (Patti), woodcutters (Porowakara) etc. In the Kandy District of the highlands live the Batgama or Padu, another caste of agricultural labourers who have escaped the British period consolidation of the cultivator caste. Also untouchable Rodiya and the Kinnarayya who display the vestiges of a hunter gather tribe, were traditionally segregated from other groups because of their menial status and are discriminated against in basic rights such as water, education and land. Even in infrastructure development (building of roads) they are discriminated against. It is also not unknown for them to have been discriminated against in religious activities, e.g., in Buddhist temples there are two different entrances for the high and low caste and in performance of funeral rites, monks are found to be reluctant to attend low caste homes. Living in all areas are service groups, such as the Hena or Rada, traditional washer men who still dominate the laundry trade; the Berava, traditional temple drummers who work as cultivators in many villages; and the Navandanna or Achari types are traditional artisans. The highland interior is home to the Vahumpura, or traditional makers of jaggery, who have spread throughout the country in a wide variety of occupations, especially agriculture.

Accordingly, a caste system exists among the Tamil plantation workers as well. Their caste structure resembles that of a Tamil Nadu village. Those who are considered to be of higher castes such as Maravar, Kallar, Agamudaiyar and Vellalar occupied the first row of line rooms. They performed respectable jobs such as factory work and grinding of tea. They worked as minor employees too. Even though they belong to the labour category they were influential among conductors, tea makers, Kanganies or supervisors and other officials.

The workers considered low castes lived in the dwellings that are away from the centre and these dwellings are called distant or lower Lines. This group consists of Pallar, Paraiyars, Sakkiliar, Washers and Barbers. The yard sweepers and changers of clothes are in the lowest rank.

According to a Nepali participant, the caste system of Nepal, like the Indian caste system, is highly complex and continues the traditional system of social stratification of Nepal. Accordingly, the *Khās*, *Newār* and *Māithil* have been undergoing increasing complexity of caste discrimination and oppression. The issue in the present Nepalese society lies in the classification of *Brāhmins*, *Chhetris* and *Vāishyās* into sub-castes, defiling castes and narrowing. From another perspective, Nepalese society is clearly split into touchables and untouchables, have no marital relation with them, and do not allow them to enter their house. Higher caste individuals were given lesser penalty if they were charged with having sexual intercourse with lower caste women, but if lower-caste persons had sexual intercourse with higher caste women, they were sentenced to fourteen-year imprisonment. In the western part of Nepal, they also practice sprinkling of water (act of purification). The low-caste people are deprived of utilizing most of the temples, funeral places, drinking water taps and wells, restaurants, shops and other public places. The untouchables of this region are extremely affected by polygamy, Jari (adultery) and Doli (Palanquin) systems. Biradevi Sunar, a 40-year-old mother of seven children from Dahchaur, Barjiwang-2 (Pyuthan), was deserted by her husband, who married another woman and started living separately. Examples like this support the extreme suffering of untouchable women who have to undergo in their lives.

To make the rights and self-respect of the oppressed class dynamic, the organizations for the oppressed were set up with the initiatives of a few individuals in Baglung, Sunsari and Kathmandu in 1947/48. In 1951/52 "Samaj Sudhar Sangh" replaced "Jat Tod Sangh". At its initiative an attempt was made to enter Pashupati Nath Temple in 1954/55. Thousands of untouchables participated in this rally. At the behest of the-then Home Minister, the administration deployed police force to use against the agitators. In this rally participated mostly by women, 750 persons were taken into police custody. After this agitation, the government removed the plate bearing "No Admission for Untouchables" from Pashupati Nath Temple for the first time. Despite these endeavours, Nepali women continue to be discriminated against based on their caste.

It was further pointed out that although for the first time in 2007, the issue was raised at a SAARC forum, up until this session it had not been raised at People's SAARC forums. As such, the participant was happy that the issue of discrimination was taken up and he was able to highlight the discrimination of Nepali women.

Informing of the Indian Dalit's exposure to discrimination was a Dalit activist from North-East India. Accordingly, they suffer a worse fate than Dalits living in any other country. Many Dalits who have converted to other religions in the past few centuries continue to retain their Dalit heritage. Discrimination against Dalits is not limited to the Hindu community but other communities as well.

Taking these facts into consideration, it was recommended to recognize the universality of visibility, opportunity, equal rights and dignity for all people

including excluded groups and minorities: ethnic, sexual, gender and people with disabilities. Also recognize the prevalence of caste based discrimination that denies human dignity, socio - economic, political equality and justice to the 260 million dalits of in the SAARC countries

3.12 Burma: Political & Socio-economic issues

(Session coordināted by Nātionāl Leāgue for Democrācy, Burmā ānd Peāce Mumbāi)

At the outset, the moderator outlined the political and economic background of Burma from the time of the democratic republic to military rule by Junta. Accordingly, democratic rule ended in 1962 when General Ne Win led a military coup d'état. He ruled for nearly 26 years. During his reign, Burma became one of the world's most impoverished countries. Almost from the beginning there were sporadic protests against military rule, many of which were organized by students, and these were almost always violently suppressed by the government. On July 7, 1962 the government broke up demonstrations at Rangoon University killing 15 students. In 1974, the military violently suppressed anti-government protests at the funeral of U Thant. Student protests in 1975, 1976 and 1977 were quickly suppressed by overwhelming force.

Accordingly, a new constitution of the Socialist Republic of the Union of Burma was adopted in 1974. In 1988, unrest over economic mismanagement and political oppression by the government led to widespread pro-democracy demonstrations throughout the country known as the 8888 Uprising. Security forces killed thousands of demonstrators, and General Saw Maung staged a coup d'état and formed the State Law and Order Restoration Council (SLORC). In 1989, SLORC declared martial law after widespread protests. The military government finalized plans for People's Assembly elections on 31 May 1989. SLORC changed the country's official English name from the "Socialist Republic of the Union of Burma" to the "Union of Myanmar" in 1989.

In May 1990, the government held free elections for the first time in almost 30 years. The National League for Democracy (NLD), the party of Aung San Suu Kyi, won 392 out of a total 489 seats, but the election results were annulled by SLORC, which refused to step down. Led by Than Shwe since 1992, the military regime has made cease-fire agreements with most ethnic guerrilla groups. In 1992, SLORC unveiled plans to create a new constitution through the National Convention, which began 9 January 1993. In 1997, the State Law and Order Restoration Council was renamed the State Peace and Development Council (SPDC).

Where the economy is concerned, it was informed that Burma is one of the poorest nations in Southeast Asia, suffering from decades of stagnation, mismanagement and isolation. During British administration before the 1960s, Burma supplied oil and also had a wealth of natural and labour resources. Burma's industries include agricultural goods, textiles, wood products, construction materials, gems, metals, oil and natural gas. Agriculture in Burma employs a significant percentage of the population and is the main industry in the country. The most important crop is rice, and Burma was once Asia's largest exporter of rice, but as the years went by the quantities diminished.

The cyclone that hit Burma on 3rd May 2008, destroyed rice crops and affected the fragile ecosystem in five coastal areas. Deforestation meant the wave swept further inland. Food stocks and rice seed were lost livestock, tools and equipment. The damage caused by the seawater is said to be hard to reverse. Accordingly, in situation such as this, the World Food Program can provide rations for people so that they will not be tempted to eat any rice they have been given for seed. The destructive wave of saltwater washed away or smashed many boats in the coastal areas, which bore the brunt of the wall of water, but those inland were sunk too. Much fishing equipment was lost. The bill for providing rice seeds, fertilizer and equipment is estimated by the UN to be around \$243m (£122m). To rebuild the fishing industry, "very substantial" further sums are needed.

The country's foreign relations, particularly with Western nations, accordingly has been strained. The United States has placed a ban on new investments by U.S. firms, an import ban, and an arms embargo on the Union of Myanmar, as well as frozen military assets in the United States because of the military regime's ongoing human rights abuses, the ongoing detention of Nobel Peace Prize recipient Aung San Suu Kyi, and refusal to honor the election results of the 1990 People's Assembly election. Similarly, the European Union has placed sanctions on Burma, including an arms embargo, cessation of trade preferences, and suspension of all aid with the exception of humanitarian aid.

It was further informed by the Moderator that despite Western isolation, Asian corporations have generally remained willing to continue investing in the country and to initiate new investments, particularly in natural resource extraction. The country has close relations with neighboring India and China. Burma has also received extensive military aid from both countries. Whether this is a good development is questionable, considering that such action tantamounts to aiding the war effort and not promoting peace in the region. That is not all. Under India's "Look East" policy, fields of cooperation between India and Burma include remote sensing, oil and gas exploration, information technology, hydro power and construction of ports and buildings. One would say that the anonymity which shrouds FDI makes it a possible tool for money laundering.

The main panellist, Dr Tint Swe, Member of Parliament and National League for Democracy, informed of control of the media by the military regime, with the only electronic media being the radio and only 4 stations existing. Owing to suppression of the media, communication of news to the outside world is limited. ASEAN, although stated its frustration with the Union of Myanmar's government and formed the ASEAN Inter-Parliamentary Myanmar Caucus to address the lack of democratization in the country, dramatic change in the country's political situation remains unlikely, due to support from major regional powers such as India, Russia, and, in particular, China. In the annual ASEAN Summit in January 2007, held in Cebu, Philippines, member countries failed to find common ground on the issue of Burma's lack of political reform. During the summit, ASEAN foreign ministers asked Burma to make greater progress on its roadmap toward democracy and national reconciliation. Some member countries contend that Burma's human rights issues are the country's own domestic affairs, while others contend that its poor human rights record is an international issue.

Comparisons made with Pakistan with regard to the political situation revealed not much difference between the two. Both were ruled by the military and were responsible for gross human rights violations.

Outlining the Burmese refugee situation in India, it was informed that after the Burmese military crackdown in September 1988, many youth fled to India, arriving in Manipur and Mizoram. This has led to tensions between local populations and the refugees. Accordingly, this is a situation which needs to be addressed.

The session ended with the call for People's SAARC to effectively lobby for the freedom of Political Activist Aung San Suu Kyi and restoration of democracy in Burma.

3.13 Migration: Internal and External

(Session coordināted by ACTFORM, Migrānt Services Centre, Migrānt Forum on Asiā, SARI-J, IMADR ānd SAAPE)

The moderator commenced the session by giving the background to the migration situation worldwide. Accordingly, migration of labour has become an intrinsic feature of globalization. The International Labour Organization at the start of the 21st Century stated that 1 out of every 35 persons worldwide lives/works outside his/her country of origin.

The first panellist, Ms. Jeya Bahadur of Nepal raised the issue of women migrant labour. Accordingly, there are now 175 million international migrants worldwide or approximately 3.5 per cent of the global population, half of whom are women. Global estimates by gender confirm that by the year 2000, female migrants constituted nearly 51 per cent of all migrants in the developed world and about 46 per cent of all migrants in developing countries. Most are unskilled women migrant workers. The reason for the increase in migration of unskilled women migrants is due to state-facilitated migration and increase of foreign employment promoters and legal and illegal intermediaries. In such situations, women and adolescent girls are especially vulnerable to exploitation, rape, abuse and other forms of gender-based violence. This happens mostly in the case of undocumented workers. Without public support undocumented workers stand little chance of fighting exploitation and abuse, a reality that many endure on a daily basis.

On the other hand, it was the second panellist Anis Rahman's belief that the regional countries, by taking such initiatives as having a comprehensive regional policy, ratifying binding frameworks such as the UN Convention on Migration, establishing a task force to combat human trafficking, and so on, can arrest the issue to a great extent.

Discussion

Commencing the discussion, Sister Valamathy of Tamil Nadu informed that migrant workers of India do not enjoy their rights, particularly children who are often sold by their parents to traffickers in order to pay off debts or gain an income or they may be deceived concerning the prospects of training and a better life for their children.

According to Mr. Jeevanand from India, there are over 20 million internal migrants in India. Among the issues they face are; a) language issues; b) they do not enjoy decent work in conditions of freedom equity, security and human dignity; c) Often, they are undocumented workers; d) Child labour with most trafficked and exploited.

Giving the Sri Lankan picture, a plantation representative informed that often, in the plantations, discrimination based on gender makes them lose out on decent work and make them vulnerable to gender-based violence. In order to get out of this situation, they leave the villages to urban areas to work as domestic workers. When they do not have proper ID, they risk being harassed at security checkpoints.

It was concluded that migrants should be assured of dignity and right of work as well as physical protection, basic amenities and adequate wages. The victims of trafficking must be protected, especially women and children.

3.14 Men, Masculinity and Gender-Based Violence (GBV)

(Session coordināted by Men Engāge South Asiā, Forum to Engāge Men Indiā, Abhijit Dās)

Gender Based Violence (GBV) occurs in all cultures; people of all races, ethnicities, religions, sexes and classes can be perpetrators of domestic violence. It is perpetrated by men and women. However, popular emphasis has tended to be on women as the victims of GBV.

In finding out more about men, masculinity and gender-based violence in South Asia, a session was organized. In his introductory remark, the moderator, Mr. Narendra Gupta, representative of People's Health Movement and Public Health Activist from India, outlined the paradoxical position of women in the South Asian region. Accordingly, women, although seemingly respected, in reality are victims of GBV. This is owing to the reason they are viewed as objects than human beings with a gender role assigned to be subservient to men. This includes tolerating gender-based violence.

According to the next panellist, Mr. Subhash of India, there are three presumptions which he believed to be the defining features of masculinity and GBV: a) Men and women are not homogeneous entities; b) Violence is not hereditary; c) All men and women are not peace activists. Accordingly, men perceive violence to be a symbol of power, synonymous with masculinity, abuse and privileges, whereby, women are regarded as weak and servile, thus denying them their rights and making them economically handicapped. This social construct makes the environment conducive for men to unduly exert influence over women and to consider GBV an unquestionable privilege.

Accordingly, there seems to be an active involvement of all concerned (courts, law enforcement agencies, social service agencies and corrections/probation agencies, civil society) to deal with GBV, yet considering the scale and pace at which GBV is increasing, its effectiveness is questionable. The need of the hour is more awareness to men of the effects of GBV on women and the value of empowering them followed by implementation of laws ensuring the equality and non-discrimination component in the delivery of justice to women.

It was pointed out by Mr. Abhijit Das, representative of Men's Action for stopping Violence Against Women, that violence is not a gender-based issue but takes place among men as well. Whichever way it is, the underlying reason is social construct and the safe knowledge GBV is the accepted norm than the exception and is also linked to patriarchy and caste systems, wherein the lower classes, e.g., Dalits, are suppressed through GBV. Accordingly, such a situation makes one wonder about the boundaries of women's autonomy. To elaborate this point, a documentary depicting the strong patriarchal society in India was screened.

The next panellist, Mr. Firazul of Bangladesh set about highlighting the GBV situation in Bangladesh. Accordingly, GBV is a heavily loaded term and should be viewed from a psychological, economic, social, sexual and physical perspective. Whereas, it was believed that the need of the hour is implementing not just laws but international human rights standards such as CEDAW as was applied in the *Vishākā* case.

Discussion

The discussion commenced with an observation by a participant that, beliefs in cultural or religious values have increased the misery of victims of GBV.

Accordingly, these beliefs are used as a safety cushion in the South Asian region to avoid the issue of GBV and human rights.

Another view was that the issues of power and privileges are extremely context specific and that women should come together and be more vociferous of GBV. Rather than promoting patriarchal attitudes, men should make themselves aware of the effects of GBV on women and the value of respecting and empowering them.

It was the view of Ms. Bina Pradha from Nepal, that masculinity and power should be closely examined. Accordingly there are health issues associated with the concept of masculinity such as risk factors; extreme obsessiveness, jealousy or dominance owing to inferiority complexes. The other risk factor being, history of parental abuse having a psychological bearing on the abuser's adult life, driving him to an act such as homicide for perceived 'relief' or 'pleasure'.

On the other hand, it was Mr Abhijit Das' belief that men have to understand the intricacies of assuming power the costs involved and the position relating to women's rights. Accordingly, collaboration between women's and men's organizations is required to bring about meaningful change. Two policy alternatives were recommended: 1) National policy alternatives; 2) South Asian policy alternatives UNDP, WHO and the UN in general are active in working with men in this area.

The session concluded with the recommendation for SAPA 2008 to call for the implementation of policy bearing the equality and non-discrimination component towards eliminating GBV in the South Asian region.

3.15 Women and Political Participation

(Session coordinated by Mothers & Daughters of Lānkā, Jāgārān Nepāl ānd SAAPE Gender Thematic Group)

At the outset, the moderator, Nimalka Fernando informed that in the context of political participation, women are marginalized owing to the general perception that they lack desirable traits to engage in the political and decision-making process.

Such attitudes are more apparent in the South Asian region. Women are not encouraged to empower themselves and develop confidence in their capacities, but discouraged from involving in the political/decision-making process and engaging in healthy discussions relating to issues which affect them. Accordingly, the reality relating to quotas for women's representation in Parliament and local government in Sri Lanka is that, currently a very low

percentage (5%) has been allocated, which means there are only 13 women Parliamentarians. Although said to be having equal participation in the decision-making process, it is not really the case. They are yet subjected to discriminatory practices and stereotyping. This has resulted in the Women's Caucus in Parliament forwarding a Memo suggesting increased representation (30%) of women in Parliament.

Outlining the Indian situation, Ginny Srivastava informed that the Constitution of India is based on the principles of equality and guarantees equality before law and equal protection to all citizens. It not only guarantees fundamental rights and freedoms, but also prohibits discrimination on the basis of religion, race, caste, sex and place of birth. However these rights have remained de jure and have not been translated into defacto rights. As such, women have been denied social, economic, civil and political rights in many spheres. An important area where women have been inadequately represented is in the political sphere. Articles 325 and 326 of the Constitution of India guarantee political equality equal rights to participation in political activities. Yet, this is still a distant dream.

Lack of space for participation in political bodies has resulted in their presence in meager numbers in these decision-making bodies, but also in the neglect of their issues and experiences in policy-making. Accordingly, women's political representation varies widely across states. Despite most states having at least 33 percent women as a direct consequence of reservation, some states have even exceeded this quota, e.g., 50% in Rajasthan, which is a commendable feature. Yet, overall, discrimination of women in politics on the basis of religion, race, caste, sex and place of birth exists in India

Ms. Selina Hossain highlighting participation of Bangladeshi women in politics, informed that although a quota has ensured women's presence in the local government and national parliament, they face an ominous challenge. There has also been a growing influence of money in Bangladesh politics, particularly in electoral politics and in guarding/promoting spheres of influence.

This acts as a further constraint on women's political participation since fewer women have access to financial resources. It is very difficult for women to work effectively in this system unless such practices are eradicated. Accordingly, party affiliation depends on membership drives and on the organizational and electoral needs of each party. Although there are only a few women in leadership positions, their numbers have decreased over the last two decades. There is limited female involvement in party hierarchical structures. However, women occupy the top leadership positions in each of the two largest parties. Although two women Prime Ministers headed the government and the leaders of the opposition in Parliament were also women, this does not reflect the

gender composition of participation and decision-making at the highest policy level. At the ministerial level, women's representation has never risen above 3 percent.

With regard to the political participation of women in Pakistan it was informed by Musha Hearly that Pakistan's history is marked by a lack of women's political participation. Accordingly, women have been historically excluded from governance at the local, provincial and federal levels. Discrimination based on gender, the sexual divisions of labour, essential notions of the 'nature' and roles of men and women, the culture of criminalization and corruption that pervades the public and political sphere, fear of 'character assassination' prevent women from entering politics in large numbers.

Whereas, according to Ms. Sharmila Karki, although there are 191 women representatives in the new Constituent Assembly of Nepal, overall Nepalese women are discriminated in their basic rights such as education and livelihoods and in the political and decision-making process.



The session concluded with a call to the people of South Asia to make aware to South Asian leads the prevalence of caste based discrimination that denies human dignity, socio, economic, political equality and justice.

3.16 Differently-abled people and their rights in South Asia

(Session coordinated by Disability Organisation Joint Front, Sri Lanka)

At the outset, the moderator, Ms. Niluka Gunewardena wished to outline the types of disability. Accordingly, disability may involve physical impairment such as sensory impairment, cognitive or intellectual impairment, mental disorder or various types of chronic disease. Current issues and debates surrounding 'disability' include social and rights and social inclusion. Although the

concept of inclusion began as a way to ensure that disabled children were educated at the same school they would have attended if not disabled, inclusion today is considered an all-encompassing practice of ensuring that people including women of differing abilities belong, are engaged, and are connected to the goals and objectives of the whole wider society. Yet, it is found that differently-able women have not be accommodated but marginalized in their social, economic, cultural and political rights.



The first panellist, Ms. Manik Gooneratne, highlighting the Sri Lankan situation, informed that there are nearly 116,265 women with disabilities. Of this total only 8% are gainfully employed. Although it is said that job quantity and job quality, governance and protection make up the three focus areas of the national Decent Work agenda, the advancement of the disabled is a cross-cutting concern as it relates to many issues, e.g. the protection of the disabled, especially women, the removal of barriers to special needs of potential and existing disabled women. Respect for their rights and working conditions, for example, tend to be pushed back where the economic and social fabric of society is torn apart.

Whereas, the second panellist wished speak about accessibility issues encountered by differently-able people. Accordingly, not enough accommodations have been made by the public and private sectors for the access of the disabled to facilities (buildings and transport) and training aides.

Most buildings or transport do not have ramps or railings. Therefore, it was suggested to urge the respective governments to make such accommodations compulsory when approving building permits

On the other hand, it was the belief of Mr. Kularatne, a visually handicapped person from Galle, that aside

from the disability factor, poverty is the major barrier to accepting training and employment. The other barriers to unemployment are attitudinal, cultural and communication barriers by the disabled and the employers. Where vocational training and skills development are concerned, only 14% have undergone training whilst 84% remained idle. All these result in poor participation among the disabled in social activities.

Highlighting the Pakistani situation, Mr. Jaffer Shah informed that the differently-able people of Pakistan face similar problems as their counterparts in the region. Accordingly, the need of the hour is awareness about the situation of people with disabilities and decent-work related policy issues at national, regional, and international level.

Discussion

In the ensuing discussions, the following issues were highlighted:

The lack of educational and training/skills development facilities for the disabled. In Sri Lanka, the small percentage (14%) vocational training provided to the disabled, whilst 84% remained idle.

With regard to barriers to training in rural areas, it was attributed to lack of training facilities. Also, that disabled persons face difficulties in following training courses in the main cities owing to poverty and transport issues. The available public transport systems do not cater to the disabled as the buses are not ergonomically designed nor can the disabled afford private transportation as it is costly. These constraints discourage disabled persons from attending training courses.

The rare highlighting of people with mental disorders, whether due to cultural barriers or any other was questioned. Whereas, it was believed that the need of the hour is upgrading knowledge and skills of such people to facilitate, securing and retaining suitable employment.

It was believed by the Bangladeshi participants that the changing of the Bill from 'Right of the Disabled' to 'Welfare of the Disabled' in Bangladesh, has a diminishing value attached to it. Whether the change in name of the Bill would result in the non-realization of rights of the differently-abled people of Bangladesh was concerning.

No proper mechanism outlined by SAARC to address the issues of disabled people or for activists to meet.

The session concluded with a call for governments to recognize the universality of visibility, opportunity, equal rights and dignity for all people, including people with disabilities.

3.17 Migration and Free Movement of Labour

(Session coordināted by ACTFORM, Migrānt Services Centre, Migrānt Forum on Asiā, SARI-Q, IMADR)

In his opening remarks, the moderator explained that the concept of open borders and freedom of mobility is a concept that humanity struggles with. Much advocacy has been initiated to assure migrant worker rights by many well meaning individuals and organizations. Although it is said that an agreement exists between countries in the SAARC region for visa free movement, one does not know for sure.

With regard to migration and free movement of labour, it was informed that ASEAN tried to work towards that process, yet unsuccessfully. However, within the European Union, one sees it already in place with European nationals moving about freely within their region. If South Asia is to have free movement of labour, two hurdles need to be crossed physical and mental conditioning. Already in one part of Africa there is free movement of labour. Recently, the countries of the Latin American and Carribean regions too held discussions towards facilitating free movement of people with successful outcomes. Further, one finds large populations working within SAARC countries as undocumented workers, e.g. Bengalis in India. There has been much politicization of the subject for personal gain than bringing about meaningful change.

Taking all of these facts into consideration, it was believed that it would do well to propose strategies and mechanisms which could be taken up for discussion in this workshop. Look at how to translate migration and free movement of labour as a policy issue.

In order for participants to understand the idea of migration and free movement of labour within South Asia, the first panellist Mr. John Jay revisited history from the state of being borderless to colonialism, slavery, indentured labour, through to present day. Accordingly, today, legitimate cross border movement is not allowed unlike during pre-colonial times. Borders were created by nation states. Colonialism led to the expansion of capital movements -movement of people from Europe to Africa, Africa to the Carribean and subsequently Asia.

There are economic and political connotations to colonialism - high investment in production for profit gain. Production required much resources, particularly human, for the smooth functioning of the industries resulting in massive movement of people, particularly slaves. Activism by People's Movements saw slavery abolished, not in the interests of slaves, but more in the interests of those dominating the

process of colonialism. With slavery abolished the colonialists turned to indentured labour, thus facilitating free movement of labour and expansion of capital movement. This led to the creation of freedom movements.

Over a period of time tough visa regimes were introduced. This action was in order to determine migration and free movement of labour, both skilled and unskilled. It was also taking into consideration the threat perspective (national security). Whereas it was believed that the visa regime creates a privileged few and an unprivileged many and that undocumented workers is the reason for the introduction of the visa regime. While multilateral agreements such as WTO and GATS facilitate temporary movements, it is found bi-lateral agreements are discriminatory especially with regard to migration and free movement of labour.

In concluding his speech, the presenter requested that when calling for a south asian union, for Peoples SAARC to stress on South Asian states working out a work permit system. Also, for Peoples SAARC lobby for free movement of labour. Most importantly, develop a SAARC migrant policy one which will safeguard the rights of migrant workers.

Discussion

The first remark was that intra-corporate agreements such as CEPA between India and Sri Lanka will see construction services being liberalized, except in movement of people which is restricted to business visitors and intra-corporate transferees, which is not a good mechanism. Therefore, the question was posed how one develops an effective mechanism. The conclusion arrived at was that it is by migrant worker and labour groups examining the state's role and initiating a debate on any shortcomings. Further, it was proposed to have a water-shed based alternative economic model - one which would benefit the people of South Asia.

Several other points were flagged. The first being the large amount of undocumented and bonded labour in South Asia. Accordingly, such labour, apart from fostering indecent work, does not promote equal opportunities for men and women to obtain decent and productive work in conditions of freedom, equity, security and human dignity. The other point raised was that in many parts of South Asia migrant worker remittances contribute more to the economies than Foreign Direct Investment. Yet it was pointed out that nothing has been done to safeguard their interests, such as giving health insurance. At this point, the negative experiences of an undocumented worker was recounted.

Accordingly, the need of the hour is to develop an anti-poor policy one which safeguards the interests of the poor people, migrant workers included. This is owing to the reason that one finds systematic abuse of migrant worker remittances. Wrong imports have led to debt servicing problems in India. In order that poor people do not lose out, it was proposed for civil society organizations to monitor the state's use of remittances.

The plight of rickshaw pullers, street vendors, IT personnel in India due to neo-imperialism and globalization too were highlighted. Accordingly, neo-imperialism and globalization apart from robbing them of their livelihoods, have made the IT personnel slaves to the dictates of the neo-imperialists.

It was also pointed out that Special Economic Zones have been set up in India with the aim of increasing foreign investment. The setting up of these zones have seen mass migration of people in and out of the area in search of livelihood opportunities. Those going out have been farmers who were robbed of their arable land and their livelihoods.

Accordingly, globalization has also robbed the poor South Asian countries of their natural resources and livelihoods, e.g. the pillage of our seas by multinational corporations, apart from damaging the environment have robbed local fisher communities of their livelihoods.

Therefore, it was believed that the need of the hour are safeguards for migrant workers such as development of policies, social security, etc. welfare, health insurance Also initiating advocacy programmes pre, during and post departure. In other words, help migrant workers make informed choices through awareness and education.

It was believed that the way forward is to discuss with governments or social movements at regional level regarding building social alliances in assuring the rights of migrant workers. Yet some found the concept of open borders for labour migration questionable considering the tense situation within the region. Whereas, there was another perception that the concept of free movement of labour is more an ideal than a reality. Yet it was believed that it is worth identifying the issue with civil society linkages and creating an atmosphere.

Another comment received was that the open border issue is political. If the migrant worker issues are to be addressed, one needs to depoliticize it first. There was another perception that open borders fosters crime and vice, e.g. smuggling of contraband. Whereas, it

was believed that when contemplating free movement of labour, the sovereignty of the people need to be taken into account.

The session concluded with the recommendation for civil society organizations and freedom movements to discourse at length with governments for the rights of migrant workers both in the formal and informal sectors, such as provision of social security, formulation of bilateral agreements with receiving countries for their safety, assurance of rights, etc.

3.18 Religious extremism and communalism

(Session coordināted by COVA, AIPSO, SAAPE)

At the outset, the moderator wished to define the word 'religious extremism'. Accordingly, some religious groups have relied upon the use of extremist methods to indoctrinate others into their faith.

Extremist religious groups ranging from Islamic extremist groups to hardcore Christian evangelicals have historically used tactics to encourage fear-based obedience to doctrines, such as fear-mongering tactics, immediate and intense unscientifically-based opposition to the physical realities of the universe, and intentional obfuscation to enforce obedience to religion.

On the other hand, communalism is defined as a theory of a society that is divided into several small, independent communes and the state is just a confederation of these communes. Religious communalism is a form of communalism centred on religious principles. The term usually refers to a number of egalitarian and utopian religious societies practicing the voluntary dissolution of private property, so that society's benefits are distributed according to a person's needs, and every person performs labour according to their abilities.

According to the Pakistani panellist, religious extremism has deep roots in Pakistan. Hard-line religious leaders and hundreds of male and female activists from Islamabad's *mādrāsās* have challenged the writ of the state by forcing their brand of "Islamic justice" in the federal capital. The Pakistan military state has done little to check the vigilantism of the religious extremists. Christian churches have been burnt, people have been terrorized and the minority groups are discriminated against. The Pakistan government does not have the capacity to control the Taliban and their sympathizers in all parts of the

country. Instead of properly applying the national security ideology and bringing people together, they have promoted religious extremism by giving into vigilantes demands to enforce blasphemy laws and persecution of minorities, etc.

In recent years, violence against Christians, Hindus and others has increased, the abduction, gang-rape and forced marriage of minority women and young girls has become more widespread, and letters threatening Christian communities to convert to Islam more regular. But at the heart of this climate of intolerance is a set of laws which are so poorly defined and so widely abused that they have become a weapon of hatred, used by Muslims against each other to settle personal scores, and against minorities to intimidate and persecute. Accordingly, these are Pakistan's notorious blasphemy laws.

It was the Indian panellist's belief that in the Indian subcontinent, the term "communalism" has taken on a very different meaning, namely that of a religion and, more specifically, ethnicity-based sectarianism promoting communal violence, espoused by many political movements. Therefore, it is pertinent and challenging to deal with religious extremism and communalism in India.

India uses the terms 'secular' and 'democratic' indicating respect for all religions. Whether in practice it is really the case should be examined. It was concluded that the need of the hour is for People's SAARC to press for the setting-up of a Commission such as the Commission on Equal Opportunity in India, to ensure equal rights to all. Commenting on religious extremism in Kashmir, it was informed that the shift to extremism in predominantly Muslim Kashmir, has less to do with rise of home-grown Islamic radicalism than a reaction to political mismanagement and rising Hindu militancy

Discussion

The discussion commenced with the observation that extremism and fundamentalism is prevailing in the South Asian region, e.g., in Sri Lanka, the minority groups are discriminated against based on religion. Instances are not unknown when churches and mosques have been attacked and torched. Two bills are before Parliament: "The Act for the Protection of Religious Freedom" and "Bill on the Prohibition of Forcible Conversion", which if passed could justify discriminations against the country's religious minorities.

In closing, it was, it was decided to make the following demands from the SAARC governments:

- Religion be separate from the state
- All Blasphemy laws be abolished
- Non-discriminative education system all public institutions to include minority curriculums

- For the Sri Lankan government not to pass "Bill on the Prohibition of forcible Conversion."
- For an immediate stop to the persecution of minorities
- The setting up of a Commission to enquire and monitor incidents of persecution of minority groups
- Put up special courts to ensure equal rights to all and bring to book those who discriminate and persecute minority groups
- Establish a SAARC Human Rights Forum consisting members of minority groups and 50% female participation, to look into religious rights.
- Speedy compensation be given to individuals and groups who have faced religious persecution

3.19 SAARC Convention on basic health needs

(Session coordinated by PHM Sri Lanka, WHRAP, SAMA, SAAPE)

Good Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. There are four general determinants of health including human biology, environment, lifestyle, and healthcare services.

According to the moderator, the SAARC Convention addresses basic health needs. Thus, the session would focus on:

- Reproductive rights, specifically the maternal death situation in South Asia
- Health sector financing
- Health privatisation and globalization
- Health systems
- HIV/AIDS
- Health services; state, private and NGO sectors
- Health issues of sex workers
- Health in conflict situations
- Health rights of women

An analysis of the maternal death situation in South Asia reveals the rate in the Indian Sub-continent to be very high. In contrast, Sri Lanka has a much lower rate, owing to a better healthcare system reaching the grassroots. The high maternal death rate in South Asia is attributed to lack of education and awareness, cultural beliefs and practices and poor or unsafe delivery practices. Accordingly, 15% of all maternal deaths in South Asia occur in poverty-stricken Uttar Pradesh in India.

This is owing to the reason that despite relief measures offered by the state health system for safe deliveries, women opt for home deliveries for convenience's sake, risking their lives and sometimes that of the baby. The available statistics from surveys is merely estimates and does not reflect the real extent of maternal deaths. The high incidence of maternal deaths is not considered a human rights issue. In order to address this situation, trainers from grassroots need to be mobilized to reach the grassroots women and educate or make them aware of the pitfalls of home delivery and their attitudes changed towards seeking hospital care for deliveries.

Getting onto health sector financing, it was revealed that India and Sri Lanka has a universal healthcare system run by the governments. The government hospitals provide treatment at taxpayer expense. Primary healthcare is provided by city and district hospitals and rural primary health centres and is focused on immunization, prevention of malnutrition, pregnancy, childbirth, postnatal care and treatment of common illnesses.

Most hospitals are operated on an annual budget allocated by the government. In Sri Lanka and India, for healthcare and nutrition, about 5% of public expenditure has been allocated. This percentage is much less than the allocation for defense in Sri Lanka (19%). This is a clear indication that resource allocation for the health sector needs serious review with more monies and manpower allocated for medical, pharmaceutical, nursing and allied health professions.

Touching on the effects of globalization on public services, specifically health, it could be seen that it is adverse with its link to privatisation; either through limiting social and economic solidarity in the financing of services, so undermining the basic principle of public services; or privatisation of service provision services such as health which is dictated by the requirements of profit. The other effect of globalization on health is rising costs of healthcare items, which disempowers the poor and the middle-class. Another is lack of responsibility and accountability by hospital administration and staff for poor service.

Getting onto the subject of health systems, at the outset it was believed pertinent to define the term "health systems". It was revealed that according to WHO "*a health system comprises all organizations, institutions and resources devoted to producing actions whose primary intent is to improve health. Most national health systems include public, private, traditional and informal sectors. The four essential functions of a health system has been defined as*

service provision, resource-generation, financing and stewardship."

Stewardship is the careful and responsible management of something entrusted to one's care. In the context of health systems, it involves influencing policies and actions in all sectors that may affect the health of the population. The stewardship function therefore implies the ability to formulate strategic policy direction, to ensure good regulation and the tools for implementing it and to provide the necessary intelligence on health system performance in order to ensure accountability and transparency.

Whether stewardship has been taken seriously in South Asia is questionable taking into consideration the many lapses seen, e.g., in India anemia and malnutrition among women and children respectively leading to serious problems of macro and micro nutrition capacities, in Sri Lanka the high incidence of accidents and suicides, in Bangladesh poor reproductive health and healthcare, in Bhutan lack of human resource development, the absence of a social security system in Maldives, in Nepal vulnerable groups (women and children and rural population, the poor, the under-privileged and the marginalized) not being reached, and in Burma not enough medical research being initiated. Considering that the present stewards have not done enough to develop the health systems, it was believed empowerment of civil society plus developing a comprehensive health insurance scheme for the poor would help improve the situation. Towards this end it was suggested for the development of a framework outlining alternatives to the SAARC People's Charter.

With regard to SAARC Convention on health and population activities, regional consultations on health issues have highlighted the emergence of HIV/AIDS as a major health hazard. In April 2004, SAARC signed an MOU with UNAIDS to help member states strive towards the goal of HIV/AIDS prevention and ensuring care and support for those infected and affected by HIV/AIDS. Under the MOU, SAARC and UNAIDS have developed the SAARC Regional Strategy on HIV/AIDS, launched in 2006. Despite these endeavours, the rates of transmission keep increasing, largely from failure to use the available prevention strategies and tools (condoms) due to cultural norms preventing from doing so.

According to a Person Living with HIV/AIDS (PLHIV), in Sri Lanka, regardless of the contraction method, every PLHIV has a right to care and support and employment without discrimination and stigmatization.

Accordingly, assistance was provided to Lanka Plus, an organization caring and supporting PLHIV to implement the World Bank-funded project 'To Reduce Stigma and Discrimination faced by People Living with and Affected by HIV/AIDS through Advocacy for Employment.'

There was the other view that there is a need for transparency and accountability in the disbursement of funds received for care and support of PLHIV. Accordingly, it is not only sex workers who are at risk of contracting aids, but there are other vulnerable populations as well such as children, transport workers, military, etc.

Giving an update on health services by the state, private and NGO sectors was Dr. Prasanna Cooray, Public Health Consultant. Accordingly, in South Asia, apart from modern systems of medicine, traditional and indigenous medicinal systems such as Ayurvedic are in practice. Whether due recognition has been given to health care systems by the private and NGO sectors was questionable, taking into consideration the fact that the plantations sector is disadvantaged due to poverty and lack of access to healthcare. These constraints results in high maternal and infant mortality rates.

Touching on the health issues of sex workers, it was informed that sex workers face multiple health issues such as sexual violence, contraction of STI and HIV/AIDS. Whilst some are compelled to take to the trade to flee the poverty trap, others are trafficked. Both categories are vulnerable to these health issues.

With regard to health issues in conflict situations, IDPs face situations of generalized violence. An estimated 80% of refugees are women. Women and adolescent girls in refugee settings are especially vulnerable to rape, abuse and other forms of gender-based violence. Children and youth constitute approximately 50 percent of all refugees worldwide. They are the deliberate targets of abuse. Camps are the breeding ground for disease and physical and sexual violence.

Highlighting the health rights of women, it was informed that human rights related to health are enshrined in CEDAW. Whereas the duty of states is to ensure on a basis of equality of men and women, access to health care services, information and education, implies an obligation to respect protect and fulfil human rights related to women's health. Thus, states have the responsibility to ensure that legislation, executive action, and policy comply with these three

obligations. They must also put in place a system that ensures effective judicial action.

The session concluded with the following recommendations;

- For maternal deaths to be declared a health emergency.
- An increased budget allocation be made to the national health system
- The establishment of a South Asian Health Resource Centre
- For the Public health sector not to be privatized but to be the sole responsibility of the central government.
- The private health sector to be subjected to a clinical audit to ensure that medical ethics are upheld
- For the health system to be gender-sensitive and address the needs of the girl child and adolescent women of all ages, single women, those with disabilities, sex workers, PLHIV, women living in conflict and disaster situations, women in custody in state institutions, women in the labour force including external and internal migrants, lesbian bisexual and transgender women and women of caste, ethnic and religious minorities.

3.20 Urban Development and Housing

(Session coordināted by Plāntātion Sector Sociāl Forum, Focus on the Globāl South, SAAPE)

Urban development is the integration of the disciplines of land use planning and transport planning, to explore a very wide range of aspects of the built and social environments of urbanized municipalities and communities.

Everyone shares the right to a decent standard of living. Essential to the achievement of this standard and therefore to the fulfilment of human life beyond simple survival is access to adequate housing. Housing fulfils physical needs by providing security and shelter from weather and climate. It fulfils psychological needs by providing a sense of personal space and privacy. It also fulfils social needs by providing a gathering area and communal space for the human family, the basic unit of society.

The human right to adequate housing is the right of every woman, man, youth and child to acquire and sustain a secure home and community in which to live in peace and dignity. The right to housing is codified as a human right in the UDHR.

Highlighting the housing issue of the minority upcountry Tamils of Sri Lanka, it was informed that the Plantations were nationalized under the 1972 Land Reform law and its 1975 amendment. Accordingly, the nationalization did not result in any basic change on the plantation sector. Although the State assured that it would take a greater interest in providing adequate housing to labourers, housing and sanitation continues to be appalling. There are 16-24 line rooms in one barrack. As there are extended families approximately 6-11 members live in one room without proper ventilation.

Citing the Indian experience, the Indian panellist drew attention to the great Mumbai Textile Strike of 1982, staged by workers demanding better pay and better living conditions. This is owing to the reason they did not enjoy decent work and were denied their rights including the right to adequate housing. To date, despite development taking place in India, some of the slum-dwellers of Mumbai continue to live in appalling conditions.

The situation is no better in Sri Lanka, with indiscriminate eviction of slum-dwellers from their houses by the UDA under the guise of urban development thus making way for construction of condominiums by private contractors. Those people living in the coastal belt also suffer the same fate. Their homes have been demolished to make way for construction of hotels under the guise of "Tourism Development". In both cases no effort has been made to compensate or relocate them to better housing. Neither has the Ministries of Disaster Management, Rehabilitation and Reconstruction resettled all tsunami victims in permanent housing. A large percentage yet continue to live as IDP's in camps. From the foregoing facts, it can be surmised that the countries of South Asia are victims of neo-liberalism and globalization.

The session concluded with the recommendation for People's SAARC to lobby for people's rights to adequate housing.

3.21 Labour Rights

(Session coordināted by Puthiyā Thāmil Zhāngām, Pirānthā Mānn Trust, PILER, TUC, SKO, SAAPE)

Labour rights or workers' rights are a group of legal rights and claimed human rights having to do with labour relations between workers and their employers, usually obtained under labour and employment law. In general, these rights' debates have to do with negotiating workers' pay, benefits, and safe working conditions. One of the most central of these "rights" is the right to unionize. Unions take advantage of collective bargaining and industrial action to increase their members' wages and otherwise change their working situation.

In order to examine whether the labour rights of the South Asian people have been ensured, views of stakeholders from India, Sri Lanka, Nepal and Bangladesh were sought. Accordingly, in India, women have a disproportionately lower level of participation in the labour force. Lower education and skill levels have led to lower earnings.

Such a situation is compounded by discrimination based on gender, caste, ethnicity and religion and class origin. Although attempts have been made to collectively bargain for decent work, not all unions have been successful but met with stiff resistance by employers. Migrant workers rights need attention, especially stipulation of minimum conditions of work including health and safety. Female migration too has increased steadily due to less valued socio-economic roles and discriminations at work such as low wages, lack of dignity and harassment. Specific provisions related to minimum wages and days off need to be made in their labour contracts incorporating international labour standards as well. Overall, it was believed that the Indian labour force should have right to association and social security.

Whereas it was the view of the Sri Lankan panellist that the labour movements in South Asia have to establish closer cooperation amongst themselves on an organised basis in order to be able to effectively face the present challenges. Though all the governments of South Asia have accepted the UN's Universal Declaration of Human Rights and other Covenants relating to Economic and Social and Civil and Political Rights as well as some of the ILO Conventions relating to basic labour rights, they have done little to ensure these rights. As such, it was believed that the need of the hour is to evolve a South Asian Labour Rights Charter through democratic discussion and consultation of all the unions, federations, and other supportive groups irrespective of international affiliations.

Touching on the labour rights situation in Sri Lanka, it was informed that the laws allow workers to form and join unions of their choice without previous authorization or excessive requirements and the country has a strong trade union tradition. Any seven workers may form a union, adopt a charter, elect leaders and publicize their views, but in practice such rights were subject to resistance by the management of individual factories and administrative delays by the government in registering the unions. Under the law, workers in the Export Processing Zones (EPZ) have the same rights to join unions as other workers.

Although some unions were able to organize EPZ workers, forming trade unions are still difficult in the zones. Accordingly, the BOI, unions were attempting to operate in 33 out of 264 factories in the EPZ, however they were formally recognized in only 12 of these factories. As for the right to organize and bargain

collectively, although the law provides it, very few companies practised it. Approximately 44 companies belonging to the EFC had collective agreements with workers registered at the Department of Labour. In 110 EPZ enterprises, worker councils comprising employees engage in labour and management negotiations. However there were a few as three operating collective agreements in EPZ. Labour representatives alleged that the BOI and Labour Department discouraged union activity within EPZ factories and favoured worker councils. The short-term nature of employment and relatively young workforce in the EPZs made it difficult to organize.

In assuring the labour rights of external migrants, it was believed that it would do well for the Sri Lankan government to make specific provisions related to minimum wages and days off in the labour contracts. When doing so, formulate labour contracts taking into account international labour standards. For this purpose, the State should enter into bilateral agreements and Memorandum of Understanding, stipulating minimum wages and conditions of work.



In highlighting the Nepal labour rights situation, it was informed that although there are women representatives in the new Constituent Assembly of Nepal, overall Nepalese women have been discriminated in their basic rights such as employment and livelihoods and in the political and decision-making process. Social protection has not been promoted effectively to those working in the formal sector. They do not enjoy formal social security and social assistance. More than 96% population does not have access to formal sector security services. In recent years, an increasing level of interest on social security issues has emerged in Nepal.

It was further informed that in the Department of Labour of Nepal, 85 national level trade unions are registered. Out of them, only 57 are active. In this figure, the share of NTUC is 17. The Nepal Hotel Workers' Union of NTUC have had their own share of lack of labour rights, e.g., in 2001, the government banned the Independent Hotel Worker's Union strike. The hotel workers had gone on strike demanding a 10 percent service charge in the hotel sector which was

suppressed by imposing the Essential Service Act 1957. The Joint Struggle Committee filed a case at the Supreme Court against the government's move to ban the hotel workers from going on strike. ILO in a letter sent to the government requested it to lift the ban stating the hotel workers right to strike.

With regard to women migrant labour of Nepal, it was revealed that most are unskilled women migrant workers. The reason for the increase in migration of unskilled women migrants is due to state-facilitated migration and increase of foreign employment promoters and legal and illegal intermediaries. In such situations, women and adolescent girls are especially vulnerable to exploitation. This happens mostly in the case of undocumented workers. Without public support undocumented workers stand little chance of fighting exploitation, a reality that many endure on a daily basis.

Citing the Bangladesh situation with regard to Labour rights, it was informed that the law provides for the right to join unions and, with government approval, the right to form a union; however, the government did not always respect these rights in practice. Special legislation on unionization prohibits the formation of unions in the country's Export Processing Zones (EPZs). There were provisions in the Industrial Relations Ordinance for the immunity of registered unions or union officers from civil liability. Enforcement of these provisions was uneven. In past illegal work actions, such as transportation blockades, police officers arrested union members under the SPA or regular criminal codes.

Collective bargaining, other than in EPZs, is legal on the condition that unions are legally registered by the Registrar of Trade Unions as collective bargaining agents represent workers. Collective bargaining occurred occasionally in large private enterprises such as pharmaceuticals, jute, or textiles, but due to concerns over job security, most workers did not practice collective bargaining.

Collective bargaining in small private enterprises generally did not occur. The right to strike is not recognized specifically by the law, but strikes were a common form of workers' protest and were recognized as a legitimate avenue for addressing unresolved grievances by the Industrial Relations Ordinance of 1969. In 2003 the government announced it would not allow collective bargaining authority in jute mills during production time. The government is empowered to prohibit a strike or lockout at any time before or after the strike or lockout begins and to refer the dispute to the labour court.

Mechanisms for conciliation, arbitration, and labour court dispute resolution are established under the Industrial Relations Ordinance. Workers have the right to strike in the event of a failure to settle. If the strike lasts 30 days or longer, the government may prohibit it and refer the dispute to the labour court for adjudication, although this has not happened in recent years.

In July 2004 parliament passed a bill allowing limited freedom of association rights in EPZs. The country's five EPZs are exempt from the application of the Employment of Labour (Standing Orders) Act, the Industrial Relations Ordinance, and the Factories Act, thereby excluding workers in the zones from protection for their rights to organize and bargain collectively, and from coverage by laws governing wages, hours, and safety and health standards.

While substitutes for some of the provisions of these laws are implemented through EPZ regulations unions for the EPZ officials did not permit Worker Representation and Welfare Committee (WRWC) members to meet with WRWC members in other factories, did not permit them to meet with outside labour organizations on their own time after the completion of the work day, and did not consistently afford time for WRWC members to meet together in their factories. The WRWCs do not have collective bargaining rights but could negotiate with the employer on working conditions, remuneration or payment for productivity enhancements and worker education programs. At one time the Ring Shine Factory located in the Savar EPZ, workers were submitted to arrest, and contrary to the EPZ law, were locked out of the factory. At year's end EPZ officials had not hired the desired number of sufficiently trained and experienced conciliators and arbitrators.

At a number of other factories, there were acts of management intimidation, abuse, and improprieties during the election process, against workers during and after the elections, including suspension of workers and elected WRWC members, without due process, and contrary to EPZ law. EPZ officials provided limited instruction to factory management and workers on the duties and responsibilities of management and workers under the law. In the aftermath of the labour dispute, however, a labour management agreement was reached, which permitted extensive training of management and labour on their roles and responsibilities under the law.

The session concluded with a call for the rights of all workers, especially women and Dalit workers in accordance with the International Labour Organization Convention, United Nations Covenants and National Constitutions.



3.22 Media and Right to Information

(Session coordināted by SAAPE, People's Federātion of Māldives ānd South Asiā Free Mediā Alliānce)

Right to information includes not only the content but also the means of expression. As with the right to freedom of expression, the right to privacy is a recognized human right and freedom of information acts as an extension to this right.

The World Summit on the Information Society (WSIS) Declaration of Principles adopted in 2003 reaffirms democracy and the universality, indivisibility and interdependence of all human rights and fundamental freedoms. The Declaration also makes specific reference to the importance of the right to freedom of expression for the "Information Society" in stating:

"We reāffirm, ās ān essentiāl foundātion of the Informātion Society, ānd ās outlined in Article 19 of the Universāl Declārātion of Humān Rights, thāt everyone hās the right to freedom of opinion ānd expression; thāt this right includes freedom to hold opinions without interference ānd to seek, receive ānd impārt informātion ānd ideās through āny mediā ānd regārdless of frontiers. Communicātion is ā fundāmētāl sociāl process, ā bāsic humān need ānd the foundātion of āll sociāl orgānizātion. It is centrāl to the Informātion Society. Everyone everywhere should hāve the opportunity to pārticipāte ānd no one should be excluded from the benefits of the Informātion Society offers."

Therefore, the value of media in freedom of information cannot be understated.

In order to find out whether freedom of information is being upheld in South Asia, particularly in respect of the media to impart information, the situation was analyzed. Accordingly, in Sri Lanka, there has been a complete breakdown of freedom of expression, the most recent being the detention of Tissainayagam, Tamil Journalist, on false allegations. As such, the need for media reform was felt through the passing of a Bill

such as the Freedom of Information Bill. The right to freedom of speech is recognized as a human right under Article 19 of the Universal Declaration of Human Rights and recognized in international human rights law in the International Covenant on Civil and Political Rights (ICCPR). The ICCPR recognizes the right to freedom of speech as *"the right to hold opinions without interference. Everyone shall have the right to freedom of expression"*. It includes the media, who has the right to freedom of expression and to seek and receive information without threat, intimidation, abduction and violence. The media also have the right to decent work in conditions of freedom equity, security and human dignity.

Public broadcasting includes radio, television and other electronic media outlets that receive some or all their funding from the public. Among the possible goals or characteristics of a public broadcaster is detachment from vested interests and government in which programming is impartial and the broadcaster is not subject to control by government. Whether this is really happening in Asia is questionable considering the many instances bias has been reported.

Quality is the prime concern with a true public service broadcaster. Of course, in practice, ratings wars are rarely concerned with quality, although that may depend on how "quality" is defined.

Public broadcasting facilitates the implementation of cultural policy. However it was argued by the participants that this implementation of cultural policy imposes the values of the public broadcaster on the populace.

An economic rationale for public broadcasting is that it exists to provide coverage of interests for which there are missing markets. Public broadcasting can supply those topics which have social benefit that would otherwise not be broadcast due to believed unprofitability. Society is unwilling to pay for such programming, but markets fail to provide it. Typically, such underprovision exists when the benefits to viewers are relatively high in comparison to the benefits to advertisers from contacting viewers. This frequently is the case in South Asia that normally have low benefits to advertising, which helps explain their tendency to have public broadcasting, e.g., India's All India Radio, Pakistan's PBC (Pakistan Broadcasting Corporation), or Sri Lanka Broadcasting Corporation.

Taking these facts into consideration, it was concluded that right to freedom of expression and information are rights which should be enjoyed by the people of South Asia through the formation of a South Asia Union.

4.0 Mass Rally and Closing Ceremony

The final day of the South Asian People's Assembly was

reserved for the reading of the People's SAARC declaration and call for action.

Following the 29 workshops held on 18th, 19th and 20th July, representatives of People's SAARC resolved to issue the Colombo Declaration as the People's SAARC Declaration.

The Declaration, incorporating the major recommendations made by various country consultations and workshops of SAPA 2008, was compiled by the Regional Drafting Committee and presented to the plenary convened to finalize the Declaration in the morning of the third day at the New Town Hall. After the sharing of views and experience of country representatives, the Draft Colombo Declaration of SAPA 2008 was presented to the delegates and adopted with changes proposed.



After the lunch everybody participated at the mass rally and a cultural pageant was organized by the assembly. The rally was coordinated by the The Women and Media Collective which drew a crowd of over 4000 participants on the final day of the assembly. Flags, props, pandols and picket boards addressing the issues of democracy, justice, war, economic issues etc... were displayed in the parade. The parade took a form of a procession. Creative banners and picket boards with anti war slogans and depicting the issues of the south Asian countries were carried in the Procession. For example : "no to violence", "Stop the war" " No killings", "Stop disappearances", " end Domestic violence" , " Yes to Democracy" etc.... The rally began in front of the Viharamahadevi Park and walked to Lipton Circus roundabout and came back to the starting point.



Women's organizations, civil society groups, individuals, artists, representative from the South Asian countries participated at the rally. After the mass rally the South Asian people's assembly came to an end with the greetings from the South Asian Countries.



This was followed by a closing ceremony with cultural performances.

5.0 PEOPLE'S SAARC DECLARATION 2008: TOWARDS A PEOPLES UNION OF SOUTH ASIA 20 July 2008

The Assembly resolved to issue the Colombo Declaration as the People's SAARC Declaration issued by a gathering of representatives from SAARC countries.

We, members of social movements, labour unions, women's groups and civil society organizations have gathered here in Colombo from 18-20 July 2008, as part of the process of Peoples SAARC, to forge a vision for a Peoples Union of South Asia.

We represent a rich and wonderful diversity of cultures, languages, religions and a multiplicity of identities and are linked by shared histories, geographies and cultural practices.

We believe we have the opportunity and strength to transform our social, economic and political futures to ensure that all our peoples can live in peace, security and dignity.

For this to become a reality, we must take a collective stand against all structures of oppression, discrimination and violence facing the people of the region. We uphold the equality of all countries in the region, and condemn attempts of any one country to dominate the region. We stand for a secular, democratic, equal, peaceful and just

South Asia. We will ensure that those who have been traditionally marginalized from political processes, such as Dalits, women, indigenous peoples, ethnic, religious and sexual minorities, will be in the forefront of this political project.

This involves creating a discourse on democratic and participatory political processes which respect national and local priorities and take into consideration the very real inequalities between the different states in the region. We are ready to take on this challenge through resolute struggle.

We hail the people's movements for democracy and peace and against dictatorship and monarchy, that are ongoing in the countries in the region. After discussions and debates for three days at plenary sessions and over thirty workshops we affirm our commitment to achieving the following goals and aspirations;

1. To build a South Asian identity based on our diversities and common histories. We reject bigotry, jingoism and hatred and will work towards ensuring that enmity between countries is not propagated through instruments such as the media and education.
2. Resolutely oppose intervention of USA and war exercises both in the region and elsewhere. Reject the so called War on Terror which is nothing but an attempt to cover up warmongering by USA and its allies to target ordinary citizens.
3. South Asian countries to commit to a no-war pact and declare the region as nuclear-free. This also involves the drastic reduction of defence budgets and de-militarization of the region.
4. Free movement of peoples in the region or in other words a visa-free South Asia.
5. Restoration and creation of rail, road and sea-links that meet the needs of people. Encouraging and facilitating people-to-people contact and communication in the region.
6. Peaceful and just resolution of all conflicts in the region, including those on the border, through political negotiations, and revoking so called national security laws that give a free-hand to state authorities to commit atrocities against their own peoples.

7. Operationalization of food sovereignty through building alliances of women, peasants and agriculture labour. This would involve the creation of seed and grain banks, promotion of participatory research and sustainable technologies and the rejection of monopolistic and environmentally destructive technologies such as genetically modified organisms.
8. Fisher-people's right to fish in territorial waters be recognized and legally protected through proper mechanisms. Innocent fishers incarcerated for wandering into neighbouring territorial waters are immediately released.
9. The right to mobility is a human right. Migrants should be assured of dignity and right of work as well as physical protection, basic amenities and adequate wages. The victims of trafficking must be protected, especially women and children. Similarly, the rights of individuals and communities subjected to forced displacement due to conflict, disaster, and development projects should be protected.
10. Ensuring rights of all workers, especially women and Dalit workers in accordance with the International Labour Organization Convention, United Nations Covenants and National Constitutions.
11. The setting up of regional institutions and mechanisms such as a South Asian Tribunal of Justice to address human rights violations. Those responsible for war crimes and crimes against humanity must be prosecuted. Protection to be guaranteed for right of dissent, protest and organization. We call for the immediate release of political, social, media activists and prisoners of conscience in the region.
12. Recognizing the universality of visibility, opportunity, equal rights and dignity for all people, including excluded groups and minorities: ethnic, sexual, gender and people with disabilities. Recognize the prevalence of caste based discrimination that denies human dignity, socio, economic, political equality and justice to the 260 million dalits of in the SAARC countries.
13. Achieving Climate justice by ensuring that the burden of adjustment is borne by the elites. This requires a fundamental departure from the current industrial and economic paradigm in the region. Also, people's rights to information, knowledge, skills, housing, education, health, food security and their organizations must be fulfilled to strengthen their resilience to hazards.
14. The creation of alternative regional trade and economic co-operation frameworks that meet the needs and aspirations of small producers and labour. This will ensure the defeat of neo-liberal instruments such as the World Trade Organization and Free Trade Agreements in the region. (In the light of current attempts to revive the flawed WTO Doha Round we commit to work with groups across the region and elsewhere to ensure that no deal comes out of the WTO Mini-Ministerial Meeting at Geneva from 21-25 July 2008.)
15. Recognition of health, education, housing as basic human rights. The scaling up of public infrastructure such as housing, health, education and other civic amenities through democratic sources of development finance. We urge equitable quality education to all children through common school system in the region. We oppose the privatization of these services and uphold the principle of basic services for all. We particularly assert the rights of those affected by disasters.
16. Upholding knowledge commons, rather than monopolies of corporations. Adoption of free and open source software and open standards in all e-governance projects. Setting up of a South Asian resources pool for free software which enables international relations with knowledge sharing.
17. Unconditional cancellation of loans from International Financial Institutions & bilateral debt.

We call upon Government representatives at the 15th SAARC Summit at Colombo to seriously address these concerns and demands of the people of the region.

SAARC must be made accountable to the citizens of the countries in the region.

We celebrate the struggles for democracy and resistance to neo-liberalism and imperialism in the region and in particular the victory of the people's movement in Nepal. Our Peoples Union of South Asia is a rainbow coalition of democratic forces. We pledge to continue to learn, inspire and empower each other to realize this vision.

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