

THIRD SOUTH ASIAN PEOPLE'S SUMMIT

*Islamabad, Pakistan
11-13 January 2003*

Report of the Summit

**South Asia Partnership-International
in association with
South Asia Partnership-Pakistan**

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Table of Contents

1.	Message from SAP Network Chairperson	4
2.	Foreword	5
3.	The Summit Experience	7
4.	The Summit Joint Declaration	11
5.	Inaugural Ceremony	17
6.	Presentations by Thematic Commissions	25
7.	Thematic Papers	67
8.	The Media Response	113
9.	Brief Report of 1st People's Summit	143
10.	Brief Report of 2nd People's Summit	175
11.	Appendices	198

Message from SAP Network Chairperson

Much as I would have loved to participate in the 3rd South Asian People's Summit, I have to send you my regrets as I have a few problems that prevent my leaving Sri Lanka at this point of time. I send you my warm regards and my hope that your aspirations will be met and your vision translated into meaningful outcomes.

In our troubled area that is South Asia, today this strong bond amongst our people is necessary for us not only to surmount our own individual country's problems but also to affect a cementing network that would be the foundational support for all of us in South Asia.

Regional cooperation that was envisaged as a priority objective of the governments at the SAARC Summits has now to be strengthened by the involvement of people – ordinary citizens like us.

The 3rd South Asian People's Summit offers us such an opportunity and I feel assured that its results will have a positive impact. The People's Agenda is crucial to our sustainable development – progress may be slow but the fact that we are negotiating and moving one step at a time is significant indeed.

I send you my warm wishes. May our deliberations be blessed and achieve fruition!

**Jezima Ismail
Chairperson
SAP-International.**

Foreword

The XII SAARC Summit was postponed at a time when it was most crucial for the South Asian leaders to meet and discuss the innumerable issues that needed to be addressed on war footings. In order to fill in the vacuum created because of their reluctance to meet with each other and discuss people's issues, the 3rd South Asian People's Summit was organized in Islamabad from 11 to 13 January 2003.

The South Asia Partnership (SAP) network has had successfully organized two People's Summit in the past. In December 2000, it organized the 1st People Summit in Colombo in which more than 135 civil society leaders from South Asia participated. The 2nd People's Summit was held in Kathmandu from 4 to 6 January 2002 to coincide with the XI SAARC Summit.

The 3rd South Asian People's Summit (hereby Summit) was organized on the actual dates of the XII SAARC Summit by SAP-International and SAP-PK, the local host, with the belief that "If leaders don't meet, let the people meet. Let the people lead, for leaders to follow."

The Summit sought to address major issues of the people of South Asia through formulation of elaborate action plans. It provided the South Asian civil society groups with a platform to voice their concerns; share successful strategies of action; and strengthen one another through mutual regional cooperation.

Taking this opportunity, I would like to thank the Executive Directors of National SAP Organizations (in particular SAP-PK) and SAP-International for the cooperation extended by them. I would also like to thank the International Council on Social

Welfare (ICSW), which provided financial support for the Summit as well as the publication of its report. Gratitude is also due to the experts and civil society leaders whose participation greatly contributed to the success of the event. Finally, I am indebted to the Summit Team (in particular the Summit Coordinator) whose hard work and dedication made possible successful organization of this important event.

Bushra Gohar
Vice-Chairperson
SAP-International.

The Summit Experience

It was not an easy decision to go ahead with the 3rd South Asian People's Summit even after the XII SAARC Summit was postponed. At SAP Network, we decided to use this as an opportunity rather than an excuse for postponing our event as well. We felt that a void had been created which we could fill. Although there were some hurdles along the way, mostly because of no fault of ours, the results of our efforts were impressive to say the least!

The Inaugural Ceremony of the Summit, attended by more than 500 participants, aimed at introducing the selected themes to a larger audience. Leading civil society leaders from South Asia spoke on this occasion and expressed their views on the challenges facing South Asia as a region. Ms. Bushra Gohar was the Chair on this occasion and the speakers included Dr. George Mathew, Mr. I. A. Rehman, Mr. Karamat Ali, Dr. Wijaya Jayatilaka, Ms. Khawar Mumtaz, Ms. Savitri Thapa and Mr. Mahbubul Karim.

The Plenary Session on the first day was chaired by Mr. Mohammad Tahseen. After his welcome address, five commissions were formed on the following themes:

- Peace and Regional Cooperation.
- Poverty Eradication.
- Social Development.
- Governance.
- Trafficking in Women and Children.

Thereafter, detailed presentations were made on each of the five themes to fully introduce them to other members on the Commissions: Mr. I. A. Rehman (*Peace and Regional Cooperation*); Ms. Ayesha Ayub (*Poverty Eradication*); Dr. Mahmuda Islam (*Social Development*); Dr. Wijaya Jayatilaka (*Governance*); and Mr. Punya Khanal (*Trafficking in Women and Children*).

In the Plenary Session on the second day of the Summit, Mustafa Nazir Ahmad briefed the participants on the agendas of their respective Commissions. This formed the basis of discussion for working sessions during the rest of the day. A selected team also took upon itself to draft the Summit Joint Resolution based on the presentations of the five Commissions.

The third and final day of the Summit started with presentations by the Commissions. The presentations were made by: Ms. Sheen Farrukh (*Peace and Regional Cooperation*); Ms. Ayesha Ayub (*Poverty Eradication*); Mr. Nadeem Malik (*Social Development*); Mr. Nivard Cabral (*Governance*); and Mr. Zia Ahmad Awan (*Trafficking in Women and Children*).

The participants raised some important points with regard to the presentations made by other Commissions. Their genuine concerns, agreed upon unanimously, were incorporated in the presentations. It was also decided on this occasion to forward the recommendations made in the presentations to the SAARC Secretariat as well as the leaders of the South Asian countries.

Next, the draft Summit Joint Declaration was shared with the participants to seek their input. Their concerns were duly incorporated in the final Declaration. Finally, Mr. Mohammad Tahseen thanked the participants as well as the Summit Team for their input and hard work.

The high point of the Summit was the enormous coverage it received from both print and electronic media. Without much doubt, it was most widely covered civil society in the recent history of the country. The successful media strategy employed to get adequate coverage for this important event ensured this. From the perspective of SAP Network, this media response was very useful in terms of increasing its outreach to a wider section of the civil society.

The cooperation extended by some of our partner organizations also exceeded all expectations. In particular, we would like to thank ActionAid-Pakistan, Sungi Development Foundation, Aurat Foundation, SACHET and Strengthening Participatory Organizations. Their staff members from top level to drivers and interns volunteered a lot of time for the Summit. Additionally, these organizations provided us with much-needed logistical and financial, support.

Sadly enough, there were a number of foreign delegates who could not make it to the Summit because of various reasons. In all sincerity, we missed them a lot. Prominent among those who could not make it to the Summit because of unavoidable personal reasons included Ms. Jezima Ismail (Chairperson, SAP-International) and Dr. Rohit Kumar Nepali (Executive Director, SAP-Nepal).

Sadly enough, all the Indian delegates (except for Dr. George Mathew) were denied visas to come to Pakistan and participate in this important civil society event. Prominent among those who could make it to the Summit because of this reason include Mr. Hemachandra Basappa, who did an excellent research study on SAARC for SAP-International; and Dr. James Arputharaj, Executive Director of SAP-International. It is unfortunate to note that the latter conceived the South Asian People's Summits.

Taking this opportunity, I would like to express my gratitude for all those who helped me in undertaking this onerous responsibility diligently, especially my team members and seniors in the SAP Network.

Mustafa Nazir Ahmad
Summit Coordinator.

THE SUMMIT
JOINT DECLARATION

This representative assembly of civil society organizations and networks of South Asian countries (Bangladesh, India, Nepal, Pakistan and Sri Lanka) reiterates the pledge to promote people's struggle for a peaceful, democratic and prosperous South Asia; and commits to actively oppose all actions and policies of state and non-state actors that promote militarization, jingoism, extremism and exploitation.

Realizing that regional cooperation is the most important prerequisite for the progress of the people of South Asia – especially in the face of increasing globalization and imposition of destructive policies of the World Bank, IMF and WTO – this assembly deplores the postponement of the XII SAARC Summit and calls for its immediate convening.

This assembly also condemns the recent denial of visas to peace and human rights activists by the governments of India and Pakistan, and terms these actions as detrimental to efforts for promoting peace and regional cooperation. It demands that the visa regimes should be eased and the states of India and Pakistan immediately should stop harassing, humiliating and victimizing visitors.

This assembly further calls upon these governments to allow all citizens of SAARC countries visas at the port of entry, as is done by Sri Lanka and Nepal. It demands that all communication and travel links among South Asian countries, especially between India and Pakistan, should be immediately restored.

This assembly takes serious note of the increasing use of repressive measures by the South Asian states against rights- based people's movements, and calls upon these states to initiate dialogue with these movements and set up political processes for the solution of intra-state conflicts in the region.

This assembly condemns the rise of religious extremism in the region and its covert state patronage through fanning religious and communal hatred, and jingoism. It also demands immediate de-weaponization of all religious, quasi-religious and other militant groups.

This assembly demands that South Asia should be made a Nuclear Weapons Free Zone, and the nuclear and missile programs of India and Pakistan should be completely frozen. For this purpose, they should forthwith start negotiations and sign NPT and other disarmament agreements, notwithstanding their principled stand on global disarmament, especially the stoppage of vertical proliferation by other nuclear states.

This assembly makes the following specific demands from and recommendations to the governments of the South Asian states:

- Promote the autonomy and independence of democratic institutions, especially by guaranteeing the independence of judiciary by making it effective, approachable and affordable.

- Ratify and implement the SAARC Convention on Preventing and Combating Trafficking in Women and Children 2002.
- Involve civil society organizations in all efforts by the SAARC Secretariat that aim at promoting cultural exchanges in the region and strengthening the South Asian identity.
- Promote traditional arts, crafts, and information and knowledge systems to protect the cultural rights of the underprivileged sections of the society.
- Coordinate and harmonize policies in accordance with the local institutions and civil liberties of the people.
- Ensure the participation of women, children and youth in the decision-making processes; and provide them with legal protection against violence, exploitation and marginalization.
- Guarantee active collaboration among their planning authorities to harmonize inter-state policies with the objective of ensuring that an increasing percentage of GDP is devoted to the social sector.
- Set up a comprehensive regional convention on small arms and light weapons to investigate, expose and curb illicit arms trade and trafficking across

South Asia; and introduce a common legal framework for the region to effectively counter this menace.

- Provide aid and protection to victims of trafficking following a rights-based approach.
- Review and update the governing principles of SAARC to ensure that the smooth functioning of the forum is not jeopardized.
- Ratify all declarations, conventions and protocols on human rights and civil liberties; and ensure their effective implementation by setting up efficient monitoring mechanisms.

This assembly notes with serious concern the imminent outbreak of the war in the form of US-led attack on Iraq, ostensibly in the name of disarming it of weapons of mass destruction. It completely rejects any unilateral action by the US or any other country. It also rejects the use of war as a means to resolve international disputes and reiterates that all such conflicts should be resolved through peaceful means under the aegis of the UN.

This assembly also rejects the US-led war against terrorism, wherein the country has arrogated to itself the determination of both terrorism and terrorist as per definition of its convenience. While this assembly denounces all forms of terrorism by non-state and state actors, it believes that terrorism can only be eliminated by

addressing its root causes that are embedded in injustice, inequality and exploitation at national as well as international level.

**13 January 2003,
Islamabad.**

INAUGURAL CEREMONY

The 3rd South Asian People's Summit, held in Islamabad from 11 to 13 January 2002, was attended more than 100 civil society leaders from the South Asian region (Appendix B). The Summit formally started with an Inaugural Ceremony attended by over 500 people from all walks of life. In the following is a summary of the proceedings of the Inaugural Ceremony:

“The South Asian states, under their corrupt ruling elites, have developed vested interests in keeping jingoism alive. That is why they are fanning the fire of communalism and, on the other hand, discouraging every initiative which gives their masses an opportunity to meet and discuss their common problems,” was the consensus opinion of the speakers of the inaugural ceremony of the 3rd South Asian People's Summit, held at National Library Auditorium, Islamabad on 11 January 2003.

The ceremony was chaired by the Vice-Chairperson of SAP-International, Ms. Bushra Gohar; while Dr. Wijaya Jayatilaka (Sri Lanka Foundation Institute), Mr. I. A. Rehman (Human Rights Commission of Pakistan), Ms. Khawar Mumtaz (Shirkat Gah, Pakistan), Ms. Savitri Thapa (SAP-Nepal), Dr. George Mathew (Institute of Social Sciences, India) and Mr. Karamat Ali (Pakistan Institute of Labor Education and Research) addressed the large gathering present in the hall. The keynote speech was made by Mr. Mahbubul Karim, Senior Vice-President, PROSHIKA, Bangladesh.

Welcoming the guests and participants, Mr. Irfan Mufti, Program Manager, SAP-PK, said that it was most unfortunate that the invited guests from India, except one, were not granted visas by the Pakistan Government. “It is an ample proof of the fact that both the states of India and Pakistan are acting in the same manner and perhaps for the same purpose,” he added.

Next, Mr. Mahbubul Kairm was invited to make the keynote speech. The text of his speech follows:

“Honorable Chairperson, participants in the 3rd South Asian People’s Summit, distinguished guests, friends and colleagues: Good morning! It is indeed a great honor for me to be present in this Summit as a keynote speaker. I would like to extend my sincere thanks to SAP-Bangladesh, SAP-PK and SAP-International for providing me with this opportunity.

“We are meeting here at a time when the world seems more fragmented than before, despite globalization’s promise to unify the world as expressed through the metaphor of a ‘global village’. The disparity between the North and the South, between rich and poor, between the powerful and the powerless, between men and women, between regions and countries and even within regions and countries is widening now at a fast pace. This process of fragmentation is a major challenge for the South Asian region today.

“South Asia has emerged by now as one of the most poverty-stricken regions in the world, with exclusion of the voiceless majority, inadequate governance systems and various conflicts and insecurities. Greater interdependence and cooperation among the countries in the region must be achieved if they are to improve their present condition and make possible a better future. Side by side with state-level efforts, people-to-people exchanges would be the most effective way to successfully meet the present crises and turn the looming threats into opportunities.

“Globalization is creating massive wealth on the one hand and leading to enormous inequality, poverty, exclusion, vulnerability and despair on the other. The market is rapidly emerging as an all-pervasive force that tends to penetrate into the life and

livelihood of every individual living on this planet. But as the operation of the market is highly flawed, it favors only the 'powerful' both within and among the nations. The opportunities and rewards of globalization spread unequally and inequitably – concentrating power and wealth in a select group of people, nations and corporations, marginalizing the others. There is an exclusionary tendency built into the process of globalization which always goes against the weak and vulnerable.

“A World Bank report says that despite an increase in the growth rate over the preceding decade, the number of poor people in South Asia has increased in recent years. With 22% of the world's population, South Asia accounts for around 40% of the world's poor and about 43% of the region's population live on a daily income of less than US \$1.

“As stated in a report on human development in South Asia, the region is turning into 'the poorest, the most illiterate, the most malnourished, the least gender-sensitive, indeed the most deprived region in the world'. The extent of poverty and the condition of the poor in the region, as the experiences of some other regions of the world suggest, may further deteriorate if the growth-oriented, neo-liberal development paradigm is not replaced by an alternative paradigm to ensure equity alongside growth. The real challenge is not to discard the market and globalization but to ensure that they work for people, not just for profits.

“Globalization has led to a system where the multinational corporations rule the world. The control of global banking and trade has largely remained with the North. The role of the state in managing the economy has considerably shrunk, but any effective mechanism of global governance is yet to emerge. The free market mechanism has provided opportunities for money

and goods to move freely but has not removed the barriers to the free movements of labor.

“Globalization has also posed a serious threat to diversity, whether it is biodiversity or ethnic, religious and cultural diversity. It means a high degree of homogenization of culture and society. In this process, the dominant culture takes over and other cultural, ethnic and linguistic identities become marginalized. Ways should, therefore, be found to resist the homogenizing tendency of globalization and to accommodate diversity in all areas of life in a frame of democratic pluralism. It is all the more important in the context of South Asia where ethnic, cultural and linguistic diversity has been a valuable resource for centuries.

“Predatory commercialization drives under globalization are destroying the ecosystem and leading to more rapid plunder and marginalization of nature and its principles. Immediate measures must be taken to save our environment if we are to survive.

“South Asia has also turned out to be one of the most poorly governed regions in the world. Democracy is not quite on a sound footing in the region. People at large are excluded from the broader political process through which decisions influencing their lives and livelihoods are made. Despite the existence of local government, it is yet to be transformed into a duly empowered, meaningful institution. Poverty eradication and promotion of sustainable development have organic links with democratization and good governance.

“One of the major concerns of the civil society organizations (CSOs) in the region should be strengthening the democratic institutions and facilitating good governance. Democracy must be taken to the people at the grassroots for which devolution and

decentralization are necessary preconditions. Another crucial element is participation. People's active involvement in decision-making with equal participation of women must be ensured. A form of participatory governance with people actually setting the agenda can make the state humane and genuinely pro-people.

“The existing realities cannot be transformed without bringing about pro-poor changes in the policies of governments, the corporate sector and the donors. CSOs in the respective countries of the region have a crucial role to play in facilitating such changes. To strengthen the civil society efforts and translate them into positive gains, making effective alliances and networks of CSOs in South Asia is an imperative today. This will greatly facilitate effective people-to-people interaction and cooperation and create an opportunity of sharing ideas and experiences. This will also help to mount stronger pressures on the policy establishments and persuade them to implement pro-poor policy reforms.

“I would like to conclude here with the hope that we shall have insightful deliberations and meaningful exchanges in the Summit to work out effective strategies and guidelines for future actions. Other members on the Bangladeshi delegation join me in extending our sincere thanks to you all.”

Dr. George Mathew, the only participant from India, severely criticized the Indian Government for refusing to give visas to known human rights activists from Pakistan. “It was most shocking news for me,” he said.

Dr. Mathew stated that there are many regional fora working successfully, but SAARC is a dead organization as it is unable to settle its issues peacefully. He said that the cost of nuclearization and militarization of the South Asian states is the poverty and

illiteracy of their masses. “With nuclear bombs, India and Pakistan are being seen as more dangerous states while foreign investment is illusive. We will have to understand that information, rather than arms, is the real power,” he concluded.

Ms. Savitri Thapa said that Nepal was facing a tough time due to the ongoing Maoist insurgency which is paralyzing the development projects. She lamented that SAARC was not trying to address these problems. She also remarked that the people of South Asia needed real collaboration to free themselves from the clutches of poverty and ignorance.

Mr. I. A. Rehman appreciated the fact that the people of South Asia had succeeded in meeting despite the hesitation of their governments. He said that our states are excessively abusing ideology to promote violence and chauvinism.

Mr. Rehman asserted that after 9/11, the South Asian countries have seen the decline of their justice systems. “The states are inclined to reject their South Asian identity and are increasingly showing disrespect for their civil societies. The only good thing is that the people of South Asia are ahead of their states,” he concluded.

Dr. Wijaya Jayatilaka deliberated upon the issue of good governance. He said that good governance meant transparent government, social justice and political freedoms including freedom of expression. He lamented the fact that South Asian governments were following the dictates of the IMF in the name of good governance.

Ms. Khawar Mumtaz gave briefing on the South Asian Social Charter being prepared under the protocol of SAARC. She said that a visionary citizen’s charter was needed to promote the

interests of the people, make governments accountable, shift the security paradigm and pressurize the governments to shun their anti-people policies and conflicts.

Mr. Karamat Ali talked about the rights of the labor in South Asia. He said that the South Asian states were increasingly limiting the guarantees and rights of their labor. He also proposed a Labor Charter for South Asia. “We will have to reject the negative nationalism of our states. The only way to solve the Kashmir issue is to take it as a South Asian issue,” he suggested.

The Chairperson, Ms. Bushra Gohar, thanked the participants and guests saying that the people’s agenda was crucial for the sustainable development of South Asia. “The process may be slow, but our goal is not impossible,” she asserted. To conclude the inauguration ceremony, Interactive Resource Center, presented a theater on the theme of peace between India and Pakistan.

PRESENTATIONS BY THEMATIC COMMISSIONS

On the third and final day of the Summit, the five thematic commissions made their presentations. After each presentation, the participants were allowed ample time to seek clarifications and share their concerns regarding that theme. Some of the important issues raised by the participants were also incorporated in the thematic presentations after debate and discussion.

The specific recommendations outlined in these presentations on the themes of *Peace and Regional Cooperation*, *Poverty Eradication*, *Social Development*, *Governance*, and *Trafficking in Women and Children* were also used in the Summit Joint Declaration.

The hard work put in by the members on the Commissions was reflected in the final presentations. During the working sessions, they covered all the aspects of the theme assigned to them, especially in the South Asian context, to come up with a regional civil society position around it.

Most importantly, the SAARC initiatives around the selected themes of the Summit were discussed at length. Similarly, the texts of the SAARC Summit Declarations and Conventions were thoroughly reviewed. This helped the members on the Commissions to better understand SAARC as well as the various commitments made by their governments. Thus, many possible entry points for policy-level advocacy were identified.

The case studies presented during the working sessions of the Commissions helped the participants to learn from the successful experiences of others. Finally, concrete actions plans with elaborate monitoring mechanisms were also formulated by the Commissions to advance the civil society position on the issues they are working on and involve public at large in their struggle.

Commission on Peace and Regional Cooperation

The Commission on *Peace and Regional Cooperation* had the following four items on its agenda:

- 1. Economic Cooperation in the Era of Globalization:**
 - Free trade within South Asia.
 - South Asian Preferential Trade Agreement (SAPTA).
 - SAARC Free Trading Area (SAFTA).
 - Common position on issues of shared interest at international fora.
- 2. Small Arms and Light Weapons:**
 - UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Aspects, held in July 2001.
 - Comparative analysis of small arms legislation in South Asia.
 - Draft of Regional South Asian Convention on Small Arms using the African example (Bamako Convention).
- 3. Peace Building Lessons: Sri Lankan Experience.**
- 4. People-to-People Contact:**
 - Clauses 1 to 10 and 40 to 44 of the XI SAARC Summit Declaration.

Plan of Action

- 1. Monitor Mechanisms and Formats:** Set up alternative mechanisms and structures for the review and monitoring of:
 - UN declarations and conventions.
 - SAARC agreements and convention.
 - Obligations on respective governments.
- 2. Identify Laws Promoting Violence, Injustice and Discrimination.**
- 3. Information to and Orientation of Civil Society:**
 - Exchange information in simple local language.
 - Promote cultural activities.
 - Arrange exposure visits for journalists.
 - Conduct a mapping exercise of civil society groups and organizations working on peace issues and circulate to all interested.
- 4. Mobilization and Advocacy:**
 - Strengthen existing peace networks and coalitions.
 - Promote exchange of cultural values within countries and the region.
 - Use cable channels for advocacy on peace and regional cooperation.

- Link television license with pro-people issues.
- Use theater and documentaries on peace.

5. Engagement with Media:

- Lobby with editors and owners of newspapers.
- Develop features and articles.
- Make efforts to engage with private channels and other media.

6. Education and Academic:

- Identify material promoting hatred.
- Dialogue with text book boards and education planning institutions.
- Promote peace education training for teachers.
- Dialogue with film writers to incorporate peace agenda in commercial films.

Plan of Action at the National Level (Pakistan)

- **Daily *Kawish*** will translate the selected Summit material in Sindhi and share it with its network members. It will also arrange media fora and workshops on the Summit issues.
- **Working Women Organization** will translate selected material on small arms and disseminate it among its partners and their communities.

- **Insaan Foundation** will organize Dove Day Campaign across Pakistan. It will also organize street theater and introduce its Peace Education syllabi in 800 schools throughout the country. The organization will also develop video films for cable television channels.
- **Pakistan India People's Forum for Peace and Democracy, Islamabad** will hold South Asia Peace Festival during 2003. Some other organizations also promised to hold peace fora and dialogues in different cities of Pakistan.
- A **National Peace Convention** will be held in mid-April 2003 to highlight the peace agenda and review recommendations of the People's Summit. An organizing committee comprising Pakistan Institute of Labor Education and Research, The Network, SAP-PK, Sungi Development Foundation and Takhleeq Foundation. The Bangladeshi delegation committed to bring a cultural delegation to the proposed Convention.
- **Press Conferences** will be held in all the major cities of Pakistan before the next SAARC Summit, to highlight the agenda and demands of the People's Summit and other peace groups. The final press conference will be organized in Islamabad.
- **Protest Rallies** will be organized in all the major cities of India and Pakistan on 11 and 28 May to protest against the nuclearization of South Asia.

Joint Declaration of the Commission

The Commission demanded of the South Asian governments:

- Complete dewaterization of society and militant groups.
- Complete and immediate freezing of nuclear and missile programs of India and Pakistan.
- Free and duty free flow of media and education material within the region.
- Immediate resumption of all communication links – including travel by air, road and sea – by both India and Pakistan.
- Easing of visa procurement policies.
- Immediate resumption of dialogue on all bilateral and multilateral disputes within South Asia without any preconditions.
- Immediate signing of Non-Aggression Treaty by India and Pakistan to avoid any armed conflicts.

The members on the Commission, on behalf of their organizations, resolved to:

- Demand of the governments in the region, especially India and Pakistan, for Nuclear Free South Asia.
- Initiate a signature campaign on peace in South Asia with a target of signatures of one million people within the next six months.
- Publicize all the declarations on peace and regional cooperation in South Asia.

- Lobby with the South Asian governments to reduce the defense expenditure by at least 1% and direct that amount towards social development.
- Encourage the South Asian governments to implement SAFTA.
- Present the Joint Declaration of the Commission to the Speaker of the National Assembly of Pakistan on the last day of the Summit (13 January 2003).

The Commission on Peace and Regional Cooperation comprised of Dr. George Mathew, Mr. Muhammad Jahangir, Ms. Chamila Hemmathagama, Mr. I. A. Rehman, Mr. M. B. Naqvi, Dr. Naimatullah Gichki, Mr. Zainuddin Khilji, Mr. Irfan Mufti, Mr. Karamat Ali, Ms. Ayesha Siddiqa Agha, Ms. Sheen Farrukh, Brig. (Retd.) Rao Abid Hamid, Prof. Sarfraz Khan, Mr. Jami Chandio, Fr. Sohail Patrick, Ms. Rubina Jamil, Mr. Muhammad Yaqub, Mr. Mohammad Mushtaq, Fr. Younis Alam, Mr. Nasrullah Khan, Mr. Mohammad Zia-ur-Rehman, Mr. Shahbaz Khan Ghauri, Mr. Akhtar Hussain Balouch, Mr. Zeeshan Rasikh, Mr. Arshad Rizvi, Mr. Mohammed Asif, Mr. Zahid Mustafa, Mr. Imran Sharif, Ms. Zehra, Ms. Vidaya Rana, Mr. Sohail Zia, Dr. Zarina, Ms. Syeda Nasreen Sultana, Mr. Shahzad A. Chaudhry, Mr. Mahmood and Ms. Razia.

Commission on Poverty Eradication

The Commission on *Poverty Eradication* had the following three items on its agenda:

- 1. Review and Analysis of SAARC's Poverty Eradication Initiatives:**
 - Salient features of the XI SAARC Summit Declaration.
 - Follow up of the commitments made in the XI SAARC Summit Declaration.
 - Review of Selected SAARC documents.
- 2. Structural Reform Programs:**
 - Critique of Structural Adjustment Program (SAP), Extended Structural Adjustment Facility (ESAF) and Poverty Reduction Strategy Paper (PRSP).
 - Recommendations for poverty eradication.
- 3. Pro-Poor Budgets:**
 - PROSHIKA'S case study.
 - SAP-PK's Pro-Poor Budget Campaign.

Salient Features of the XI SAARC Summit Declaration

The working of the Commission started with the reading of relevant portions of the XI SAARC Summit Declaration. The objective of the exercise was to identify entry points for lobbying and advocacy as well as get an overview of how the theme of poverty eradication has been dealt with at the level of SAARC.

The members on the Commission identified the following as some of the salient features of the Declaration that directly address poverty eradication:

- Poverty eradication is essential for social stability, economic progress and overall prosperity.
- Regional and global commitments to poverty eradication, like the UN Millennium Development Goals, should be fulfilled.
- Synergetic partnership among national governments, international agencies, the private sector and civil society should be actively promoted.
- Participation of the poor, both as stakeholders and beneficiaries, in governance and development process should be ensured.
- Programs for social mobilization and decentralization should be effectively implemented.
- Rural micro-credit programs should be extended to women and the disadvantaged sections of society.
- Promotion of agriculture, indigenous skills, and small-scale and cottage industries is important to address the incidence of rural poverty.
- Best practices and experiences should be shared among the Member States of SAARC.
- The Council of Ministries will review, on a continuous basis, the regional poverty profile.

- Appropriate safety nets to protect the vulnerable sections of population from adverse impact of globalization and liberalization should be created and maintained through enhanced cooperation.
- There is a need for a supportive international environment and an enhanced level of assistance by the international community for poverty eradication programs in South Asia.

The members on the Commission voiced the following concerns in this regard:

- The approach to poverty eradication adopted by SAARC is too generalized, making it difficult to monitor any progress or follow-up on the commitments made.
- The marginalized and disadvantaged sections of society have not been properly identified: there is no specific reference to women, children, minorities, rural poor, etc.
- Social, economic and gender equity as well as environmental issues have not been addressed.
- There is a stress on creating and maintaining safety nets for the vulnerable sections of population although they enhance dependence; while there is no mention of creating equal opportunities for them.
- The assistance of international community has been sought for poverty eradication programs without taking into consideration the fact that such support in the past in the form of structural reforms programs has only enhanced poverty.

Follow up of the Commitments Made in the XI SAARC Summit Declaration

The Commission also attempted to follow up on the commitments made in the XI SAARC Summit Declaration with regard to poverty eradication. It was noted with pleasure that almost all the commitments were fulfilled, although the postponement of the XII SAARC Summit has rendered null and void any progress made.

The specific commitments made and targets outlined in the XI SAARC Summit Declaration are as follows:

- The Council of Ministers will take necessary steps to fully activate the existing three-tier mechanism for poverty alleviation.
- Technical Committees will identify programs and activities that impact on poverty alleviation.
- An Independent South Asian Commission for Poverty Alleviation will be reconstituted to review the progress made in cooperation on poverty eradication, and for suggesting appropriate and effective measures in this regard. Its first meeting will be convened before the proposed Ministerial Meeting on Poverty Alleviation in Pakistan in April 2002.
- A Ministerial Meeting on Poverty Alleviation in April 2002 will undertake a comprehensive review and evaluation of the status of implementation of poverty eradication policies and programs, and recommend further concrete measures to enhance effective cooperation at the regional level to the XII SAARC Summit.

Review of Selected SAARC Documents

Thereafter, the Commission briefly reviewed the following documents in order to get an idea of the work of SAARC aimed at poverty eradication:

- Report of the First Meeting of the Reconstituted Independent South Asian Commission for Poverty Alleviation (30-31 March 2002).
- Report of the Ministerial Meeting on Poverty Alleviation (8-9 April 2002).
- Report of the Workshop to finalize the Format of Regional Poverty Profile (27-29 May 2002).
- Report of the Second Meeting of the Reconstituted Independent South Asian Commission for Poverty Alleviation (5-6 June 2002).

Critique of Structural Reform Programs

The discussion on the next item started with a briefing on structural reform programs by a member on the Commission. He delved at length into the history of neo-liberal economic paradigm, and offered a very comprehensive critique of SAP, ESAF and PRSP. The briefing set the tone for discussion by the Commission, which came up with the following comments on structural reform programs:

- They do not address the structural causes of poverty.
- They have stabilized economies and created opportunities for growth in many countries, but the growth has not been equitable and has only widened the gap between the haves and the have-nots.

- They are conceived and implemented without people's participation.
- The approaches to poverty eradication envisaged in them are not sustainable.

Specific Recommendations for Poverty Eradication

The specific recommendations of the Commission on how to eradicate poverty were as follows:

- Strategies should be developed to ensure that resources for the poor target the poorest of the poor (the hard core or the ultra poor).
- Clear-cut strategies should be developed to deal with urban and rural poverty, both by the government and the NGOs.
- The poor, especially the rural poor, should be provided access to opportunities and services.
- Poverty should be measured in the context of severity of contradiction between the haves and the have-nots.
- Successful practices from the region should be replicated.
- Implementation mechanism for micro-credit programs should be critically reviewed.
- Development budget for education, health, water and sanitation, creation of infrastructure, etc. should not be compromised at any cost (mostly done to meet the shortfall in revenue or increasing defense expenditure).

- Quality of expenditure on poverty eradication programs needs to be monitored effectively.

PROSHIKA's Case Study

The last item on the agenda of the Commission was Pro-Poor Budget. First, a member on the Commission from Bangladesh presented the case study of PROSHIKA's successful intervention in this area. In the following are some of the excerpts of his presentation:

“Advocacy for a Pro-Poor National Budget has been a major campaign launched by the Institute for Development Policy Analysis and Advocacy (IDPAA), PROSHIKA, since 1995. The goal of this Campaign is to make the national budget equitable and the major objectives include:

- Creating a poverty eradication component in the budget.
- Undertaking and implementing more poverty-focused projects.
- Increasing allocation for social sectors.
- Enhancing the quality of expenditures.
- Rectifying the imbalances in the tax structure that hit the low-income groups.
- Promoting people's participation in the budget-making process.

“The key strategies adopted by the Campaign for achieving its goal and objectives are:

- Mobilizing different CSOs on the issue.
- Getting the issue on the media to create a wider public opinion in favor of the Campaign.
- Persuading the concerned policy-makers through a dialogical process and, from time to time, forwarding to them memoranda containing specific demands.
- Generating required data for the Campaign through conducting primary and secondary research.

“Although the goal of an equitable budget has remained a distant possibility, the Campaign, in terms of its objectives, has made some significant gains over the last five years as delineated in the following:

- The Campaign has gained widespread support from people representing all walks of life.
- Different CSOs have joined the Campaign either in alliance with IDPAA or independently.
- The Campaign has been getting an extensive and sustained media coverage.
- To seek input from CSOs, the government has started a pre-budget consultation process.
- Social sector expenditure has not decreased; rather, there is a nominal increase.
- A good number of poverty-focused projects have been initiated and implemented over the last five years.”

SAP-PK's Pro-Poor Budget Campaign

Finally, details of South Asia Partnership-Pakistan's (SAP-PK's) Pro-Poor Budget Campaign were shared with other members on the Commission. The objectives of this Campaign include:

- Analyzing Pakistan's national budget (especially its poverty reduction component) and ascertaining views of 'common' people about it.
- Increasing the participation of 'common' people in the national budget-making process in order to improve resource allocation for them.
- Introducing a new vision of poverty reduction that stresses the social responsibility of national budget-framers.
- Ensuring that the budget-making exercise is not confined to a few people and views of the 'common' people are incorporated. In other words, national budget-making is made a participatory process where the poor are allowed space to express what they feel is right for them.
- Advocating for equitable resource allocation that favors the marginalized and the disadvantaged.
- Putting pressure on the government to introduce steps aiming at reduction in poverty and unemployment.

*The Commission on **Poverty Eradication** comprised of Mr. Syed Nurul Alam, Mr. Mahbubul Karim, Prof. Bahadur Khan Rodeni, Mr. Mustafa Nazir Ahmad, Mr. Mahmood Ahmad, Mr. Wasim Ejaz, Ms. Ayesha Ayub, Ms. Rashida Dohad, Mr. Sono*

Khangharani, Mr. Abdul Wajid, Dr. Yameen Memon, Mr. Malik Akbar, Mr. Lala Arshad Khaskheli, Mr. Roohul Amin, Mr. Barkat Shah, Mr. Amer Khan, Mr. Sebastian Justin, Mr. Mishkatullah and Mr. Amjad Khan.

Commission on Social Development

As a basic parameter of social development in South Asia, the Pakistan version of SAARC Social Charter was thoroughly discussed in the working sessions of the Commission. The Charter is divided into the following four major themes, which also comprised the agenda items of the Commission on *Social Development*:

- 1. Poverty Eradication.**
- 2. Women Empowerment.**
- 3. Children and Youth.**
- 4. Human Resource Development (HRD).**

Salient Features of the Preamble:

- The end goal is well-being and prosperity of the people with dignity and self respect.
- Freedom from war, jingoism, bigotry, internal conflict and displacement is the basic right of every human being.
- Every human being has a right to security, justice, dignity and prosperity.
- Regional solidarity, peace and security are pre-requisites to ensuring rights of the people; and achieving the goals of economic growth, social justice, universal education, healthcare, shelter, gainful employment and poverty eradication.

- Basic human rights of all the people, regardless of color, class, creed, faith and sex, are universal and this principle is the basic foundation of this Charter.
- All policy planning regarding the lives of the people should be inclusive of stakeholders, particularly the underprivileged and marginalized.
- Social justice is the basis of any progressive and tolerant society based on the values of democracy and respect for fellow human beings.
- All the Member States of SAARC should ratify the regional and international instruments on human rights and ensure their effective implementation.

Salient Features of the Objectives:

- Make Pakistan a peaceful, democratic, progressive and prosperous country.
- Ensure the rights, liberties, guarantees and protections of the people, especially the poor, marginalized, special and elderly citizens.
- Establish a SAARC Court for ensuring implementation of the Social Charter.
- Make SAARC a forum that promotes regional cooperation and socio-economic development in letter and spirit.
- Outline the role of civil society in achieving objectives of the Charter.

- Create a SAARC Social Forum to make the Member States accountable in the perspective of the goals of well-being of women, children, youth and landless poor.
- Impress upon the Member States of SAARC to keep relations between and among the state, the market and civil society in mind before making decisions on social sector issues.

Recommendations on Poverty Eradication:

- Poverty should be taken as a multidimensional issue rather than merely a matter of income.
- There should be equal opportunities of employment and capacity development for every human being.
- Poor people should be made a part of decision-making concerning micro and macro economic issues.
- Retrogressive feudal and tribal social structures should be removed.
- The state should ensure safeguards from the negative fallouts of globalization.
- The state institutions should be reoriented in such a manner that they become tools to achieve prosperity and dignity of the people.
- The state should take proper steps to ensure that there is no environmental degradation. There should be concrete and viable policies regarding irrigation water and conservation of forests.

- The state should make its economic policies keeping in mind their social contexts.
- The state should reform the unjust distribution of taxes and ensure just land reforms.
- The state should ensure universal education, and reduction in population growth rate and infant/maternal mortality ratio.
- The state should repeal all the laws that are discriminatory against women, minorities and other marginalized groups.

Recommendations on Women Empowerment:

- There should be complete equality between men and women in all spheres of life.
- Women participation in policy- and decision-making processes should be ensured.
- The state should ensure that the women are protected from harassment, violence and insecurity.
- The state should eradicate the structures, systems and values based on patriarchy.
- Multiple justice system should be repealed.
- Male-biased interpretation of laws, religious edicts and traditions should be done away with.
- The state should ensure access to justice for women.

- The state should formulate policies that aim at ending the conditions of malnutrition, illiteracy, poor health, high mortality, etc.
- The ambiguity in policies regarding women should be removed.
- The state should exhibit political will to safeguard the rights of women.
- The state should establish appropriate implementation mechanisms to take affirmative action for women empowerment.
- There should be clear laws and policies to govern exploitative non-formal sector with an objective of promoting women empowerment.
- The state laws should facilitate women unions and develop independent mechanisms to monitor the state policies and plans.
- The National Commission on Women should be strengthened by making its recommendations binding.
- The state and the private sector should ensure that the gender-related wage discrimination is eliminated at all levels.

Recommendations on Children and Youth:

- The multiple and contradictory laws about children should be made in conformity with the UN Convention on the Rights of the Child (CRC).

- Every child should be given the right to education, health and recreational facilities, and freedom from torture, labor and sexual abuse.
- Children and youth should be included in the decision-making processes.
- The state should implement treaties and conventions related to children and youth that it has signed, and ratify other related human right documents.
- The state should ensure the removal of child labor in informal sector and the end of child trafficking.
- The juvenile justice system should be based on the principle of safeguarding the best interest of the child.
- The children and youth should be given right to freely express themselves and be heard carefully.
- The state should ensure the removal of apartheid by abolishing different mediums of instructions.
- The state should constitute a commission to monitor the situation of children and youth, and the implementation of laws related to them.
- There should be clear allocation for the well-being of children in the annual national budget.

Recommendations on Human Resource Development

- The state should devise concrete strategies and programs to provide employment to the work force.

- Capacity building or HRD should be considered as a goal in itself.
- HRD should be seen in the perspective of basic human rights, freedoms and securities.
- The labor should be respected and its working conditions and standard of living should be enhanced as a pre-requisite to economic and human growth.
- All the workers should be provided with education, healthcare, professional trainings and other facilities to enhance their capacities.
- The state should ensure the protection of traditional arts and crafts as well as cultural rights of the workers. There must also be concrete laws to preserve and promote traditional knowledge systems.
- The goal of HRD should not be blindly linked to the market and economy.

*The Commission on **Social Development** comprised of Dr. Mahmuda Islam, Ms. Savitri Thapa, Ms. Bushra Gauhar, Ms. Khawar Mumtaz, Mr. Shiraz Raj, Ms. Kausar S. Khan, Mr. Khadim Hussian, Mr. Naeem Iqbal, Mr. Arif Tabbasum, Mr. Mohammad Waseem, Mr. Nadeem Malik, Mr. Zafar Junejo, Ms. Amatul Wadood Nazli, Mr. Shakeel Waliullah Khan, Mr. Syed Liaqat Bachcha, Mr. Mujtaba Bajwa, Mr. Naeem Chaudhary, Ms. Samina Zafar, Ms. Rehmat Yazdani, Mr. Jawad Aslam, Mr. Muhammad Sadiq Qureshi, Mr. Wasim Wagha, Ms. Anahita Ahsan, Mr. Syed Naeem Bukhari and Ms. Shabana.*

Commission on Governance

The Commission on *Governance* had the following three items on its agenda:

- a. The Crises of Governance in South Asia.**
- b. Recommendations and Plan of Action to Overcome the Crises of Governance in South Asia.**
- c. Recommendations on SAARC Governance System:**
 - Governance principles.
 - The SAARC Secretariat.
 - Inter-country relationships.
 - Prioritized key recommendations.

The Crises of Governance in South Asia

The discussion in the Commission started with the analysis of existing crises of governance in South Asia. After a long debate, the following issues were identified:

- Colonial legacy.
- Elite-based institutions.
- Attitudinal crisis.
- Procedural labyrinth.
- Lack of respect of the rights enshrined in constitutions.

- Ineffective planning of the resources.
- Rigid constitutions and lack of consensus within the parliaments.
- Local government systems and resistance to them from bureaucracies.
- Political parties not adhering to their manifestoes.
- Lack of honesty, accountability, political will and commitment in elected representatives.
- Use of rule of law for personal benefits.
- Lack of political institutional-building weakens the civil society and other institutions.
- Lack of vibrant media.
- Lapses in institutional structure.
- Ineffective recruitment policy.
- Lack of analytical approach in the civil society.

Recommendations and Plan of Action to Overcome the Crises of Governance in South Asia

Next, the members on the Commission reviewed the recommendations of the 1st South Asian People's Summit on the theme of *Governance: Local and Regional*. They made relevant additions and prioritized key areas of work. The recommendations and plan of action formulated by them to

overcome the crises of governance in South Asia is presented in the following:

1) Strengthen Local institutions by ensuring broad-based participation and access to information:

Co-opt organizations; and consensus building among key stakeholders.

2) Dissemination of information on local government systems:

Translate documents into local languages; dissemination of information through print and electronic media; wider debate among stakeholders to build consensus; and identify appropriate policy interventions and develop monitoring mechanisms at regional, national and local levels.

3) Strengthen mechanisms that ensure the participation of women in governance:

Identify successful mechanisms from among the SAARC countries; disseminate information for adoption and adaptation; build capacity of elected women representatives; effective enactment of women's roles as elected representatives; and build capacity of CSOs to develop an enabling environment for effective participation of the marginalized groups like women and minorities.

4) Checks and balances to prevent abuse of power by governing bodies at local, national and regional levels:

Develop appropriate mechanisms for checks and balances through studies at all levels.

5) Ensure that local bodies are financially empowered to carry out their work by providing constitutional safeguards for this:

Undertaken studies on resource allocation methods and implications; analyze budgeting mechanisms and budgetary

allocations to identify imbalances and make necessary recommendations to ensure equity; and share information with key stakeholders to develop a more effective system.

6) Develop and strengthen citizen groups to address issues related to private and corporate sector as they affect the poor:

Develop and build capacity of groups; highlight issues at regional and national levels through media; and develop advocacy groups.

7) Develop and strengthen citizen groups to ensure that the actions of international organizations do not violate the legitimate rights of the people:

Develop and build capacity of groups; highlight issues at regional and national levels through media; and develop advocacy groups.

8) Ensure that the tax systems are fair and do not over-burden the poor. Follow the principle that the rich pay more and spend on the poor to get them out of poverty:

Tax review and reform discussions.

9) Democratization of political parties, civil society groups and state institutions:

Training and capacity building; strengthen fora for discussion; and create public concern.

10) Ensure accountability of political representatives, civil society groups and all state institutions including the military and judiciary:

Developing principles, guidelines and codes of conduct; self-corrective and -improvement mechanisms to develop improved organizational culture; documentation of best practices; and dissemination of information.

11) Ensure independence and depolitization of the public institutions, judiciary, law-enforcement agencies, civil and military bureaucracy, and CSOs:

Training and capacity building.

12) Clarify and separate powers, roles and responsibilities of the judiciary, legislation, executive and armed forces; and make them skilled, accountable and professional:

Training and capacity building; and review of existing training programs for reform.

13) Ensure that the rule of law is respected and is all pervasive in the society, and ensure impartiality of judiciary:

Create public awareness about the implementation of law; lobby for better remunerative structure for the judiciary; empower judiciary to be proactive on social issues; training and capacity building; lobby for reform; information dissemination; and public policy debates and dialogues on implementation of judicial reforms.

14) Ensure that merit is followed in recruitment for public sector:

Awareness campaigns; status review; dissemination of information; and building of public pressure.

15) Strengthen civil society groups and make them skilled with analytical capabilities:

Training and capacity building.

16) Prevent misuse of power by traditional local government bodies:

Identify traditional local governance mechanisms and their limitations; and create systems of checks and balance to safeguard the rights of the marginalized.

17) Eliminate all undemocratic traditional institutions and practices that discriminate against women and minorities:

Identification of such practices and institutions; sensitization and consensus building among stakeholders; and highlight issues through media for public awareness and action.

18) Ensure that decisions taken at local government level are valid and does not violate the fundamental rights of the people:

Develop and strengthen watch groups at regional and local levels, and their capacity building.

Recommendations on SAARC Governance System:

1. Governance Principles:

The members on the Commission felt that the governing principles of SAARC, although broad enough for liberal interpretation, are interpreted narrowly to maintain the *status quo* and are not inclusive of all stakeholders. They stressed the need to address the following concerning SAARC:

- The procedure of making appointments.
- Organizational structure.
- Work culture.
- Resource allocation and fund raising.
- Opportunities for the SAARC stakeholders to achieve regional goals.

2. The SAARC Secretariat:

- The annual organizational management review should be conducted on agreed criterion and, if needed, remedial

action should be taken. The process should be transparent with findings available to the stakeholders.

- The Secretary-General should have the authority to recruit the directors for the various sections. The recruitment principles and guidelines should be endorsed by the Council of Ministers.
- The structure should be reviewed every five years and, if necessary, changes should be made to reflect the emerging needs of the region.
- The Secretary-General should be responsible for and empowered to manage it efficiently and effectively.
- The Secretary-General should be given the authority to raise funds to undertake various tasks in relation to the SAARC objectives, ensuring that the long-term interests of the Association are not compromised.

3. Inter-Country Relationships:

- Build cordiality, trust and mutual respect among the Member States of SAARC.
- Retreats of Heads of Government/State should be coordinated by the SAARC Secretariat.
- Mechanisms should be evolved for interaction between and among different stakeholder groups.
- Interest groups should have a platform, facilitated by the SAARC Secretariat, to interact and develop regional program interventions.

- The SAARC Secretariat, in collaboration with other groups and organizations in the region, should compile a database of regional networks.

4. Prioritized Key Recommendations:

- Introduce pro-people legislation; and make the judicial system independent, effective and approachable.
- Involve civil society representatives in the SAARC process to include people's concern.
- Strengthen local institutions and citizen groups by providing them constitutional safeguard in order to ensure consistency of the policies.

*The Commission on **Governance** comprised of Dr. Padma Ratnayake, Dr. Wijaya Jayatilaka, Mr. Ajitu Nivard Cabral, Mr. Suleman G. Abro, Mr. Mohammad Tahseen, Ms. Shabnam Rashid, Dr. Fouzia Saeed, Mr. Naeem Mirza, Prof. Mumtaz A. Bangash, Mr. Peter Jacob, Ms. Nusrat Naeem, Ms. Sofia Noreen, Mr. Nasir Hussain, Ms. Nazish Brohi, Ms. Tayyaba Riaz and Mr. Bilal Ahmed.*

Commission on Trafficking in Women and Children

The Commission on *Trafficking in Women and Children* had the following three items on its agenda:

- **The SAARC Convention on Trafficking in Women and Children:**
 - Review of the text.
 - Recommendations for SAARC Member States.
 - Recommendations for CSOs.
- **Recommendations to the SAARC Convention on Child Welfare.**
- **Successful Practices: Case Study of Lawyers for Human Rights and Legal Aid.**
 - Activities.
 - Achievements.
 - Impact.

Review of the SAARC Convention on Trafficking in Women and Children:

The working of the Commission started with a discussion on various articles of the SAARC Convention on Preventing and Combating Trafficking in Women for Prostitution, particularly its definition and scope. The members on the Commission suggested that the definition of “trafficking” given in the

Convention should be replaced with the one adopted under the UN Protocol 2000.

According to the Convention, *“Trafficking means the moving, selling or buying of women and children for prostitution within and outside a country for monetary or other considerations with or without the consent of the person subjected to trafficking.”*

While, according to the UN Protocol 2000, *“Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons by means of threat, or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for purpose of exploitation.”*

The members on the Commission also suggested that the scope of the Convention should be widened beyond prostitution to other areas as defined in the UN Protocol 2000. Finally, they stressed that all articles of the Convention should be considered in accordance with the definition of “trafficking” adopted under the UN Protocol 2000.

Recommendations for SAARC Member States:

- Ratify the Convention immediately.
- Make amendments to the Convention in accordance with the other conventions the governments have signed and ratified.
- Devise laws in accordance with the Convention.
- Adopt rights-based approach towards all kinds of migration.

- Train law-enforcing agencies, judiciary and border security forces to deal with the issue of trafficking.
- Create appropriate support systems (shelter, rehabilitation, counseling, legal aid, skill development, etc.) for the victims of trafficking.
- Set up mechanisms for facilitating early disposal of the cases of trafficked persons.
- Repeal all the laws that are discriminatory against women and children.
- Review the existing laws related to women and children rights in conjunction with the basic laws of the land.
- Create provisions in their constitutions to ensure that if any international convention is ratified, it is considered binding.
- Individualize rehabilitation and repatriation in the best interest of the child.
- Formulate and ensure a three-pronged strategy – at local, regional and international levels – to deal with the issue of trafficking in totality.
- Appoint a Special SAARC Rapporteur on Trafficking.
- Ensure repatriation along with rehabilitation, without limiting the choices to the victims of trafficking.
- Identify appropriate measures to address the issue to trafficking in women and children; and fulfill commitments and obligations under the Stockholm Agenda (1996), South

Asia Consultation for the Second World Congress Against Commercial Sexual Exploitation of Children (2001) and the Yokohama Global Commitment (2001).

- Work for the decriminalization of the trafficked persons.
- Constitute intra-regional groups(s) at the SAARC level to effectively address the issue of trafficking.
- Abolish all such customary practices that augment trafficking in women and children.
- Review and revise laws, plans and policies concerning women and children.
- Strengthen the national and regional networks of NGOs and other CSOs to effectively deal with the issue of trafficking.
- Sensitize the media to impart awareness to masses on the issue of trafficking, and the rights of women and children.
- Focus poverty eradication programs on the areas where women and children are vulnerable to trafficking.

Recommendations for CSOs:

- Adopt strategies to involve the trafficked persons and share their experiences on vulnerability.
- Develop databases and share information like best practices in dealing with the issue of trafficking.
- Review the existing laws related to women and children rights.

- Interact with organizations for training of law-enforcing agencies on issues like gender, children and women rights, etc.
- Create focal points in all the Member States of SAARC.

Recommendations to the SAARC Convention on Child Welfare:

- Ensure that the rights of the victims of trafficking are vindicated.
- Ratify the Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia.
- Ensure that trafficking is distinguished from voluntary migration.
- Ensure that the victims are immune from criminal liability for any acts that arise out of trafficking.
- Ensure voluntary repatriation of the victims of trafficking provided that they agree to it.
- Ensure that reintegration and other support services are available to the victims of trafficking who choose to return home.
- Enact laws that provide compensation to the victims of trafficking and repeal laws that are discriminatory against them.
- Prosecute traffickers for all the crimes they have committed.

Case Study: Lawyers for Human Rights and Legal Aid

Finally, a member on the Commission from Pakistan presented the case study of Lawyers for Human Rights and Legal Aid (LHRLA). Established in 1989, it is a non-profit, non-partisan and non-political organization of committed and dedicated lawyers providing free legal assistance to the needy people.

LHRLA is the first organization of Pakistan that takes up the issue of human trafficking. Due to the absence of any reliable information and serious work, it works at both micro (service-oriented) and macro (policy-oriented) levels. Similarly, it has taken upon itself to work at both national and regional levels.

Activities

The following are some of the major activities that LHRLA has undertaken over the years:

- Provision of free legal services in cases related to trafficking in women and children, child abuse, rape, torture, child custody, divorce, etc.
- Propagation of jail reforms and organization of paralegal training courses, seminars and workshops.
- Research and public mobilization on the issues of juvenile justice and rights of women and children.
- Organization of workshops on child sexual abuse.
- Establishment and maintenance of a documentation center, and dissemination of information regarding incidents of kidnapping, and physical and sexual abuse against women and children through media.

- Lobbying for reform against discriminatory laws like the Hudood Ordinance.
- Input to the Government of Pakistan in the formulation of a Juvenile Justice Ordinance, and the implementation of the UN Convention on the Rights of the Child (CRC) and the Convention on Elimination of Discrimination against Women (CEDAW).

Achievements:

- Helped in the release of more than 5,000 innocent people from jail, mostly women and children.
- Provided free legal assistance and counseling to 20,000 people including prisoners, victim of illegal trafficking, women prosecuted under the Hudood laws, children being tried for juvenile offences, etc.
- Successfully recovered and released many victims of trafficking belonging to Bangladesh, Burma (Myanmar) and Pakistan.
- Successfully highlighted the cases of children kidnapped or sold and subsequently trafficked to the Middle East for use in camel races.
- Video documented many trafficking cases and interviewed victims that led to the arrest of criminals and the officials of law-enforcement agencies.
- Prepared and published three detailed reports on the issue of trafficking in women and children in 1991, 1993 and 1996.

- Contributed to bringing about much needed jail reforms and spearheaded a successful campaign for the establishment of the first Juvenile Court in Pakistan.
- Organized the first Regional Conference on *Trafficking in Women and Children* in Pakistan in December 1997 in collaboration with the UNESCO.
- Pioneered key human rights initiatives in Pakistan and South Asia.
- Developed strong networking at national, regional and international levels.
- Internationalized human rights issues in South Asia by developing a network of like-minded organizations that lobby for policy reforms in their respective countries and the region as a whole.

Impact:

- The leaders of the SAARC Member States signed the SAARC Convention on Preventing and Combating Trafficking in Women for Prostitution at the XI SAARC Summit. The Resistance Network, of which LHRLA is a component, played an important role in the preparation of the SAARC Convention.
- LHRLA is a member of the Commission established by the Sindh Government for Child Welfare and Development.
- LHRLA has always stressed the need of signing and ratifying international instruments and conventions

related to trafficking. As a result of its efforts, during the year 2001, Pakistan signed and ratified the ILO Convention 182 on the Worst Forms of Child Labor including Trafficking. The country also signed the Optional Protocol to the UN Convention on the Rights of the Child (CRC) on the Sale of Children, Child Prostitution and Child Pornography.

- LHRLA has been regularly conducting sensitization trainings and their outcome has been very fruitful in terms of cooperation from the government departments.
- Pakistan has developed a National Policy and Plan of Action against Commercial Sexual Exploitation of Children (CSEC) in Pakistan. Their formulation is a collaborative effort of government agencies, NGOs and child rights activists. The Core Group of Experts, which includes LHRLA, is assisting the National Commission of Child Welfare and Development in implementation of the activities envisaged in the Plan of Action.

The Commission on Trafficking in Women and Children comprised of Dr. Sayyida Akhter, Dr. Hamidul Haq, Dr. Surendra K. C., Mr. Punya Prasad Khanal, Ms. Kumari Witharana, Ms. Manik Perera Gunatilleke, Mr. Zia Ahmed Awan, Mr. Shafqat Munir, Dr. Naeem Zafar, Mr. Mirza Abdul Shakoor, Mr. Abdul Ghaffar Malik, Mr. Ibrar Hussain Shah, Mr. Saleem Raza Sial, Mr. M. Aslam Panhwar, Ms. Ammara Kaukab, Ms. Saadia Mumtaz, Mr. Abid Gulzar, Mr. Akhtar Abbas and Mr. Muhammad Rafiq Thaheem.

THEMATIC PAPERS

Campaign and Challenges Against Trafficking in Women and Children in Nepal

Punya Prasad Khanal

Trafficking in women and children is a burning problem nationally and internationally. The problem is now well recognized by those engaged in policy formulation and by aid agencies which fight against poverty in all its aspects. One of the main tensions is between an understanding of trafficking as related to violence against women and as an abuse of labor laws.

On the one hand, we have an emphasis on women's right to work in proper conditions, free from all forms of violence. On the other hand, we have a concern with the mechanisms and restrictions through which the state (of origin or destination) can control as well as protect women's labor.

It has been recognized that historical characterizations of trafficking are outdated, ill-defined and non-responsive to the current realities of the trade in people, and to the nature and extent of the abuses inherent in and incidental to trafficking.

Main Issues of Campaign:

- Formulation, reform and implementation of laws and policies incorporating civil and political rights of the survivors of trafficking;
- Eradication of all forms of discriminatory policies and laws, and their formulation in a more gender-sensitive and equitable manner;

- Establishment of rights to freedom of mobility and choice of occupation;
- Provision of justice and compensation, and readjustment in society with a prestigious position, to the victims and survivors of trafficking.

Position on Issues:

- Trafficking is an organized crime and is a political agenda for the 21st century;
- Human rights approach should be followed in campaigns against trafficking;
- Trafficking can be eliminated through the establishment of an equitable society; and
- Without changes in patriarchal attitudes of society as a whole, there cannot be changes in policies and practice.

Strategies of Campaign:

Grassroots Level:

- Conceptual clarity on issues among the local institutions, civil society and communities; and
- Social readjustment of trafficked survivors.

District Level:

- Coordination among government sector, non-governmental sector, and local bodies and agencies who are working in the respective areas;

- Free legal support to and protection of survivors and their witnesses; and
- Counseling service to all those who are trying to go abroad because they may be trafficked because of the lack of awareness about trafficking.

National Level:

- Networking with civil society groups and organizations to strengthen National Anti-Trafficking Campaign and make state institutions accountable; and
- Formulation of a law which could help survivors to reintegrate, getting compensation and social status.

Regional Level:

- Solidarity building with cross-border NGOs, alliances, survivor groups, sex workers groups, etc. to lobby with SAARC and the Government of Nepal;
- Reformation of the SAARC Treaty, which is too narrow to address the issue of trafficking and implemented widely; and
- Formulation of a bilateral treaty between the origin country and the destination country to ensure civil rights and compensation to survivors.

International Level:

- Solidarity building with international campaign groups likes Global Alliance Against Trafficking in Women (GAATW).

Gravity of the Issue:

- Interrelationships between trafficking in women, drugs, arms and smuggling;
- The support and encouragement given to the overseas employment companies by government which enhances trafficking;
- Traditional belief amongst those involved in campaign and advocacy on trafficking, as well as decision- and policy-makers, that it takes place only for prostitution and only across the border;
- Lack of bilateral agreement between the destination country and the country of origin;
- Ineffective implementation of international conventions;
- Although there is provision of international instruments for securing human rights of trafficking survivors, yet individuals and organizations have not been able to comply with this;
- Due to the coverage of the products of multi-national companies, cottage and small industries are close down one after another. Similarly, the local people are losing their right to natural resources on their land. These factors are contributing to an increase in trafficking, as more and more women are rendered vulnerable because of unemployment and economic hardships; and
- Justice for the survivors is so expensive that it is mostly out of their reach.

Achievements:

- Nationalization, regionalization and internationalization of the issue as a political agenda;
- Establishment of a unit within District Development Committee to activate task force against trafficking for implementation of the national policy;
- Many organizations have started to work with a rights-based approach. The SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution has been signed and steps towards bilateral agreement have also been initiated;
- Initiatives are underway to make citizenship possible through mother's name;
- Different organizations are bringing into practice international human rights instruments as yardsticks to check human rights situation; and
- Awareness programs are promoting positive attitude towards the survivors of trafficking.

Challenges:

Organizational Level:

- Counter the organizations functioning with welfare approach and the patriarchal attitudes of the state.

National Level:

- Welfare approach more important in campaign and advocacy work;

- The national laws and policies are biased against women as they do not guarantee the constitutional provision of civil and compensation rights against exploitation;
- The organization of brokers is strong with international connections, making it difficult to identify and bring the criminals to book;
- As per the government decisions, women are not allowed to go and work in the Gulf countries;
- Corruption and irresponsible attitude of the concerned authorities makes it difficult to provide real justice to the survivors; and
- People do not take recourse to legal process because it is expensive and lengthy.

Regional Level:

- The SAARC Convention which limits trafficking to only prostitution has provided the South Asian states with authority to put restrictions on the rights to women's mobility and occupations of their choice;
- The heads of South Asian states are not ready to have a bilateral agreement and understanding on the issue.
- Social reintegration of the survivors of trafficking is a daunting task owing to the unfavorable social attitudes towards women; and
- The situation is becoming even worse owing to the strong relationship between brokers and politicians.

International Level:

- Liberal economic policies have take over the resources and skills from women, due to which they are compelled to go overseas for employment becoming easy targets for traffickers;
- Instead of formulating monitoring mechanism to prevent exploitation of women, the South Asian governments are depriving them their rights to mobility and work by placing restrictions on overseas permits;
- The employers are getting cheap labor and maximum profit while the laborers are rendered as bondage.

Demilitarization of South Asia

Hemachandra Basappa

“South Asian Culture is rooted in 5,000 years of history. Its ancient values are still deeply ingrained in the customs, practices and institutions. They cannot be eroded by the current epidemics of intolerance, greed, waste, ostentation and violence in the region because they have stood the test of time. South Asia needs to re-discover its civilizational rhythm, tolerance for and accommodation of new spiritual values, and new mechanisms of social organizations and economic production. Compassion in the widest sense, sharing, caring, trust and mutual respect, simplicity, and even austerity of life styles have all informed this pluralistic civilization. Similarly, the culture contains important insights into the need for a sustainable people-to-nature relationship as reflected in traditional practices of land use, forest and water management, and the use of renewable resources.”

-- *Meeting the Challenge, Report of the Independent South Asian Commission on Poverty Alleviation.*

Today, besides the ongoing war on terrorists in the neighborhood, which will have a spill-over effect in the form of refugees and also the possibility of weapons being smuggled in, our region faces far more major threats from the various aspects of the rules and regulations set down by the WTO.

Despite this, the immediate threat that has been ever present since our Independence is the threat of armed conflict to resolve long pending and unresolved matters between our two nations, India and Pakistan. In the words of former Pakistan Prime Minister, Ms. Benazir Bhutto, “There can be convergence on some issues even if a gap remains on others.” This is what we need to focus on!

Most often we, the NGOs, pass resolutions demanding that governments respond to this or that issue – which may not be possible given current mind-sets. It is obvious that we need to focus on issues we can influence. We also need to establish a relationship with political parties, not necessarily the ones in power but all the major opposition parties as well. At some time in the future they may play a crucial role and we need to begin to influence them straightaway.

How does one go about de-nuclearizing the region? I am sure that both the political and scientific leadership as well as the armed forces in both our countries are aware of the consequences of the use or even the threat to use nuclear weapons. In addition, a new threat emerges from terrorists who may get access to these weapons and facilities. How do we go about stopping all this? It is a well known fact that in our region there are millions of illegal small arms and light weapons being held by individuals and groups. What about the dangers these pose?

While all this is happening, both governments are diverting crores of rupees each year towards the modernization of their armed forces, and in acquiring new and more sophisticated weapons. We need to talk in terms of this expenditure and the greater need for the funds used here in other areas. The tension along our borders, especially in the high mountains, must also be addressed. It has been repeatedly reiterated in the past Pakistan India People's Forum for Peace and Democracy Conventions that we must call upon our governments to reduce military budgets by 25% and to curtail military spending. Is anybody really listening to us or actually reading our statements?

We know what the consequences of any military action, by either nation will be, on the other. We also know that this not only consumes precious resources and diverts funds away from

other crucial priority needs, but also takes our nations backward by many steps. Not to mention the ill feeling that it generates among large sections of our populations.

While the stand off continues, we should insist that the dialogue and channels of communication that exist between our military and political leaders should never be broken, whatever may emerge between our states. It should be made that much more difficult for a political party in power to give the orders for the existing communication links to be broken.

Like ours, there have been several other initiatives between people of both Pakistan and India. I would recommend that we become a resource center for these initiatives and take on the responsibility of disseminating information about their activities amongst our members at least in those countries where there are SAP organizations.

These days, with email, the possibility of instant and easy communication is tremendous. We need to compile large mailing lists of NGOs and individuals to whom we should send out our concerns from time to time. The PIPFPD should also circulate websites of selected newspapers and magazines published in our countries, so that the news and views and as to what is going on in each other's nations will be accessed regularly.

We need to focus on issues like travel and trade between our two nations. We must make our concerns felt and encourage trade bodies to pressurize the governments to quickly establish economic links. At the moment, there is a large indirect trade between India and Pakistan which takes place through other countries. We must focus on the taxes which both governments lose, as a consequence, and the extra costs of goods and services because of this transit trade.

Discussions under the SAARC umbrella – SAARC Free Trading Area, South Asian Preferential Trade Agreement, South Asian Development Fund and Independent South Asian Commission on Poverty Alleviation – must all be encouraged. Specific deadlines must be set for their recommendations, so that the South Asian governments agree to implement their conclusions within a specific timeframe.

“When you decide not to negotiate until terrorism ends, the result is that terrorism never ends and the negotiation never begins,” said Shimon Peres, former Israeli Foreign Minister. We can apply the same principle to describe the position taken by the present Indian Government on a dialogue with Pakistan. It was only a few weeks back that the Indian Government decided to de-escalate military proceedings and withdraw troops from the border area, where hundreds of thousands of troops were massed to launch a possible full scale war. Our two nations, by their stand off, are holding the rest of South Asia to ransom.

Despite the de-escalation, all communications are still cut. There are still no flights of the national carriers and no trains or open road links between both countries. The High Commissioners of both countries have been withdrawn, the deputy High Commissions have been closed; and hundreds of thousands of people on both sides, even relatives and friends, are being kept from meeting each other.

Then, there are the thousands along the border who have been displaced from the only homes they know. Their lands have been cultivated, not with crops but with death-giving landmines. An unusual fear has been created among them about this unknown enemy who is somewhere out there waiting to attack them and their loved ones. The game of scoring a point over the other transcends any common logic.

If the politicians and their representatives (government officials) were to withdraw for just a month, we would see vast and lasting changes for the common benefit of the people of our two nations. How can people lose? What if the gain for one side is a little more than for the people on the other side? They are still all our people, aren't they?

If the governments are incapable of resolving this situation, let concerned and saner people decide. We must take a fresh initiative, a new look at the dividends of peace, which decreased expenditures on our militaries will definitely achieve. It is heartening, however, that in spite of the present *status quo* there still exist some rational people in both governments who continue to respect sovereignty of the other.

But then, why have a nuclear weapons program in the first place? Can either country dare use them in any circumstance while bearing in mind the consequences of the 'nuclear fall out' on the other side? What does possessing nuclear weapons or having nuclear capability mean? Simple! Capability that both countries will never and must never ever use. But what is the cost for the people of both countries, in terms of the diversion of resources away from basic needs? Can we afford to continue such absurd pursuits? Obviously, this is some 'ego trip' for a few. Should we allow this wasteful expenditure to continue?

We definitely cannot and must not, because we face too many urgent and immediate problems. Then, are we also justified in the continued pursuit to acquire conventional weapons for the so-called purpose of 'defending ourselves'? We obviously cannot afford to fight any wars. So what would we gain? And, at what cost? These weapons and weapons systems cost money. Since we will never use them, it is a huge drain away from issues that need priority and immediate attention.

The politicians, unfortunately, once given the mandate by the people, do not seem to understand the needs of the people anymore. We also need to guard against another possible reality – the external forces which may want to retain this present *status quo* for their own reasons like the sale of weapons to this region. When there is lasting peace in our region, the biggest losers will be the weapons manufacturers. Besides the direct sale of weapons to both governments, there is someone out there who is allowing the sales of all types of small arms and light weapons. This sale is done to all kinds of groups who are critical of their own governments. Their sole purpose is to foment perpetual trouble between our two nations.

Let us not play into these hands. Maybe it is time to find and explore other ways to solve our problems – whatever the politicians may perceive. We must demand of our governments to divert at least 10% of their present military budgets towards alternate defense and peace building initiatives. Maybe we too should have a treaty such as the “Treaty of Neighborliness, Friendship and Cooperation Between the Russian Federation and the People's Republic of China”.

Our nations do not seem to have a reference point for discussing their problems. While SAARC is a multilateral forum, our leaders have stopped using the good offices of other leaders in our region to end this present deadlock. I do believe that the PIPFPD should accept the challenge that governments and bureaucrats on both sides have not been able to resolve specific basic issues for the last 55 years. We need to bring across the positive consequences of reduced military spending, the positive consequences of having no nuclear program, the positive consequences of peace. If the Berlin Wall can fall, if former members of the Warsaw Pact can join the European Union and NATO, let not anyone dare say that this is impossible!

Social Development in Nepal: Issues and Challenges

Savitri Thapa

1. BACKGROUND

1.1. Historical Background

The concept of social development in human beings begins with their early existence on this earth. It is a continuous process for social change which has always been an important issue in societies where the problems of backwardness, exploitation, oppression and discrimination exist. Nepal has its own history of social development.

The history of institutional social development movement in Nepal can be traced back to Lichhavi Period, about 1,000 years ago, with a system of Panchali Pratha, which was supposed to be an effective instrument to provide social services in the society. The local self-help groups named differently were active in different parts of the country and Guthi was one of them.

Guthis in various forms – according to caste, creed and community – also actively provided various socio-economic, cultural and religious services to the people. Like trusts in the western world, they believed in mutual cooperation and benefits. They were established for the particular purpose of carrying out different socio-economic activities in the society.

In those days, Guthis were supposed to be an important means of survival strategies of human beings. All the socio-economic, cultural, religious and even financial and agricultural activities were jointly carried out by the people through them. Individuals also used to provide their services to the poor, disabled and

destitute in the name of god. Mostly, such charities and services were provided through religious institutions like *dharamshalas*, monasteries, *paksalas*, etc.

According to Hindu mythology, *paropakar* (service to others) is an important means to please god or get salvation after death. Being a Hindu Kingdom, the religious institutions in Nepal were very active and strong enough to provide socio-religious services to the people. Even in the Rana regime (1853-1957), which is termed as a black period in the history of Nepal, several social development activities were carried out.

Many charitable institutions were established to provide food and shelter to the poor, disabled and destitute. However, schools, hospitals and drinking water facilities were provided only to the limited people and groups. The Civil Code of 1010 B.S. (Nepalese Calendar) had legal provisions to protect the weaker sections of the society. Because of the efforts of social activists, evil practices of *sati pratha* and *kamara kamari* (slavery) were also abolished during the Rana regime, in the later half of the 19th century.

Being close neighbors and socially, culturally and religiously related, India and Nepal are correlated to each other. The Social Reform and Swaraj Movements in India during the 19th and early 20th century inspired the Nepalese activists to think over the situation of the country. As a result, some of the social activists started their activities to reform the existing social evils which were deeply rooted in the society.

The Arya Samaj, Charkha Pracharak Mahaguthi, Paropakar, etc. were some of the pioneer social organizations which led the social development activities in the new context – from welfare- or charity-oriented to development-oriented. The meaning of

social development today covers broader areas of human needs and rights. It is looked as human rights in global context by crossing the boundaries of charity and welfare approach.

Social development is a continuous movement against social injustice, exploitation and discrimination and also for people's empowerment. It is a dynamic process which never stops. Equality, peace and development are people's rights. Realizing these facts, these issues have been highlighted globally since the last few decades.

1.2. Social Development in the Past

After the advent of democracy in 1951, the attention of the Nepalese people and government was drawn towards nation's development. A new approach to social development was introduced in the global context. Since the beginning (1956), the national plans have adopted new strategies and dimensions in the formulation of policies and programs geared towards meeting the expectations of the rural poor.

The national plans have focused their policies and programs towards alleviating poverty by raising the income level of the rural poor, which comprise 85% of the total population. They have also laid strong emphasis on social development sectors such as health, education, drinking water, etc. Similarly, a big portion of the nation's budget was allocated to improve the production of agriculture, which is only means of income of the majority population.

In 1961, party-less Panchayat System was introduced in the country which lasted for almost 30 years. During this period, many development activities were launched to improve the lives of Nepalese. Some revolutionary steps, in favor of the poor and

deprived communities, were taken by successive governments. Land reforms, Back to Village campaign and amendment to Muluki Ain (Civil Code) were some of the steps which brought great social and economic changes in the lives of Nepalese.

Some other programs in the areas of integrated community development, basic needs, special education, population planning, maternal and child health, credit for rural women, women training and development, small farmers' development, etc. also created a positive impact on the society.

Social Services National Coordination Council was established to facilitate and coordinate social service activities carried out by government organizations and NGOs. During this period, many NGOs came into existence and were encouraged to participate in the nation's development as co-partners. Since then, the government has allocated budget for social sectors regularly as its commitment towards social development.

2. COUNTRY PROFILE

2.1. Demographical Situation

Nepal is a country of vast ethnicity with many castes, creeds, races, languages and religions. Like ethnicity, the geography of the country is also diversified with high Himalayan mountains, hills and plains (*terai* region). It is landlocked by India in south, west and east; and China in north. The country is classified as one of the poorest in the world with almost half of its population living below the poverty line.

According to the National Population Census of 2001, the total population of the country is 23.15 million with 49.94% males and 50.06% females. The annual population growth rate is 2.5% and the population density is estimated to be 157 persons per

square kilometer. More than 50% of the population lives in *terai* region. The highly heterogeneous Nepalese society is divided into four races and 61 indigenous ethnic groups, all of whom have their own language and culture. *Dalits* (untouchables) also comprise a large portion of the population.

According to the Census of 2001, 70.17% population was Hindu, 10.55% was Buddhist, 4.12% was Muslim, 3.53% was Kirat, 0.44% was Christian and 2.19% was from other religions. Though the Nepalese society is diversified, it believes in harmony and peaceful coexistence. The Nepalese respect and regard other religions and cultures.

2.2. Political Structure

The country is politically governed by multi-party parliamentary system with constitutional monarchy as a head of the state. The national supreme legislature body is the parliament, having two houses: Rashtriya Sabha (National Assembly), consisting of 35 members elected by the House of Representatives and 22 nominated by His Majesty the King; and Pratinidhi Sabha (House of Representatives) consisting of 205 elected members from throughout the country. The supreme executive body, headed by the Prime Minister, is responsible to the legislature. The supreme judicial body is the Supreme Court having its branches of appellate courts and district courts countrywide. Administratively, the country is divided into five regions (Eastern, Central, Western, Mid-Western and Far Western), 75 districts and 3,913 village Development Committees.

2.3. Socio-Economic Status

Nepal is predominantly an agricultural country. The main source of income of the country is agriculture, but most of the lands are not suitable for agriculture – 77% of the total land area

comprises sloppy mountains, hills and fragile areas covered by sand and snow. It is a reality that 6% of the population owns 46% of the cultivated land and 75% of the people own less than one hectare of land. About 90% of the total population (23.15 million) lives in rural areas where 95% of the people are poor.

Most of these rural poor are either self-employed in agriculture or are agricultural laborers. Majority of them have no option for alternative jobs other than seasonal agriculture. Besides unemployment, most of the people of rural areas are deprived of access to healthcare, education and safe drinking water. These are some of the factors which lead many people of hill and mountain areas to migrate to urban and *terai* areas.

Poverty, illiteracy, unemployment, high population growth rate and socio-geographic disparities are some of the main hindrances in the development of Nepal. Despite the fact that several efforts, both national and international, have been carried out for the country's development in the last five decades, the majority of the people are still faced with numerous problems.

More than half of Nepal's population comprises women, but their status is very low as compared to men. Similarly, the life expectancy in women is 59.5 years whereas for men it is 60 years. The maternal mortality rate is 539 per 100,000 live births while the infant mortality rate is 64 per 1,000 births. National statistics show that literacy rate of women is 42.5% as compared to 57.5% of men. Poverty is a major factor that makes the lives of Nepalese harder than that of other people in this region. The Nepalese women are the poorest of the poor. The Nepalese society is patriarchal in nature and boys are preferred over girls. So, the discrimination of women starts from their birth and continues till their death. Therefore, they lag far behind men in every sphere of life.

3. AREAS OF CONCERN

Being a member of the UN, Nepal has made its commitments on the following at the World Summit for Social Development held at Copenhagen in 1995:

1. Create a political, economic, social and legal environment that will enable people to advance social development.
2. Eradicate absolute poverty by a targeted date.
3. Support full employment as a basic policy goal.
4. Promote social integration based on the enhancement and protection of all human rights.
5. Achieve equality and equity between men and women.
6. Attain universal and equitable access to education and primary healthcare.
7. Ensure that structural adjustment programs include social development goals.
8. Increase resources allocated to social development.
9. Strengthen cooperation for social development through the UN.

4. EFFORTS MADE TOWARDS COMMITMENTS:

1. The Ninth Five-Year Plan (1997-2002) set a long-term vision of poverty alleviation.

2. The Plan has assumed that all the development activities are directed towards poverty alleviation.
 3. Emphasis has been laid on employment-generation.
 4. Steps have been taken to eliminate gender inequality and mainstream women in national development.
 5. In line with the 12 areas of action of Beijing Declaration 1995, a gender equity and women's empowerment national plan has been formulated.
 6. The government has planned to raise the literacy rate (53.74%), focusing on deprived groups and women.
 7. Basic healthcare and curative hospital services are being expanded.
 8. A long-term perspective has been prepared to reduce social inequalities.
 9. Greater cooperation has been extended to civil society organizations to promote socio-economic development.
 10. Formation of the Ministry of Women, Children and Social Welfare; National Women Council; National Human Rights Commission; and Dalit Maha Sangh.
- 5. EXISTING CHALLENGES:**
1. The government does not seem to be serious in creating conducive and suitable environment for social development activities.

2. The targeted poverty alleviation programs are not supported by appropriate mechanisms to reach the disadvantaged groups.
3. Poverty in Nepal is a structural problem stemming from inequality in access to resources.
4. Social and caste discrimination (though it is legally prohibited) is prevalent in the society.
5. The *Dalits* and other indigenous groups are mostly marginalized from development efforts.
6. Most of the rural poor still live hand-to-mouth and do not have access to development services.
7. Patriarchal values and gender biases make women disadvantaged and lower in status in comparison to men.
8. Most of the people of the rural areas have no access to basic healthcare. As a result, maternal and child mortality rates are one of the highest in the world.
9. Every day 12 women die due to pregnancy-related complications.
10. The literacy rate of the country is still very low: 57.59% for males and 42.5% for females.
11. Unemployment is a serious problem among the urban graduates as well as marginalized poor of the rural areas.
12. Corruption has become an accepted practice in the society.

13. Income gap between the rich and the poor is widening.
14. Improper utilization of the natural resources, and lack of mobilization of financial and physical resources.
15. Lack of coordination among government agencies and civil society organizations.

6. RECOMMENDATIONS:

1. Targeted people and communities should be involved in the implementation of development programs.
2. Policies and programs need should be designed and implemented to empower people for self-development.
3. Effective evaluation, monitoring and follow-up mechanisms should be developed to ensure the proper implementation of development programs.
4. Local self-help groups like CBOs and NGOs should be made partners in planning and implementation of development programs.
5. Women-focused projects should be encouraged and strengthened to empower women.
6. Maximum women participation should be encouraged in every sphere of life.
7. Women should be mobilized in delivering social and development services like education, healthcare, safe drinking water, environment conservation, irrigation, income generation, etc.

8. Annual national budget for social sector should be increased and the allocated budget should be properly utilized.
9. An effective mechanism should be developed and enforced to alleviate poverty.
10. The *Dalits*, indigenous people and other disadvantaged groups should be empowered through different means and brought in the mainstream of national development.
11. Opportunities for alternative job or employment should be created in the rural areas where most of the people are employed as seasonal agriculture laborers.
12. Conducive environment and suitable mechanisms should be developed to increase the active participation of the deprived and disadvantaged groups (*Dalits*, women, rural poor, indigenous people, etc.) in politics, decision-making and power structures of the country.
13. Corruption and dishonesty should be discouraged at all levels. A movement of character building should be launched to reduce all types of corruption and mal-practices in the society.

Lobbying – An Effective Way to Express Our Concerns

Hemachandra Basappa

1. INTRODUCTION

The 2nd People's Summit, held in Kathmandu from the 2 to 6 January 2002 to coincide with the XI SAARC Summit, set out the following objectives:

- Support SAARC on promoting the Convention on Combating and Preventing Trafficking in Women and Children for Prostitution.
- Lobby with SAARC in order to evolve legally-binding instruments on the control of small arms.
- Impart awareness to CSOs and networks on the SAARC Agenda.
- Identify priority issues for SAARC to consider.
- Lobby with the delegates of the SAARC Summit on the People's Agenda.
- Strengthen South Asian regional cooperation and provide a platform to CSOs to foster regional solidarity.

In Kathmandu, it was very quickly discovered that getting access to the SAARC leaders and their delegations, let alone passes to the Summit, by the gathered civil society was next to impossible. This was due to the existing security situation. However, despite unprecedented security measures in place, the representatives of NGOs and CSOs for the 2nd People's Summit did manage to

meet, although there was no chance for lobbying on issues as had been planned.

In addition to this, bilateral problems between India and Pakistan created a doubt if the SAARC Summit itself would be held at all. It was postponed to the next day, because the President of Pakistan was not able to arrive on time due to the airspace of India and Pakistan being closed to each other's airlines (the bilateral problems cannot be discussed under the SAARC Charter; Article X, Point 2 states that "Bilateral and contentious issues shall be excluded from the deliberations"). The closure of airspace also affected the arrival of the participants from Pakistan, as they had to take long flights via Dubai and Bangkok.

2. BACKGROUND TO THE RESEARCH STUDY

The discussions held at the People's Summit highlighted the need for the civil society representatives to prepare better and much in advance of the SAARC Summits in order to influence their discussions. A research study was undertaken by SAP-International to address this need.

2.1. Scope of the Research Study:

1. Understanding of SAARC as well as its Charter, Secretariat and governance structure.
2. SAARC Declarations in the light of poverty eradication, terrorism/small arms, economic cooperation, trafficking in women and children, environment, civil society, free/easier travel in the region, etc.
3. Major initiatives of SAARC.
4. Civil society participation in the SAARC process.

2.2. Assumptions Prior to the Research Study

Before beginning this study, some questions came to mind: How does the SAARC Secretariat function? Why doesn't it implement the Declarations made at the end of each Summit? What has happened to the various studies that it has undertaken? What about the Poverty Commission Report presented in 1992? What about the various Conventions passed at the Summits? Is there any implementation machinery? This research study sought to find answers to at least some of these questions.

3. UNDERSTANDING SAARC

3.1. Selected Portions of the SAARC Charter:

Article I (Objectives):

- Promote the welfare of the people's of South Asia and improve their quality of life.
- Accelerate economic growth, social progress and cultural development in the region to provide all individuals the opportunity to live in dignity and to realize their full potential.
- Promote and strengthen collective self-reliance among the countries of South Asia.
- Contribute to mutual trust, understanding and appreciation of one another's problems.
- Promote active collaboration and mutual assistance in economic, social, cultural, technical and scientific fields.
- Strengthen cooperation among themselves in international fora on matters of common interests.

- Strengthen cooperation with other developing countries.
- Cooperate with international and regional organizations with similar aims and purposes.

Article III: The Heads of State or Government shall meet once a year or more often as and when considered necessary by the Member States.

Article IV: A Council of Ministers, consisting of the Foreign Ministers of the Members States, shall be established.

Article V: The Standing Committee shall comprise the Foreign Secretaries of the Member States.

Article VI: The Technical Committees (TCs), comprising representatives of the Member States, shall be responsible for the implementation, coordination and monitoring of the programs in their respective areas of cooperation.

Article VII: The Standing Committees may set up Action Committees comprising Member States concerned with implementation of projects involving more than two but not all Member States.

3.2. The SAARC Secretariat

The SAARC Secretariat comprises the Secretary General, seven Directors and the general service staff. The Secretary General is appointed by the Council of Ministers upon nomination by a Member State on the principle of rotation in alphabetical order for a period of three years. Similarly, the seven Directors are appointed by the Secretary General upon nomination by the seven respective Member States for a period of three years.

Their main role of the Directors is to facilitate and coordinate meetings and discussions, and to gently remind the Members States of the various discussions and follow-up. They cannot force any Member State for lack of action on any issue that had been discussed. All they could do is to remind them of it at subsequent meetings. The work of the Secretariat is distributed as follows among the Directors:

Development Issues:

1. Poverty Alleviation.
2. Agriculture.
3. Rural Development.
4. Food Security.
5. SAARC Agricultural Information Center.
6. TC on Agriculture and Rural Development.
7. UNDP, ESCAP, FAO, WFP, etc.

Information and Media:

1. Press, Media and Website.
2. Information and Communications Technology.
3. Publications.
4. Library and Archives.
5. SAARC Audio-Visual Exchange Program.
6. SAARC Youth Awards Scheme.
7. SAARC Documentation Center.
8. TC on Communications and Transport.
9. ITU, APT, etc.

Social Development:

1. Health.
2. Population.
3. Women's Issues.

4. Children's Issues.
5. Other Social Issues.
6. SAARC Tuberculosis Center.
7. TC on Social Development.
8. UNICEF, UNFPA, WHO, UNIFEM, etc.

Human Resource Development:

1. Education.
2. Culture.
3. Sports and Youth.
4. Tourism.
5. SAARC Human Resource Development Center.
6. Visa/License Schemes.
7. Liaison with Nepalese NGOs.
8. TC on Human Resource Development.
9. ICAO, UNESCO, WTO, IPU, etc.

Treaty, Environment and Law:

1. Legal Issues.
2. Terrorism and Narcotic Drugs.
3. Energy, Environment, Meteorology and Forestry.
4. Migration Issues.
5. SAARC Meteorological Center.
6. Cooperation with International/Regional Organizations.
7. TCs on Energy, and Environment and Meteorology.
8. UNDCP, WIPO, IOM, UNEP, Colombo Plan, ILO, etc.

Trade and Transport:

1. Secretary General's Office.
2. Economic and Trade issues.
3. SAPTA.
4. SAFTA.

5. Relations with the Private Sector and SCCI.
6. Transport.
7. TC on Communications and Transport.
8. UNCTAD, ADB, WTO, EU, UNIDO, IBRD, IMF, NAFTA, etc.

International Cooperation, Administration and Finance:

1. General Administration and Security.
2. Finance and Accounts.
3. South Asian Development Funds.
4. SAARC-Japan Special Fund.
5. Administrative/Financial Aspects of Regional Centers.
6. Science and Technology.
7. Cooperation with International/Regional Organizations.
8. TC on Science and Technology
9. CIDA, ASEAN, etc.

The impression one gets, after viewing the number of issues that the SAARC is handling, is that there must be hundreds of meetings which are held at different levels throughout the year. The media seems to be either missing out on them or is reporting very little of them. In other words, these events are not being highlighted in the media as a Foreign Ministers or a Heads of State/Government meeting would.

Here, it is important to point out that it is inputs from these lesser-reported meetings that go into the meetings of Foreign Secretaries and Foreign Ministers, and later into the Heads of State/Government meetings.

For NGOs, this is an opportunity. If advance information about these scheduled meetings was available to them (through SAARC newsletter or website), they could share their concerns

with the relevant ministries in their own nations, and provide inputs into the meetings and the agenda items. It is at this level that inputs from the NGOs should begin.

For example, if there was a SAARC Conference of Environment, the NGOs in the Member States working on the issue of environment should write to their respective Ministry of the Environment and inquire about the forthcoming conference. They should begin the dialogue and send recommendations for consideration at the forthcoming Conference.

At the same time, a copy of the submissions should be sent to the SAARC Secretary General who needs to know the concerns of the NGOs in the Member States. In case these issues are not brought up for discussion, there is always the possibility that the Secretary General may refer to the NGO submission.

3.4. The SAARC Process and Governance

From the expectations of the civil society in the region and the media hype that entails SAARC Summits, one could easily believe that the SAARC Secretariat is the executive body and the SAARC Summits the legislature body. This needs to be better understood and one needs to differentiate as to what is the role of the SAARC Secretariat and what happens at the SAARC Summits.

Firstly, the SAARC Secretariat basically plays an advisory role to bring to the forefront the major issues of the region. In consultation with the Member States, it initiates reports/studies on these issues, co-opting eminent persons from the region as Members. These reports/studies are finally placed before the Summits for approval; which, however, does not make them mandatory or obligatory.

The Secretary General and the Directors then focus their attention on follow-up meetings with the relevant ministries in the Member States to initiate action relating to these reports/studies. The enforcement of their recommendations depends on the willingness of the Member States to bring about changes in their local laws and legislature.

The CSOs, especially NGOs, in the region (in particular those with regional offices in the SAARC Member States like the SAP Network) need to follow-up on the decisions made at the SAARC Summits, the Conventions that are placed and approved at these Summits and the reports/studies undertaken by the SAARC Secretariat. At the same time, they also need to create an effective lobbying force because unless pressure was built on the individual governments to bring about the relevant changes in their laws, the SAARC Conventions and the recommendations of these reports/studies could not be implemented.

The SAARC Secretariat can and may gently remind the Member States about their obligations, but it cannot do anything more. The Conventions on Preventing and Combating Trafficking in Women and Children for Prostitution and on Regional Arrangements for the Promotion of Child Welfare in South Asia were signed at the XI SAARC Summit in Kathmandu on 5 January 2002; but they have so far not been ratified by even one Member State, leave alone the question of their implementation.

4. MAJOR INITIATIVES OF SAARC

4.1. Technical Committees

The SAARC has taken several initiatives towards bringing forth the concerns and needs of the region. Under its Integrated Program of Action, there are seven Technical Committees (TCs) which focus on the following issues with periodic meetings:

1. Agriculture and Rural Development.
2. Communication and Transport.
3. Social Development.
4. Environment and Meteorology.
5. Science and Technology.
6. Human Resource Development.
7. Energy.

4.2. The SAARC Regional Centers

The SAARC has five Regional Centers, all of which focus on a different and specific issue which affects the entire region. All these are managed by a Governing Board, which includes the Director of the Centre and reports to the Standing Committee of SAARC. The list of SAARC Regional Centers is as follows:

SAARC Agricultural Information Center: It was established in Dhaka in 1988, and acts as a resource and clearing center to strengthen agricultural research and development. The Center has published several reports which contain information on agricultural institutions in the SAARC countries. It also publishes a quarterly newsletter.

SAARC Tuberculosis Center: It was set up in Kathmandu in 1992 with the objective of working towards the prevention and control of tuberculosis in the region. The Center coordinates the efforts of the National TB Programs of the Member Nations.

SAARC Documentation Center: It was established at in Delhi in 1994. The Center conducts training courses in the fields of library science and information technology.

SAARC Meteorological Research Center: It was established in Dhaka in 1995, and concentrates primarily on the research aspects of weather forecasting and monitoring.

SAARC Human Resources Development Center: It was established in Islamabad with the objective of undertaking research, training and dissemination of information on human resource development issues.

4.3. The SAARC Publications

Going through the SAARC publications, one feels that a tremendous amount of hard work has gone into their preparation. There are some excellent regional studies, texts of conventions and agreements, and record of meetings and discussions. A list of the SAARC publications is as follows:

1. **SAARC Summits (two volumes):** Text of the statements made by the Heads of State/Government during the SAARC Summits from 1985 to 1988 and from 1990 to 1995.
2. **From SAARC to SAARC (six volumes):** This document provides an account of the various meetings, held from 1980 to 1998, that proved to be milestones in the evolution of SAARC.
3. **SAARC Ministerial Meetings, April 1986 to August 1999:** It is a record of the meetings held during this period on the issues of Economy and Commerce; Women and Children; Environment; Poverty

Alleviation; Disabled Persons; Housing; Agriculture; Tourism; and Information Technology.

4. **Regional Study on Greenhouse Effect and Its Impact on the Region.**
5. **Regional Study on the Causes and Consequences of Natural Disasters and the Protection and Prevention of the Environment.**
6. **Meeting the Challenge:** This comprehensive document covers various aspect of poverty in the South Asian region. Its contents include detailed discussion on themes like magnitude and measurement of poverty, nature of poverty, inadequacy of the past development response, institution building for the poor, etc.
7. **The SAARC Eminent Persons Report:** The IX SAARC Summit held at Male constituted a Group of Eminent Persons, mandated to undertake a comprehensive appraisal of SAARC and to identify measures including mechanisms to further vitalize and enhance the effectiveness of the Association in achieving its objectives. The Report of this Group is titled *SAARC Vision Beyond the Year 2000*.
8. **SAARC and Women in Development, 1986-1990:** A report of the several meetings held on this issue in the first five years of SAARC.
9. **SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia.**
10. **SAARC Convention on Suppression of Terrorism.**

11. SAARC Convention on Narcotic Drugs and Psychotropic Substances.

12. Agreement on South Asian Preferential Trade Agreement.

13. Agreement on Establishing SAARC Food Security Reserve.

14. SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

5. REVIEW OF THE SAARC DECLARATIONS:

5.1. Poverty Alleviation

The issue of poverty and the quality of life in South Asia has been discussed at almost all the SAARC Summits. At the VI Summit, held in Colombo, the “Heads of State or Government decided to establish an Independent South Asian Commission on Poverty Alleviation, consisting of Eminent Persons from each Member State.” To further highlight the issue, in XI SAARC Declaration, “The leaders directed the Council of Ministers to coordinate efforts to integrate poverty alleviation programs into the development strategies of Member States.” In this context, they agreed to reconstitute the ISACPA and called its first meeting before the Ministers Conference in April 2002.

5.2. Terrorism/Small Arms

Small Arms have not as yet emerged as an agenda item under SAARC, though various Summits have reflected on the arms race, the need for disarmament efforts, etc. At the Male Summit, “The Heads of State or Government expressed concern that Member States were compelled to divert their scarce resources in

combating terrorism.” The issue of terrorism finds mention right from the II SAARC Summit. The SAARC Regional Convention on Suppression of Terrorism is a result of these concerns. At the XI Summit, “The Heads of State or Government reiterated their firm resolve to accelerate enactment of enabling legislation with a definite time-frame for the full implementation of the Convention together with the strengthening of SAARC Terrorist Offences Monitoring Desk.”

5.3. Economic Cooperation

Economic cooperation has been at the forefront of discussions at all the Summits. At the VI Summit, establishment of the South Asian Preferential Trade Agreement (SAPTA) was proposed. This was finalized in 1993 and came into effect in December 1995. This is to lead to SAARC Free Trading Area (SAFTA), as reflected in the XI SAARC Declaration: “Recognizing the need to move quickly towards a South Asian Free Trade area, the Heads of State or Government directed the Council of Ministers to finalize the text of the Draft Treaty framework by the end of 2002.”

5.4. Trafficking in Women and Children

The IX SAARC Summit took note of this issue and, at the X Summit, it welcomed a draft text to be signed at the XI Summit. Subsequently, SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution was signed at the XI Summit.

5.5. Environment

This is another issue of concern that has been taken note of in succeeding SAARC Summits. At the VI Summit, the Heads of State/Government took note of the Regional Study on the *Causes*

and Consequences of Natural Disasters and the Protection and Preservation of the Environment and directed the Council of Ministers to establish a Committee on the Environment. Another Regional Study on *Greenhouse Effect and Its Impact on the Region* was also taken note of at the Summit. At the XI Summit, the Heads of State/ Government called for the early and effective implementation of the SAARC Environment Plan of Action.

5.6. Civil Society

Civil Society finds reflection in almost all of the SAARC Declarations. This has helped in the emergence of the various SAARC Apex and recognized bodies.

5.7. Free/Easier Travel in the Region

Restrictions on various categories of persons have been lifted and travel has been made easier (where there are no bilateral tensions).

6. CIVIL SOCIETY PARTICIPATION IN THE SAARC PROCESS

The easiest way for South Asian civil societies to be involved in the SAARC process is as follows:

- 1.** Communicate their concerns to the SAARC Secretary General and the respective Director. In addition, communicate the same concerns to governments and parliamentary committees.
- 2.** Share their research work with SAARC Secretariat and the respective government.
- 3.** Go through the SAARC Newsletter and website to establish a line of communication with its Secretariat.

4. Establish linkages with experts in various areas, especially those consulted by the SAARC Secretariat, and bring forth to them their concerns.

6.1. SAARC Regional Apex Bodies:

1. **SAARC Chamber of Commerce and Industry:** It was established in 1992. Now, the Chamber has a permanent Secretariat, headed by a Secretary General, located in Pakistan.
2. **SAARCLAW:** It consisting of members of the legal profession in the SAARC countries and was accorded recognition in 1994.

6.2. SAARC Recognized Bodies:

1. **The Association of SAARC Speakers and Parliamentarians** was launched in 1992.
2. **The SAARC Architects** was accorded recognition in 1997 and its Secretariat is located in Sri Lanka.
3. **The Association of Management Development Institutions** was accorded recognition in 1997 and its Secretariat is located in India.
4. **The SAARC Federation of University Women** was accorded recognition in 1997.
5. **The South Asian Federation of Accountants** was accorded recognition in 1997.
6. **The SAARC Association of Town Planners** was accorded recognition in 1998.

7. **The SAARC Cardiac Society** was accorded recognition in 1998.

7. **INFLUENCING THE GOVERNMENT: TIPS FOR NGOs**

Most often NGOs have wondered, and will continue to wonder, why certain things happen the way they do. Whatever they do, the policies proposed by the government have the final say. These NGOs need to think ahead of government decision-making bodies and be aware as to how they function, who their advisers are and how they plan for any law or policy. It must be said here that not all of the government decision-makers are people without concern.

While lobbying, what one needs to accept as a fact is that governments have very little money to initiate new programs or even to implement the existing ones. Most of the revenue that they collect goes towards administrative costs, defense budget and debt-servicing. One should, therefore, be realistic and not expect rapid changes or quick solutions. We must think ahead and keep in mind that to change a given situation, it may take a number of years.

We must realize that governments may not concentrate only on our dream proposal since they have hundreds of schemes and projects to look after. Other unforeseen things may also happen – the policies are changed midway during a project to suit the political party that comes to power, the concerned official who takes a great interest in a program is transferred to a different department or gets retired, etc.

There are very few NGOs that monitor government's development projects or its applications for external loans to

initiate such projects. One should try to find answers to these questions: What allocations have been made for a certain sector? What does this sector need? What are the priorities within this sector? What aspects within this sector are not being adequately addressed? And what needs to be done?

Secondly, one must figure out as to who influences the government's policies and whom it consults. There are several people whom we, as concerned people, must get to know and keep in touch with, so that we can brief them on our opinion from time to time. A few of them are:

1. Individuals, NGOs and groups who make a lot of noise through periodic letters, memoranda and protests.
2. Powerful legislative and parliamentary committees who have been appointed to look into specific issues.
3. Government policy-makers. It has happened many times that the officer in charge of the implementation of a policy forgets to seek opinions or views well in advance of the time allocated and puts together a plan of implementation at the last minute.
4. Parliamentarians. If the ruling party members are too busy, try and meet with those in opposition. In case they come to power, you would have better access to them and they would be already familiar with you.

The broad recommendation is that NGOs working on any specific issue should concentrate on it. They must be dedicated to what they believe in. It is unfortunate that at present many NGOs are busy putting each other down. This must stop immediately and at any cost.

Since all of them are concerned about a specific issue, they should come together focusing on achieving the objective. The other thing NGOs must recognize is that they are all attempting solutions in their own way, given their own experience and exposure. They should not challenge each other's approach to an issue. Rather, they should carefully evaluate each other's work and give positive suggestions.

We cannot expect governments to change policies at our whims and fancies or just because we believe in something different. They too have procedures and rules and regulations by which they work and operate. Therefore, NGOs must choose the right time to approach the concerned department or official to obtain the maximum results.

The best time to influence policies or get greater allocation for any sector with which you are involved with is four to five months before the annual national budget presentation. So, NGOs should get their act together and start their campaign collectively at this time of the year through press releases, memoranda, correspondence, petitions and news conferences.

Once this process begins, they should test their support within the community by asking the people they work for and the people they know to write to governments about their concerns. It is not enough to have just one or two letters sent or one or two meetings held; a sustained campaign should continue till people in the government become familiar with the points that are being made and what is being sought.

At the same time, NGOs should hold meetings and discussions inviting ministers or the people in different government ministries as chief guests. These are the people one needs to influence. By the time the budget preparation phase comes, they

would have all come to our way of thinking or, at least, be aware of the concerns of NGOs. One must create this awareness.

Most often, individuals and NGOs make statements without any basis or generalize situations. They need to be specific as well as substantiate their findings and recommendations with solid facts and figures. Moreover, it is not just enough to criticize a given situation; one also needs to have viable alternatives. Your information should be authentic, with which you can challenge anyone. Half or inadequate information will create doubts in the minds of people and your very objective of challenging the government's priorities or statistics will fall apart.

The NGOs also need to know the research institutions as well as their faculty and students. They should explore the areas these are doing research on, so that their researchers could be invited to give talks or present papers about their work. Do get the media persons to cover these events. If they do not come, send them reports of these events.

8. LOBBYING AT A SUMMIT/CONVENTION

The draft agenda for the Summit/Convention has been resolved. The discussions on the agenda items have already taken place in the national capitals. Most of the delegates' minds have been made up. The Summit/Convention is being held over three or four days in closed sessions, with the public invited just for the inaugural and closing sessions. But, we also have our list of concerns – which may not be reflected in the agenda – and we want to highlight them. How to do this?

Discuss your concerns with as many people as you can. Be very thorough and clear about what you hope for. Quickly identify where the international media works from. Divide your team to

target the delegates, media persons and whoever has gathered here. Give them copies of your memoranda or leave it for them in their hotel rooms. Copies must also be delivered to all the embassies. Address them to the Ambassador, the First Secretary and the visiting Heads of State/Government.

To broaden the coverage of one's concerns, copies must be sent to all UN and other international aid agencies. Ensure that copies are also sent to the local media and those international news agencies with local offices. Do not forget other NGOs. It must be ensured that there is a return address on the memoranda and the names of the people signing or issuing it along with their addresses, both postal and email. If you are allowed into the Summit/Convention hall and allowed to ask questions, draw up a list of questions you plan to ask. Seat yourselves or stand in different parts of the hall. Every one of you must try and get a question in. Be careful to listen carefully to what is being asked and what responses are being given.

Do not make the mistake of getting a chance and asking a question that has already been asked or answered. If you are not given a chance to ask questions, request the media persons present to ask one of your questions. Importantly, whatever the response, do not argue! Make sure that someone writes a complete report of the activities planned at the Summit/Convention. Unless this is done by those who have been involved in the whole process, a few years down the line people would have forgotten about the struggle. Finally, your approach should always be non-violent and peaceful. Do not attempt anything in isolation, but always work jointly and collectively. If a well-planned campaign or protest does not bear the expected results, do not lose heart. Try and figure out as to why certain things did not happen the way you had planned. Learn from mistakes!

THE MEDIA RESPONSE

The Summit received an unprecedented response from both print and electronic media in terms of a civil society event. Almost all the major newspapers and television channels gave enormous coverage to the event on daily basis. One reason for this was that a well-elaborated media strategy had been prepared much in advance of the Summit to ensure appropriate coverage for this important event.

A dedicated team comprising SAP-PK staff members with media background was responsible for the operationalization of this media strategy. Its implementation started with issuance of press releases to various newspapers as well as publication of articles on the concept and objectives of People's Summits. Some of the leading newspapers also organized fora to provide the Summit team with an opportunity to discuss its details at length.

Initially, the outreach of activities was limited to Lahore, where the host organization is based. However, totally aware of the importance of involving the media of Islamabad, the venue of the Summit, a visit was organized about a week before the event to meet with the editors and senior journalists of the City, and apprise them of the importance of the Summit. One of the team members stayed behind till the end of the Summit to maintain regular liaison with the media of Islamabad. A meeting was also held with the office bearers of Rawalpindi Press Club to seek their help with regard to appropriate coverage of the event.

This visit proved to be very useful as the Summit remained the center of media attraction in the twin cities of Rawalpindi and Islamabad. The press conference preceding the Summit set the tone for the rest of the event. Along with the inaugural ceremony and the press conference that concluded the Summit, it was the best proof of the success of the media strategy employed to get befitting response to the Summit.

Importantly, the response of the vernacular media, which mostly ignores such activities, was as encouraging as that of the English media. Once again, this was a result of the media strategy that stressed on taking along media persons associated with the vernacular press. Another important feature with regard to media coverage of the Summit was that many of the participants, especially those from other countries, were interviewed by the local newspapers as well as invited to thematic discussions as experts. Similarly, many television channels organized talk shows with them on both general and specific themes.

Before moving on to a selection of ten news stories and articles published on the Summit in the English media, it would be appropriate to thank the following:

Dailies and Weeklies: *Jang, The News, Dawn, Nawa-i-Waqt, The Nation, Times, Khabrain, Din, Pakistan, Ausaf, Express, Business Recorder, The Frontier Post, Pakistan Observer, Kainaat, Ibrat, Kawish, Nida-i-Millat and Independent.*

News Agencies: Associated Press of Pakistan (APP), Online, Sana News and News Network International (NNI).

TV Channels: Pakistan Television (PTV), Geo TV Network, Indus Vision TV, ARY Television and Al-Jazeera TV.

Individuals: Mufti Jamiluddin Ahmed (*Dawn*), Muhammad Anis (*The News*), Rauf Arif (*The Nation*), Sardar Sheeraz Khan (*Dawn*), Jonaid Iqbal (*Dawn*), Waseem Abbasi (*The Nation*), Sajid Abbasi (*Pakistan Observer*), Aman Azhar (*Independent*), Asad Abbas (*Nawa-i-Waqt*), Asif Sidhu (*Jang*), Wajid Ali Syed (*Times*), Mohsin Babbar (Sustainable Development Policy Institute), Nawaz Raza (Rawalpindi Press Club) and Naeem Mirza (Aurat Foundation).

People’s Summit to Discuss Themes for a Peaceful South Asia

Mufti Jamiluddin Ahmed

Pious hopes. Determined efforts by “peace activists” and “well-meaning scholars” in South Asia. And yet the dream of a friendlier, calmer region seems to be a far cry (if one surveys the landscape, as it were, of the last fifty four years).

“But the effort must continue,” insisted Mohammad Tahseen, Executive Director, South Asia Partnership-Pakistan, which is hosting the “3rd People’s Summit” in Islamabad from January 11-13 to share the “collective responsibility to find ways to solve problems that have oppressed our communities for generations”.

At a joint press conference, where delegates from Sri Lanka, Bangladesh and Nepal were also present, it was emphasized that the Summit will create an opportunity for the South Asian civil society to meet and discuss the common issues that are being faced by the people of the region. Experts and academics from the region will discuss “the people's viewpoint and will recommend alternative implementation strategies around the issues that are on the agenda of the SAARC.”

Startling statistics were given to show that the defense expenditure being incurred in this region could educate 190 million children in primary schools, provide safe drinking water to 200 million people and make hospitals available to 190 million people. One-fifth of the world population lives in South Asia which unfortunately shares 43% of the global poverty – 330 to 340 million in this area live in this dismal poverty. As many as 125 million children don't go to schools and 375 million people are totally illiterate. 10% of the total population, that is 110

million people, don't get safe drinking water. This was contrasted with US\$ 14 billion which are spent on arms and ammunition annually by South Asian states in the name of defense.

No one in his right mind would welcome such horrible statistics. But then the problems that beset the region, and don't allow the atmosphere of peace to prevail, were also put up by some correspondents: "Isn't the Kashmir issue the biggest hurdle in the way of good relations between India and Pakistan?"

"Kashmir is a genuine issue of human rights violations and it should be solved by people of Kashmir on both sides as envisaged in the UN resolutions. Kashmir is not a question of territory. It pertains to the rights of the people of Kashmir," was the reply.

Mr. Tahseen was critical of India for refusing to have a dialogue with Pakistan, and thought that it was all the more important that unofficial channels like this one should continue to meet. He also emphasized the necessity for creating new spaces in relations and formulating new paradigms in place of stereotypes.

Mr. Tahseen also condemned the American war on terrorism, which he thought was a "war on the poor people of the world and civil liberties." Any possible attack on Iraq he called "bombing blood for oil". He said: "The Summit also wants to make people aware of the agenda of the IMF and WTO which was sapping the economic energies of the region."

The inaugural ceremony will be held on Saturday at the National Library. More than 500 social and human rights activists, development workers and civil society representatives as well as representatives from some foreign embassies will participate.

The remaining program will be at a local hotel. The Summit is open to all concerned individuals, NGOs, students, community-based organizations, trade unions, women's movements, issue-based networks and civil society organizations.

The five themes of the summit are: 1) *Trafficking in Women and Children*; 2) *Peace and Regional Cooperation*; 3) *Poverty Eradication*; 4) *Social Development*; and 5) *Governance*. Since the XII SAARC Summit has been postponed, the convening of the concerned parties at the Summit is made all that more crucial in formulating a strong people's agenda for the SAARC Summit that will take place later in the year. A total of 30 delegates from SAARC countries are listed in the program.

Mr. Tahseen complained about visas not being granted to some Indian delegates as yet, but also said that one Indian delegate is likely to come. He also condemned the government of India for not granting visas to many Pakistani delegates in a recently concluded forum at Hyderabad, India. He thought that our government would have been on high moral ground if they would have given visas to all Indian delegates.

Muhammad Jahangir of Center for Development Communication, Bangladesh; Punya Prasad Khanal of CCAWT-Nepal; Dr Wijaya Jayatilaka of Sri Lanka Foundation Institute; and Chamila Thushani Hemmathagama and Manik Perera Gunatilleke of SAP-International also spoke on the occasion.

(Published in Daily Dawn, Saturday, 11 January 2003)

South Asian People's Summit 2003 Opens Today **Non-Issuance of Visas to Participants by** **Pakistan, Indian Governments Flayed**

Muhammad Anis

The organizers of the 3rd South Asian People's summit 2003 have condemned the governments of India and Pakistan for refusing visas to people of the two countries belonging to different fora.

Addressing a press conference here on Friday, Executive Director, South Asia Partnership-Pakistan (SAP-PK), Mohammad Tahseen, said that the people of two sides are suffering due to non-resolution of outstanding issues between the two countries. He said that recently some Pakistani human rights activists were not issued Indian visa and in return the Pakistan High Commission in New Delhi refused visa to Indian delegation intending to attend the three-day Summit starting here from today (Saturday). "Pakistan could have kept moral and political pressure on India by allowing Indian delegation to attend the Summit," he said.

Mohammad Tahseen said the Summit would fill in the vacuum created by the postponement of XII SAARC Summit. "It will create an opportunity for South Asian civil society to meet and discuss the common issues that are being faced by people of the region," he added.

The SAP-PK Executive Director said the Summit would focus on five main issues including trafficking in women and children, peace and regional cooperation, poverty eradication, social development, and governance. "Through exchange of ideas, we

hope to build a strong agenda for action that would push for a positive change in South Asia,” he said.

However, he regretted that none of the recommendations of the previous two South Asian People’s Summits has been adopted by SAARC. He said that a number of cultural pacts and agreements have so far been signed, but none of them has been implemented or published in shape of a document.

Mohammad Tahseen said the governments in South Asia have been following agenda of the IMF, the World Bank and super powers against wishes of their people. “Our governments feel that their people can do nothing good without their permission,” he observed.

Talking about the Kashmir issue, he condemned atrocities on Kashmiri Muslims saying that it was up to Kashmiris to decide their fate. “It is high time for governments to bring together true representatives of Kashmiris from both sides to address the issue,” he suggested. He said that it would be unjustified if the United States attacked Iraq. “We will resist and condemn any attempt of attacking Iraq,” he assured.

Dr. Wijaya Jayatilaka from Sri Lanka deplored the fact that the South Asian countries could not fulfill the expectations of their people even after half a century of independence from colonial powers. “There is only one solution to the people’s problems and that is true democracy,” he said. Muhammad Jahangir from Bangladesh said that the situation in South Asia as far as plight of people is concerned is disappointing. “But we should continue our struggle and we must continue raising voice in favor of our demands,” he said.

(Published in Daily The News, Saturday, 11 January 2003)

3rd South Asian People's Summit Opens Today
**Possible US attack on Iraq Termed as Act
of Terrorism**

Rauf Arif

South Asia Partnership-Pakistan (SAP-PK) has strongly opposed possible attack on Iraq by the US, declaring it an act of terrorism in the name of 'War Against Terrorism'.

"It will be a devastating blunder and grave crime against humanity to bomb Iraq," said Mohammad Tahseen, Executive Director, SAP-PK, at a press briefing here at a local hotel on Friday. He said: "We, the civil society representatives of South Asia, at the start of the 3rd South Asian People's Summit, express our firm belief in the sovereignty of states."

Mr. Tahseen was expressing these views while giving a media briefing on the Summit starting today. Other keynote participants who spoke on the occasion were Muhammad Jahangir (Center for Development Communication, Bangladesh), Punya Prasad Khanal (CCAWT-Nepal), Dr. Wijaya Jayatilaka (Sri Lanka Foundation Institute), and Chamila Thushani Hemmathagama and Manik Perera Gunatilleke (SAP-International).

During his welcome address to the guests from other South Asian states, Mohammad Tahseen expressed his disappointment over the fact that the participants from India were finding it very difficult to get visas to come to Pakistan.

He alleged that both the Indian and Pakistani states were behaving in similar manner, and trying to stop their people to meet with each other and to raise their voices for peace and harmony.

Responding to a question, he strongly criticized the policies of India regarding Kashmir issue. “Kashmir is the problem of Kashmiris and it must be solved by them,” he said, adding “It is not a question of territory, but a question of right and liberties.”

The SAP-PK Executive Director said that the Summit is a mechanism to pressurize SAARC states that now they should think about implementing their protocols. “The SAARC states have signed protocols on trafficking in women and children, small arms, and social policy but there is no sign of implementing mechanisms.”

“We the people have a collective responsibility to find ways to solve problems that have oppressed our communities for generations,” he maintained.

Speaking on the occasion, Dr. Wijaya Jayatilaka from Sri Lanka deplored the fact that the South Asian countries could not fulfill the expectations of their people even after half a century of liberty from colonial powers. He added that there was only one solution to people’s problem and that was true democracy.

(Published in Daily The Nation, Saturday, 11 January 2003)

South Asian Rulers Promote Jingoism for Vested Interests

Sardar Sheeraz Khan

The corrupt leaderships in the South Asian states are preaching jingoism and discouraging every initiative, which gives their masses an opportunity to meet and discuss their common problems, was the consensus opinion of the speakers at the inaugural ceremony of the 3rd South Asian People's Summit held at National Library Auditorium here on Saturday.

Mr. I. A. Rehman of Human Rights Commission of Pakistan (HRCP) appreciated the fact that people of South Asia had succeeded in meeting despite hesitation of their governments.

Mr. Rehman said the South Asian states were excessively abusing their ideologies to promote violence and jingoism. He said the 9/11 incident had damaged judicial system in South Asian countries. The states, he said, were inclined to reject their South Asian identity and were increasingly displaying disrespect for their civil societies. But the only good thing, he added, was that the South Asian people differ with the ideologies of their states.

Talking about Kashmir, Mr. Rehman said the issue originated from the inadequate partition plan, which allowed both India and Pakistan to clutch at any of the portions that suited their interest. They have fought three wars and committed their scarce resources to war preparations, he added.

He said that the people in both the countries have had to pay a huge price for keeping the Kashmir cauldron on the boil. He also said that the current arms race between the two countries

seriously threatened South Asia's prospects and its ability to progress. Above all, the people in the disturbed parts of Kashmir are being made to pay a heavy price in life and property for their policies, he added.

Mr. Rehman said that there was reason to believe that the period, when the establishments in each of the two countries considered the Kashmir dispute useful to their own survival, was coming to an end. Both are finding the cost unbearable, notwithstanding Islamabad's declaration that its commitment to the Kashmiri people cannot be affected by the cost of the sacrifice it may have to bear, and the New Delhi's nurturing of the illusion that it has the means to pay for military solution in Kashmir, he added.

How their shared weariness of confrontations over Kashmir can be transformed into a willingness to seek a workable settlement or even to consider third party suggestions towards that end, is now the questions facing anyone who cares for the long-term interests of the people of South Asia and realizes the effect their quarrel has on the rest of the world.

Mahbubul Karim, representing PROSHIKA, Bangladesh, said South Asia, like other regions, was fragmented between haves and have-nots, and the powerful and the powerless. He said to fight against this fragmentation was the main target of the civil society of this region and the only viable solution to this problem lay in coordination and harmony between people, he added.

Dr. George Mathew, the only participant from India, criticized the Indian government for refusing visas to known human rights activists from Pakistan. He said that the cost of the nuclearization and militarization of the South Asian states was poverty and illiteracy of the masses.

With nuclear bombs, India and Pakistan were being seen as more dangerous states while foreign investment was illusive. We will have to understand that information, rather than arms, was the real power, he added.

Dr. Wijaya Jayatilaka deliberated upon the issue of good governance. He said that good governance meant transparent governments, social justice and freedom of expression. But, he added, the South Asian governments were following the dictates of the IMF in the name of good governance.

Executive Director, Shirkat Gah, Ms. Khawar Mumtaz, gave a briefing on the social charter being prepared under the protocol of SAARC. She said that a visionary citizen's charter was needed to promote the interests of the people, make governments accountable, shift the security paradigm and pressurize the governments to shun their anti-people policies and conflicts.

Ms. Bushra Gohar, Vice Chairperson, SAP-International, thanked the participants and the guests. She said that people's agenda was crucial for sustainable development of South Asia. The process may be slow but our goal is not impossible, she said.

(Published in Daily Dawn, Sunday, 12 January 2003)

Dialogue at People's Level among SAARC States Stressed

Jonaid Iqbal

The people have triumphed and they have been able to meet to voice their urgent needs, even though the governments have postponed the SAARC Summit, viewed HRCP's Director, Mr. I. A. Rehman, at the inaugural session of the 3rd South Asian People's Summit here on Saturday.

Mr. Rehman said: "Our governments are determined not to allow us to meet. They are afraid of the people." A multi-dimensional curse leading to abuse of ideology succeeded in dividing the common citizens of the region, he remarked.

The tone of the inaugural session was set by Mr. Mahbubul Karim from PROSHIKA, a Bangladeshi NGO. He urged the people of the region to carry out people-to-people dialogue for achieving greater coordination.

He said that the region had the poorest, most illiterate and most deprived population, and advocated an alternative paradigm to save the people from the destructive effects of highly flawed market forces of globalization, which were leading them to despair.

Dr. George Mathew was the only delegate from India to make it to the Summit. He is director of the Institute of Social Sciences, New Delhi. The SAARC region was the most deprived region with very low levels of human development and yet it was exposed to war-mongers who reveled in stockpiling nuclear weapons at phenomenal expenditure that could be diverted to social sectors, he said in the opening statement.

“We do not feel safe with nuclearization and must ensure the end of the suicidal policy of national chauvinism – to replace it with a policy to achieve reconciliation among the inhabitants,” he told the audience.

SAP-Nepal’s Ms. Savitri Thapa spoke of difficult situation in her country, where development activities had become paralyzed due to internecine conflict.

Sri Lanka’s delegate Dr. Wijaya Jayatilaka focused on policies of good governance during which he referred to the IMF and the World Bank’s conditionalities. The life of individuals from different walks of life was enmeshed in harsh problems, which was being accentuated by arbitrary policies of respective weak governments who were fond of introducing excessive rules and regulations and laying down priorities which were inconsistent with resources. The citizens must play an active role and raise their voice in favor of good governance, he added.

Pakistani delegate Mr. Karamat Ali called for making identical rational labor policies in SAARC countries to protect laborers and workers whose rights were being curtailed. He advocated ‘legitimacy of the SAARC organization’ among common people in addition to government level negotiations.

(Published in Daily Dawn, Sunday, 12 January 2003)

Corrupt Rulers Keeping South Asia Masses Apart

The South Asian states under their corrupt ruling elites have developed vested interests in keeping jingoism alive while not allowing their people to interact with each other freely. This was the crux of feeling expressed by the speakers at 3rd South Asian People's Summit, which began here on Saturday at National Library Auditorium.

The speakers said that the South Asian states were fanning the fire of communalism and, on the other hand, discouraging every initiative which gives their masses an opportunity to meet and discuss their common problems.

The ceremony was chaired by Vice Chairperson, SAP-International, Ms. Bushra Gohar, while Dr. Wijaya Jayatilaka (Sri Lanka), Mr. Mahbubul Karim (Bangladesh), Ms. Savitri Thapa (Nepal), Dr. George Mathew (India), and Mr. I. A. Rehman, Ms. Khawar Mumtaz and Ms. Karamat Ali (all from Pakistan) addressed on the occasion.

The only participant from India, Dr. George Mathew, came down hard on Indian government for refusing visa to Pakistani human rights activists. "It was not less than a shock for me," he said. Terming SAARC a dead organization, he said that it was unable to settle regional issues peacefully. "The cost of nuclearization and militarization of the South Asian states is the poverty and illiteracy of the people," he added. With nuclear bombs, India and Pakistan are being seen as the most dangerous states while foreign investors are illusive. "We all have to understand that information rather than arms is the real power," he said.

Mr. Mahbubul Karim said that social and economical divide was prevalent in South Asia. “The fight against this fragmentation is the main target for the civil society of the region,” he said, adding that the only viable solution for this problem was the coordination between the people of the region.

He said that the states, keen to follow the conditions of WTO, have excluded their people from the decision-making process without thinking that these policies had made the region most poor, violent and illiterate. Ms. Savitri Thapa said that her country was facing tough time due to ongoing Maoist insurgency that has paralyzed development projects.

Mr. I. A. Rehman of HRCP expressed his pleasure that people of South Asia managed to meet despite the hurdles created by their governments. “Our states are excessively abusing ideology to promote violence and chauvinism.” he said.

Dr. Wijaya Jayatilaka deliberated upon the issue of good governance, saying that it means transparency, justice and political freedom. However, he deplored that the South Asian states were following the IMF dictates in the name of good governance.

Ms. Khawar Mumtaz briefed the audience on the social charter being prepared under the protocol of SAARC. Ms. Bushra Gohar said that people’s agenda was crucial for sustainable development of south Asia. “The process may be slow but our goal is not impossible,” she said. Interactive Resource Center presented a theater performance on the theme of peace between India and Pakistan on this occasion.

(Published in Daily The Nation, Sunday, 12 January 2003)

People's Summit Calls for Nuclear Weapons-Free South Asia

Sardar Sheeraz Khan

The participants of the 3rd South Asian People's Summit have called for making South Asia a nuclear weapons-free zone and putting complete restriction on nuclear and missile programs by India and Pakistan through signing of NPT and other disarmament agreements.

This was stated by Ms. Bushra Gohar, Vice Chairperson, SAP-International, on Monday in a news conference held at a local hotel. She was flanked by Mr. Mohammad Tahseen (SAP-Pakistan), Mr. Syed Nurul Alam and Mr. Mahbubul Karim (Bangladesh), Dr. Surendra K. C. (Nepal), and Dr. Padma Ratnayake (Sri Lanka).

She announced the joint declaration of the Summit. It reads that: "This representative assembly of civil society organizations and networks of South Asian countries (Bangladesh, India, Nepal, Pakistan and Sri Lanka) reiterates the pledge to promote people's struggle for a peaceful, democratic and prosperous South Asia". The assembly also opposed all actions and policies that promoted militarization, jingoism, extremism and exploitation.

"Realizing that regional cooperation is the most important prerequisite for the progress of the people of South Asia, especially in the face of increasing globalization, this assembly deplores the postponement of the XII SAARC Summit and calls for its immediate convening." the declaration read.

"This assembly also condemns the recent denial of visas to peace and human rights activists by the governments of India and

Pakistan, and terms these actions as detrimental to efforts for promoting peace and regional cooperation. It demands that the visa regimes should be eased and the states of India and Pakistan immediately should stop harassing, humiliating and victimizing visitors.

“This assembly further calls upon these governments to allow all citizens of SAARC countries visas at the port of entry, as is done by Sri Lanka and Nepal. It demands that all communication and travel links among South Asian countries, especially between India and Pakistan, should be immediately restored.

“This assembly takes serious note of the increasing use of repressive measures by the South Asian states against rights-based people’s movements, and calls upon these states to initiate dialogue with these movements and set up political processes for the solution of intra-state conflicts in the region.

“This assembly condemns the rise of religious extremism in the region and its covert state patronage through fanning religious and communal hatred, and jingoism. It also demands immediate de-weaponization of all religious, quasi-religious and other militant groups.”

Ms. Bushra Gohar said that the summit, in order to fulfill its responsibilities regarding peace and tranquility in the region, had made the following specific recommendations to the governments of South Asian states:

- Promote the autonomy and independence of democratic institutions, especially by guaranteeing the independence of judiciary by making it effective, approachable and affordable.

- Ratify and implement the SAARC Convention on Preventing and Combating Trafficking in Women and Children 2002.
- Involve civil society organizations in all efforts by the SAARC Secretariat that aim at promoting cultural exchanges in the region and strengthening the South Asian identity.
- Promote traditional arts, crafts, and information and knowledge systems to protect the cultural rights of the underprivileged sections of the society.
- Coordinate and harmonize policies in accordance with the local institutions and civil liberties of the people.
- Ensure the participation of women, children and youth in the decision-making processes; and provide them with legal protection against violence, exploitation and marginalization.
- Guarantee active collaboration among their planning authorities to harmonize inter-state policies with the objective of ensuring that an increasing percentage of GDP is devoted to the social sector.
- Set up a comprehensive regional convention on small arms and light weapons to investigate, expose and curb illicit arms trade and trafficking across South Asia; and introduce a common legal framework for the region to effectively counter this menace.
- Provide aid and protection to victims of trafficking following a rights-based approach.

- Review and update the governing principles of SAARC to ensure that the smooth functioning of the forum is not jeopardized.
- Ratify all declarations, conventions and protocols on human rights and civil liberties; and ensure their effective implementation by setting up efficient monitoring mechanisms.

(Published in Daily Dawn, Tuesday, 14 January 2003)

People's Summit Calls for Reactivation of SAARC

Waseem Abbasi

Demanding immediate convening of SAARC Summit, the 3rd South Asian People's Summit has asked the member countries to make the region a peaceful and nuclear weapons-free zone and resolve their conflicts through dialogue.

The Summit, which concluded here on Monday, also expressed serious concern over the imminent outbreak of the war in the form of US led attack on Iraq in the name of disarming it, with or without United Nations. "We completely reject any unilateral action by the US or any other country," the participants said adding that all the conflicts should be resolved through peaceful means under the aegis of the UN.

"This representative assembly of civil society organizations and networks of South Asian countries (Bangladesh, India, Nepal, Pakistan and Sri Lanka) reiterates the pledge to promote people's struggle for a peaceful, democratic and prosperous South Asia; and commits to actively oppose all actions and policies of state and non-state actors that promote militarization, jingoism, extremism and exploitation." read the declaration of the three-day Summit organized by South Asia Partnership-International.

Addressing a press conference after the Summit, the Vice Chairperson of SAP-International, Ms. Bushra Gohar, said that SAARC must be reactivated so that it could play its role for the progress of the region. She was also accompanied by Mr. Mohammad Tahseen from Pakistan, Mr. Syed Nurul Alam and Mr. Mahbulul Karim from Bangladesh, Dr. Surendra K. C. from Nepal and Dr. Padma Ratnayake from Sri Lanka.

Ms. Bushra Gohar said that human rights violation in Kashmir was discussed during the Summit. She added that bilateral issues must be discussed at SAARC Summits rather than allowing other forces to intervene in the South Asian affairs.

To a question, Mr. Mohammad Tahseen replied that Musharraf's offer to India for talks on nuclear weapons-free South Asia must be appreciated. He condemned the Indian Government for not accepting this offer. However, he came down hard on nuclear program of Pakistan and said that these so-called strategic assets became the weakness for the country during US attack on Afghanistan as Musharraf had argued that Pakistan supported US to save its nuclear assets.

In the declaration, issued after the Summit, civil society representatives deplored the postponement of the XII SAARC Summit and called for its immediate convening. The assembly also condemned the recent denial of visas to peace and human right activists by the governments of India and Pakistan and termed these actions as detrimental to efforts for promoting peace and regional cooperation.

The assembly called for restoration of travel links among South Asian countries, especially between India and Pakistan. It also condemned the rise of religious extremism in the region and its covert state patronage through fanning religious and communal hatred, and jingoism; and demanded immediate dewaterization of all religious, quasi-religious and other militant groups.

The assembly demanded that South Asia should be made a nuclear weapons-free zone, and the nuclear and missile programs of India and Pakistan should be completely frozen. It also urged both the countries to forthwith start negotiations for this purpose and sign NPT and other disarmament agreements.

The recommendations in the declaration included strengthening of democratic institutions through independence of judiciary; and participation of women, children and youth in the decision-making processes, and provision of legal protection to them against violence and exploitation.

It was recommended that the SAARC Secretariat should associate civil society organizations in all efforts to promote cultural exchange in the region and to strengthen South Asian identity. The assembly also demanded of the SAARC states to increase their percentage of GDP devoted to social sector. Setting up of a comprehensive regional convention on small arms and light weapons to curb illicit arms trade was also recommended.

“This assembly also rejects the US-led war against terrorism, wherein the country has arrogated to itself the determination of both terrorism and terrorist as per definition of its convenience. While this assembly denounces all forms of terrorism by non-state and state actors, it believes that terrorism can only be eliminated by addressing its root causes that are embedded in injustice, inequality and exploitation at national as well as international level.” the declaration read.

(Published in Daily The Nation, Tuesday, 14 January 2003)

SAP Seeks Nuclear Free South Asia **Urges Member States to Reactivate SAARC Forum**

Sajid Abbasi

The 3rd South Asian People's Summit 2003, a representative assembly of civil society organizations and networks of South Asian countries, stressed the need to review the existing SAARC Charter, enabling the member countries to discuss their bilateral contentious issues pertaining to peace and stability in the South Asian region through the SAARC Summits

While deploring the postponement of the XII SAARC Summit, the representatives of the 3rd People's Summit on Monday called for the early convening of the SAARC Summit in order to discuss the multifarious issues confronted by the member countries. The 3rd People's Summit was attended by the representatives of Bangladesh, Nepal, Sri Lanka, India and Pakistan. Most of the Indian representatives could not make their presence in the Summit due to the visa restrictions.

The 3rd South Asian People's Summit issued a joint declaration during a press conference demanding that South Asia should be made a nuclear weapons-free zone and nuclear and missile programs by India and Pakistan completely frozen to ensure peace and stability in the region.

“The leadership of the two countries should realize that their people are suffering from worst poverty, ignorance and backwardness. In such circumstances, race for obtaining nuclear weapons by the two arch-rivals is nothing but madness. Let's work for the welfare and security of your people instead of spending huge money on defense,” suggested the representatives of the Summit.

They also called upon both India and Pakistan to start negotiations for the peaceful settlement of the core issue of Kashmir between the two nuclear armed neighboring countries which, they said, have endangered peace and security in the region.

The participants of the Summit condemned the recent denial of visas to peace and human rights activists by governments of India and Pakistan and termed these actions as detrimental to efforts for promoting peace and regional cooperation.

“The visa regimes should be eased and the states of India and Pakistan immediately stop harassing, humiliating and victimizing visitors, allowing all citizens of SAARC countries visas at the port of entry as is done by Sri Lanka and Nepal,” demanded the Summit participants.

Condemning the rise of religious extremism in the region, the assembly called for immediate de-weaponization of all religious, quasi-religious and other militant groups. It recommended that the SAARC member states should set up a comprehensive regional convention on small arms and light weapons to investigate, expose and curb illicit arms trade and trafficking across South Asia.

The Summit also recommended immediate ratification and implementation of the SAARC Convention on Preventing and Combating Trafficking in Women and Children 2002.

The assembly stressed that all the communication and travel links among South Asian countries, especially between India and Pakistan, should be restored in order to bring closer the people of these countries.

The Vice Chairperson of South Asia Partnership-International, Ms. Bushra Gohar, during the press conference said that the governing principles of SAARC need to be reviewed and updated to ensure that working of the forum is not jeopardized.

She also said that the SAARC states should immediately ratify and start implementing all declarations, conventions, protocols on human rights and civil liberties, and set up effective monitoring systems.

Taking serious notice of the imminent outbreak of war in the form of US led attack on Iraq, the assembly rejected any unilateral action by the US or any other country. It also rejected the use of war as a means to resolve international disputes and reiterated that all such conflicts should be resolved through peaceful means under the aegis of the UN.

The Summit representatives maintained that terrorism could only be eliminated by addressing its root causes that are embedded in injustice, inequality and exploitation at national as well as international level.

(Published in Daily Pakistan Observer, Tuesday, 14 Jan 2003)

Need for People's Agenda

Aman Azhar

Civil society organizations from South Asian countries last week vowed to oppose all actions and policies that promote militarization and extremism, and perpetuate exploitation in the region already bubbling with confrontationist tendencies.

South Asia Partnership-Pakistan (SAP-PK) led 3rd South Asian People's Summit attracted activists and civil society organizations from Pakistan, Bangladesh, India, Nepal and Sri Lanka to find ways to "solve problems that have oppressed our communities for generations".

One Indian delegate also made it to the Summit despite visa problems. Besides emphasizing the need for dialogue among the people living in South Asia, the Summit had five themes on its agenda for discussion: *Trafficking in Women and Children; Peace and Regional Cooperation; Poverty Eradication; Social Development; and Governance.*

Expressing his views, Director, Human Rights Commission of Pakistan, Mr. I. A. Rehman, said that the people had triumphed, as they were able to meet to voice their urgent needs even though the governments had postponed the SAARC conference. "Our governments were determined not to allow us to meet. They were afraid of the people. A multidimensional curse leading to abuse of ideology succeeded in dividing the common citizens of the region."

Mr. Mahbubul Karim, representing a Bangladeshi NGO PROSHIKA, urged the people of the region to carry out a people-to-people dialogue for achieving greater coordination. He

said that South Asia had the poorest, most illiterate and deprived population, and advocated an alternative paradigm to save the people from the destructive effects of highly flawed market forces of globalization leading them to despair.

Dr. George Mathew, the only Indian delegate and Director of Institute of Social Sciences at Delhi, said that the region was the most deprived one with very low levels of human development, and yet it was exposed to warmongers who reveled in stockpiling nuclear weapons at phenomenal expenditure that could be diverted to social sectors. “We do not feel safe with nuclearization and must ensure the end of the suicidal policy of national chauvinism – to replace it with a policy to achieve reconciliation among the inhabitants,” he said.

Pakistani delegate Mr. Karamat Ali called for making identical rational labor policies in SAARC countries to protect laborers and workers whose rights were being curtailed. He advocated ‘legitimacy of the SAARC organization’ among common people, in addition to government-level negotiations.

SAP-Pakistan’s Executive Director, Mr. Mohammad Tahseen, was critical of India for refusing to have a dialogue with Pakistan and said that unofficial channels like this one should continue to meet. Mr. Tahseen, whose organization hosted the event, stressed the need for such efforts to continue if South Asia was to see a stable era.

On the second day of the Summit, five commissions were set up to debate the selected themes, which dived down their findings along with suggested measures to solve the related problems identified by them. Based on the reports of the commissions, the Summit adopted a resolution urging for regional cooperation among the SAARC states, especially in the face of globalization.

The joint resolution deplored the postponement of the XII SAARC Summit and called for its immediate convening. The Summit took serious note of the repressive measures by the South Asian states against the rights-based people's movements and stressed the need to initiate dialogue and set up political processes for the solution of intra-state conflicts in different parts of the region. The resolution also condemned the rise of extremist forces in the region and demanded that South Asia should be made a nuclear weapons-free zone.

(Published in Weekly Independent, 23-29 January 2003)

BRIEF REPORT OF
1st PEOPLE'S SUMMIT

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

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

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

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

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

Children's Summit

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

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

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

Plenary on the International Criminal Court

The closing day of the Summit saw, for the first time, media attention being directed upon the imperative need to ratify the International Criminal Court (ICC), which is visualized as a permanent body empowered to try those individuals accused of the most heinous crimes that offend human conscience: aggression, genocide, crimes against humanity and war crimes.

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

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

Highlights of Thematic Commissions

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

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

One of the lighter features of the Summit was a student debate on whether South Asia needs a nuclear bomb. One of the young speakers highlighted the fact that the future decision-makers of

the country are “an uninformed lot. We know about the issue but not about the real magnitude of the problem. Student politics is banned in India and student activism is frowned on. So, we are not contacted by NGOs or given the information we need to counter arguments based on jingoistic nationalism.”

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

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

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

The exclusion of women from decision-making and from the benefits of economic policies was an aspect underlined by the Commission on *Empowerment of Women*. Legislation should be

enacted on violence against women for both preventive and punitive action. Law-enforcement should be gender-sensitive and supportive structures are essential in civil society. Another problem in the South Asian region is that women and children are often the prime victims of all forms of religious fundamentalism. The media can help change the social climate by portraying positive images of women.

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

South Asian People's Agenda

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

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

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

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

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

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

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

Our goal is to create a self-reliant, independent, peaceful and just region.

It is our wish and belief as people of South Asia that the Agenda delineated above shall surely lead the region to justice, peace and prosperity.

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

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

1. Peace and Regional Cooperation.
2. Governance: Local and Regional.

3. Human Rights and Human Development.
4. Empowerment of Women.
5. The Rights of the Child.

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

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

**10 December 2000,
Colombo.**

Commission on Peace and Regional Cooperation

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

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

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

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

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

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

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

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

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

Discussion

Coordinator: Mr. Karamat Ali

Rapporteur: Mr. Eugene Wikramanayake

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

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

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

Society, when not assured of justice, reacts by fighting for rights at the expense of responsibilities. Unresolved inter-state conflicts resulting in war in the region are even more reprehensible. When the solution as perceived by the warring states is the need to

build up nuclear warheads, the South Asian region as a whole is threatened with annihilation.

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

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

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

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

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

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

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

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

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

- The South Asian region should work towards complementary economies with opportunities for trade

investments by lower tariffs and removal of visa barriers. The benefits of these must accrue to the people.

- There should be free exchange of art and culture, and science and technology in the region in order to establish a South Asian identity.
- South Asia should face and interact with globalization as one region and propose a World Trade Organization with bargaining powers for the Third World.

Presentations Made During the Commission Sittings:

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

Recommendations

The Commission on *Peace and Regional Cooperation*:

1. Endorses the earlier recommendations made by the various conferences held in the region by organizations and groups engaged with the issue of Peace and Regional Cooperation, such as the:
 - Peace Conference – Karachi (February 1999)
 - South-Asian/South East Asian Conference against Nuclear Arms – Dhaka (February 2000)
 - Pakistan-India People’s Forum for Peace and Democracy – Bangalore Convention (March-April 2000)
 - Indian Coalition for Nuclear Disarmament and Peace – Delhi Convention (November 2000)
2. Endorses the decision of the above conferences to form a South Asian Peace Coalition and urge the participants to support and promote the work of the Organizing Committee formed at Dhaka.
3. Endorses peace groups to actively engage in peaceful resolution of both inter-state and intra-state conflicts prevailing in the South Asian Region.
4. Demands of all South Asian states to declare and observe year 2001 as the Year of Cease-fire and recognizing that all parties to a dispute commit themselves to democratic and peaceful resolution of conflicts.

5. Seeks to work collectively to make South Asia a nuclear free zone and to promote this objective, organize a South Asian Conference on Nuclear Weapons Free Zone some time during 2001.
6. Calls for an immediate holding of the official SAARC Summit to address the Social, Political and Economic problems faced by the people, and to undertake urgent steps to implement the agreed cooperation measures, such as South Asia Free Trade Agreement, relaxation of visa restrictions, enhanced unrestricted exchanged of goods and services among the people in the region.
7. Urges this Conference to set up people's groups to interact with the official SAARC mechanisms and to promote people's ideas and aspirations vis-à-vis South Asian Regional Cooperation. It urges work for obtaining observer status for the South Asian Peoples Group (collective) with the official SAARC.

Commission on Governance: Local and Regional

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

Discussion

Coordinator: Mr. Buddhadeb Ghosh

Rapporteur: Ms. Nazeera Sadhikien

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

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

Presentations Made During the Commission Sitzings:

1. *Towards Participatory Governance: Local Democracy in India* (Mr. **Buddhadeb Ghosh**; Institute of Social Sciences, India).

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

Recommendations:

1. The legacy of over-centralized post-colonial governance in South Asia requires decentralization of powers from

central to state and provincial governments, and devolution of powers to regional and local governments based on the principle of subsidiary: whatever can be done at the lower level should not be done at the higher levels. In this process, there should be no attempt to bypass the legitimate sphere belonging to the state or provincial levels.

2. Constitutional cover should be provided where necessary and violation of constitutional provisions, where they already exist, should be prevented to ensure the existence, growth and functioning of local governments to prevent the past neglect and manipulation for partisan political purposes of local government powers and functions.
3. There should be a clear division of powers between central, provincial or state and local governments. Concurrent lists of subjects in the constitutions should be abolished and those subjects should be transferred to the provincial or state governments.
4. Legally recognized rights and powers of local bodies, such as *panchayats* and village councils, should be accorded protection and retained.
5. Traditional forms of conflict resolution bodies, such as *jirgas* in tribal areas, which disempower women and uphold ante diluvium codes of so called honor, should be replaced by democratic local bodies.
6. Joint electorates, where not available, should be restored to extend equal rights of representation and enfranchisement to religious and ethnic minorities.

7. In the interests of positive, affirmative representation and enfranchisement of women and other marginalized groups, communities and sections of the population, reservation of seats should be ensured in all tiers of government, local to national, until such time as they are able to participate in the democratic process as full and equal citizens. Serious efforts should be initiated and carried through to create an enabling environment for such participation.
8. Local government decisions, functions and operations should be open to the public, with the wherewithal provided for regular dissemination of information to the electorate concerning all these matters.
9. Access should be provided to all citizens to call for and scrutinize records. Public audit of local government finances should be instituted.
10. Direct elections for all tiers of local government should be adopted where this is not presently available.
11. Allocations of state resources for discretionary use by elected representatives should be abolished.
12. Institutional arrangements should be set up or strengthened to ensure effective participation and functioning of women and other marginalized groups in local government through enabling skill enhancement, confidence building and overcoming traditional biases and prejudices on the part of men and other privileged groups.

Commission on Human Rights and Human Development

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

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

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

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

- National Security Laws.
- Women's Rights.
- Indigenous Group Rights.

- Socio-economic and cultural rights across the region, not unlike the European Commission.

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

Discussion

Coordinator: Mr. Kalynanda Tiranagama

Rapporteur: Ms. Pearl Thevanayagam

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

The panel formed during the sittings of the Commission comprised of eminent judges, lawyers, academics and political analysts like Justice Kamal Hussein (Bangladesh), Dr. Gamani

Corea, former UNCTAD Secretary General), Mr. Bradman Weerakoon (former Presidential Advisor on International Affairs), Prof. Swarna Jayaweera (Sri Lanka), Mr. Desmond Fernando (President, International Bar Association), Dr. Deepika Udagama, Mr. Kalynanda Tiranagama, Mr. R. K. W. Goonesekera (Human Rights Commission, Sri Lanka) and Dr. W. Selvakumaran.

Presentations Made During the Commission Sittings:

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

Recommendations:

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

Commission on Empowerment of Women

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

Discussion

Coordinator: Ms. Nazmunnessa Mahtab

Rapporteur: Ms. Lakshmi Samarakoon

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

Presentations Made During the Commission Sitzings:

1. *Empowerment of Women: Bangladesh Perspective* (Ms. Nazmunnessa Mahtab; SAGN, Bangladesh).
2. *Women Empowerment* (Ms. Geeta Menon; Street Jagruti Samiti, India).
3. *Women's Empowerment* (Ms. Sheema Kermani; Tehrik-i-Niswan, Pakistan).
4. *Empowerment of Women – Economic Self Reliance Through Micro Credit* (Mr. Rakesh Mittal; Center for Contemporary Studies, India).

5. *Empowerment of Women: An Approach* (**Ms. Chitra Ghosh**; SAGN, India).
6. *Women's Development in Pakistan* (**Ms. Shaheen Attiqur-Rehman**; Ministry of Social Welfare, Women Development and Literacy Punjab, Pakistan. **Dr. Yasmin Rashid**; Bunyad Literacy Community Council, Pakistan).
7. *Credit Card for Women System* (**Mr. Sukumar David**; Mutually Aided Cooperative Society, India).

Recommendations:

1. SAGN should be reorganized under the aegis of SAP-Bangladesh within three months. After reorganization, the members of this network would meet twice in a year in their respective countries and annually on a regional basis. The activities of this network should be evaluated and monitored by SAP organizations in each country on a quarterly basis.
2. Women should be elected directly to the National parliaments instead of the present practice of their indirect election to the reserved seats.
3. Functional education programs should be introduced with priority in literacy, reproductive health and economic interventions.
4. "Development" should be redefined to focus on women. Expression of cultural oppression against women through theater should be promoted.

5. Capacity building and leadership training programs for women leaders should be designed and implemented on a comprehensive scale in each SAGN member country.
6. Creation of women-mentoring groups should be initiated for promotion and development of other women.
7. Documentation of best practices and establishment of role models of successful women should be encouraged.
8. Strong partnerships should be developed with the media for portrayal of positive images of women.
9. Micro-credit programs should not be focused only on the quantitative assessment of economic independence, but should also emphasize the qualitative changes and achievement in the beneficiary women's lives.
10. *Human Development Report 2000* should be considered as a building block and all organizations should develop set of standards/indicators to measure their achievements for the purposes of accountability.
11. Women's organizations and NGOs working on human rights issues should lobby, advocate and campaign to the governments of their countries to ensure protection of women against any act of violence.
12. Laws made to prevent violence against women should be properly implemented and violators should be punished.
13. The government, civil society and citizens should all collaborate to work towards a society based on justice, equality, development and peace.

Commission on the Rights of the Child

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

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

Discussion

Coordinator: Mr. Leo Fonseka

Rapporteur: Ms. Trixie Marthenesz

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

Presentations Made During the Commission Sitings:

1. *Convention on the Rights of the Child, Child Labor and Trafficking* (Mr. **Bijaya Sinju**; Concern for Children and Environment, Nepal).

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

Recommendations:

1. Children's participation should be elevated from present tokenistic levels to active, equal and informed participation in all decisions concerning them. Structures and mechanisms should be promoted in the region to

engage the children, according to their evolving capacities, in determining what their best interests are.

2. Children should be protected from all forms of exploitation or abuse. All actions or interventions must keep the best interest of the child as uppermost.
3. Ensure that all children have access to education that is appropriate and relevant. This education should also include information and skills that empower children, and enable them to resolve conflicts, understand reproduction and manage their health.
4. The SAARC countries must expand the scope of the National Monitoring Committees and convert them into permanent National Commissions on Child Rights.
5. Children should have access to information. They must be given appropriate opportunities to examine and comment on the National CRC reports, and draft legislations concerning them before they are finalized. Structures necessary for these arrangements at national and sub-national levels should be promoted by governments and civil societies.
6. Civil societies should promote establishment of lateral and vertical linkages between and among different children's organizations, intra and internationally; and help federate their groups at local, national and regional levels as an effective social movement.
7. The SAARC states must develop and implement a common charter or code of ethics to address the portrayal of violence against children in the media.

- 8.** SAARC should have its own regional reporting mechanism, where the member states are required to submit the reports bi-annually, as reporting every five years to the UN Committee on CRC is inadequate.
- 9.** Civil society networks must come together and set up a Regional Commission on Children and issue bi-annual State of the South Asian Child Reports for SAARC consideration.
- 10.** Civil society networks must enable and facilitate a South Asian Children's Commission on Rights of the Child by, of and for children. These Commissions should have consultative status with the SAARC, and should also be set up at national levels. The governments at all levels are urged to consult these committees on the well being and rights of the children.

BRIEF REPORT OF
2nd PEOPLE'S SUMMIT

The 2nd South Asian People's Summit was held from 4 to 6 January 2001 in Kathmandu and took place simultaneously with the XI SAARC Summit. Focusing on trafficking and small arms, the main agenda of the three-day Summit comprised of the two primary topics of the concurrent SAARC Summit: the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, and the SAARC Convention against Illegal Trade in Small Arms and Light Weapons. The third topic was how the South Asian countries as a cohesive body could regionally cooperate in combating the growing adverse effects of globalization.

The Summit started with an Inaugural Public Meeting on 3 January. On the first day of the Summit, proceeding was divided into three sessions and incorporated general discussions on the three major themes to be discussed during the Summit: *Trafficking in Women and Children; Small Arms and Light Weapons*; and *Globalization and Regional Cooperation*.

During the next two days of the Summit, various joint and group discussions were held on the themes of the Summit. All these sessions were facilitated by leading names of the South Asian civil society and the panelists comprised leading experts on these themes. Additionally, very elaborate and comprehensive thematic papers were presented during the course of discussions.

Finally, as an outcome of the discussion that carried on for three days, statements were drafted on the issues of *Trafficking in Women and Children* and *Illicit Trade in Small Arms and Light Weapons* for consideration during the XI SAARC Summit by the Heads of State or Government.

Inaugural Public Meeting

The Inaugural Public Meeting of the 2nd South Asian People's Summit was held on 3 January 2002. Nepal's Minister for Environment, Mr. P. L. Singh, was the chief guest on this occasion; while Honorary Secretary, SAP-International, Dr. George Mathew, was in the chair.

In a brief general address on the goals of the Summit, Dr. Mathew stated that the 1st South Asian People's Summit, held in December 2000 in Colombo, had been 'impactful' and had laid down the goals of SAP-International. He added that the 2nd People's Summit, being held parallel to the XI SAARC Summit, presented an opportunity to the participants to work in the direction of the following goals:

- Support SAARC to combat against trafficking in women and children.
- Lobby with SAARC on the Illegal Trade of Small Arms and Light Weapons.
- Prioritize the issues to consider.
- Lobby for the people's agenda.
- Strengthen cooperation and foster solidarity among civil society groups.

After his address, Dr. Mathew called upon Dr. Rohit Kumar Nepali, Executive Director of SAP-Nepal, the organizing host of the Summit, to welcome the participants. Dr. Nepali expressed his optimism that the Summit would help SAARC in addressing issues like trafficking in women and children, illicit trade in

small arms and light weapons, and globalization and regional cooperation.

He wished all the participants a productive and successful Summit, and hoped that the event would engender a feeling of solidarity among all the civil society groups working for the development and progress of South Asia as a whole.

The opening remarks for the Public Meeting were put forth by Ms. Jezima Ismail, Chairperson, SAP-International. She stressed that in all the civil society efforts, the focus should be on the people. She stated that SAP Network, the host of the Summit, envisioned of the event: “A cohesive federation of countries of South Asia, in diversity and respect for each other, promoting understanding and solidarity to institute measures in eliminating and minimizing deprivation and discrimination.”

After opening remarks by Ms. Jezima Ismail, the chairperson invited the guest speakers to present their views on the topics that would be discussed during the Summit. The first speaker for the evening was Ms. Durga Ghimire of ABC-Nepal, who shared her views on trafficking on women and children.

Citing examples of a number of articles from the SAARC Convention and the UN Convention, Ms. Ghimire enunciated the global existence of the problem of trafficking. She characterized trafficking in women and children as sexual exploitation, and a heinous violation of their human rights.

Her recommendations, with reference to the Draft SAARC Convention in particular and trafficking as an issue in general, were as follows:

- Trafficking needs to be defined properly.

- Issues like legal or illegal marriages, urban trade, camel jockeys, etc. need to be addressed.
- The autonomy of the victims should be respected.
- Regular progress report on the initiatives taken to combat trafficking should be presented to SAARC.
- Capital punishment should be meted out to traffickers and partners in the crime.

The next speaker for the evening was Mr. Laxman Gunasekera, the editor of *Social Action*, who talked about the role of media and regional cooperation. He stated that mass media in South Asia is nation-based and state-linked, thereby shaping its definitive role in all the cross-border tensions and conflicts that occur in the region.

Mr. Gunasekera added that media also plays a central yet subtle part in engendering social distinctions that are the mainstay of South Asian societies. Furthermore, mass media has been unable to properly express and articulate the opinions, feeling, frustrations, aspirations and demands of the large, marginalized and deprived sections of our general populace.

Mr. Gunasekera reiterated that it is important that mass media, as a dominant communications instrument in every South Asian country, plays a responsible and competent role in generating solidarity and regional cooperation.

The third speaker, Mr. Jagdananda from India, expressed his concern that regional development has only heightened inter-regional disparities in South Asia. Furthermore, the crisis in the agricultural sector and the lack of rural development has only

resulted in more poverty and has rendered economic growth stagnant. The WTO and the opening of the Chinese market have also adversely affected the agricultural and small-scale sectors.

Mr. Jagdananda said that malnutrition and poverty co-exist in South Asia, and what is required is micro-economic and social development. He added that it was time to build cohesion to create a synergy to influence public policies. Lastly, he urged all the participants to:

- Institutionalize dialogue between the government and people.
- Develop innovative tools and techniques.
- Address issues that affect people regionally.
- Include social mobilization, and take pro-poor perspective to another level and dimension.
- Focus on commerce and finance in all efforts.

The fourth speaker of the Inaugural Public Meeting was Ms. Leyla Tegmo Reddy from the International Labor Organization (ILO). The fifth speaker, Ms. Chandani Joshi from UNIFEM, said that all the three principal issues of the Summit – peace, trafficking, and coping and surviving in globalization – require transnational cooperation.

In her brief comment on the issue of trafficking, Ms. Joshi said that it is another form of terrorism. She also mentioned the MoU that had been recently signed between the SAARC Secretariat and UNIFEM and felt that it would be instrumental in addressing the issue of trafficking.

After all the guest speakers had put forth their views and opinions, the chairperson invited the chief guest, Mr. P. L. Singh to share his views. In his brief speech, Mr. Singh maintained that the ways of dealing with terrorism had global significance and the present Summit would provide valuable input as well as new insight to the SAARC member states on the issues to be discussed.

Mr. Singh also encouraged the People's Summit to focus on sustainable development and poverty alleviation, and wished the participants a fruitful Summit. Finally, Executive Director, SAP-International, Dr. James Arputharaj, extended vote of thanks to the chief guest, all the speakers, the sponsors and the participants of the 2nd South Asian People's Summit; and adjourned the Inaugural Public Meeting.

Proceedings of the First Day

On 4 January 2002, the first day of the 2nd South Asian People's Summit, proceeding was divided into three sessions and incorporated general discussions on the three major themes to be discussed during the Summit: *Trafficking in Women and Children*; *Small Arms and Light Weapons*; and *Globalization and Regional Cooperation*.

The day started with an update by Mr. Jagdananda on the breakfast meeting that had taken place earlier in the morning. The main concerns expressed in the meeting, according to him, included:

- Sustenance of the People's Summit.
- Institutionalizing an interface between official and non-official parts of SAARC.
- Themes for regional dialogue.
- Convergence of SAP Network and SAARC.

Apart from the above, volunteers were encouraged to initiate discussions on the following topics during the course of the Summit discussions: Disaster Management, Poverty Alleviation, Ageing and Civil Society Networks.

First Session

The first session of the day on Trafficking in Women and Children was chaired by Dr. Sughan Bhatia while the panelists included Ms. Sangita Thapa from UNIFEM, Ms. Meena Poudel from OXFAM and Ms. Tina Staermos from the ILO. Ms. Rita

Bhadra from SAP-Nepal presented a paper titled *Regional Instrument on Combating Trafficking in Women and Children for Prostitution*.

Ms. Bhadra stated that migration patterns with prospects for better livelihood and economic opportunities are some of the reasons that render displaced women and children most vulnerable to trafficking. She asserted that victims of various forms of trafficking invariably end up in prostitution.

Ms. Bhadra attributed the problem of trafficking in South Asia to reasons like poverty, unemployment, lucrative business in trafficking, sex tourism, weak law enforcement and political commitment to the cause, porous borders, family disruptions, gender discrimination, and urbanization and globalization. She held that it was high time the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution was drafted.

After the presentation of the paper by Ms. Bhadra, the panelists gave their comments on the issue of trafficking. Ms. Sangita Thapa stated that the debate on trafficking needs to be broadened. She felt that the recently signed MoU between the SAARC Secretariat and UNIFEM would be an important instrument in taking the issue of trafficking further.

Ms. Meena Poudel stressed that a major contributing factor to the issue of trafficking was the manipulation of immigration and migration policies. She called for a collective effort to support the rights of women and children.

Ms. Tina Staermos reiterated the ILO's commitment to combat trafficking. She called for a broader definition of trafficking and

added that dysfunctional families were yet another contributing factor to children running away from their homes and ultimately landing up in prostitution. She also requested the participants to lobby for the inclusion of the ILO Convention 182 into the SAARC Convention.

Subsequent to the comments from the panelists, the chairperson declared the floor open for discussion. The participants made some interesting observations and also raised some critical questions. After these questions had been answered, the chairperson adjourned the first session.

Second Session

The second session of the day on Small Arms and Light Weapons was chaired by Ms. Aminul Islam from the Society for Prevention of Poverty, Bangladesh. The panelists for the session included Dr. James Arputharaj, Executive Director, SAP-International; and Mr. Kapil Shrestha, Member, National Human Rights Commission, Nepal.

Advocate Sudeep Gautam from Center for Legal Research and Resource Development presented a paper titled *Illicit Trade in Small Arms and Light Weapons*. The summary of his paper is as follows:

All nations affected by terrorism are concerned over the illicit manufacture, transfer and circulation of small arms and light weapons; and their excessive accumulation and uncontrolled spread in many regions of the world. These activities have led to a wide range of humanitarian and socio-economic consequences, causing a threat to world peace and stability. In this reference, UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Aspects was held in July 2001.

The SAARC Regional Convention on the Suppression of Terrorism was signed in Kathmandu in November 1987 during the III SAARC summit. The Convention is based on the well-established principles of international law on terrorism with provisions such as member states required to extradite or prosecute alleged terrorists.

The illicit trade in small arms and light weapons has a direct relation to terrorism. Most terrorists give convincing justifications for the beginning of their campaigns. Many claim that they resorted to such acts due to the violation of human rights. Terrorist acts always go against humanity posing danger to the rights and interests of the community.

The SAARC countries are concerned over the fact that poverty and underdevelopment will have a direct or indirect relation to the illicit trade of such arms. They need to work for a strong regional coalition against the armed conflict created by any revolutionary groups.

The SAARC nations should reaffirm their respect for the international law and the principles enshrined in the Charter of the UN. However, there should be no violations of the fundamental human rights of minority people or ethnic communities. Now, time has come to recognize the importance of the contribution of the civil society to this cause.

To combat and eradicate the illicit trade in small arms and light weapons, the states at the national level should:

- Formulate adequate laws, regulations and administrative procedures to exercise effective control over the production of these arms within their jurisdiction;

- Adopt appropriate measures to control the export, import, transit or re-transfer of such weapons;
- Establish national coordination agencies and an institutional infrastructure responsible for policy guidance, research and monitoring of efforts to combat illicit trade in such arms;
- Have a mechanism for appropriate markings on each weapon; and
- Accurate record keeping on the manufacture, holding and transfer of such arms within the state's jurisdiction.

Furthermore, the states at the regional level should establish a point of contact for the coordination of matters related to the implementation of the Program of Action. There should be trans-border customs cooperation and network for information sharing.

The civil society can also advocate against the use of arms by various groups who are resorting to violence as a means to achieve their goals. They can even mediate between opposing parties to reduce the conflict within and outside nations. Initiatives from the civil society groups can help the policy makers to formulate policies and sensitize the warring parties. NGOs can help governments to draft agreements against the use of arms and weapons.

The SAARC countries should try to resolve the illicit trade in such small arms by strengthening and implementing agreed norms and measures at the national, regional and international level that would reinforce and further coordinate efforts to prevent such trade.

Third Session

The third session of the day on Globalization and Regional Cooperation. Mr. Anil K. Singh presented a short paper titled *Challenges before South Asian Countries*. He focused on poverty as one of the dominant problems of the region, and added that natural calamities like flood, cyclones, earthquakes, drought, erosion, landslides, etc. were creating a barrier to social and economic development in the region.

Speaking on the impact of globalization, Mr. Singh said that the principles of globalization are based on poverty eradication but, unfortunately, it has accentuated the pangs of poverty in developing countries. The South Asian countries, in particular, are the worst affected by globalization.

Mr. Singh asserted that poverty is a created phenomenon. It is created by an uncaring international community, government and societies, he added. Socio-economic disparities also result in inadequate representation and participation of the poor. Furthermore, in situations of armed conflicts, women, children and the poor become vulnerable targets of discrimination. Mr. Singh concluded that cooperation among the South Asia countries is necessary in the areas of sustainable development, trade and business, and strengthening of the democratic process.

A panelist, Mr. Joachim, said that the effects of globalization are environmental degradation, unemployment, increasing poverty and crime, social and cultural degradation, and corruption of value systems. He added that these issues need to be properly and comprehensively addressed during the course of the Summit to reach upon a consensus for a concrete plan of action. Various other participants also voiced their suggestions and comments on this occasion.

Proceedings of the Second Day

On 5 January 2002, the second day of the 2nd South Asian People's Summit, the proceedings ensued with a joint discussion on *Trafficking in Women and Children*. This session was chaired by Dr. George Mathew, Honorary Secretary, SAP-International, whose main concern was looking at trafficking from the human rights perspective and an ethical point of view. The two panelists for the session were Ms. Rita Thapa from TEWA and Ms. Sapna Malla Pradhan from the Forum for Women, Law and Development.

Ms. Thapa stated that despite one decade of work against trafficking, the issue has not yet been resolved. The reasons she identified for this included lack of assertion of human rights, incidences of subjugation of women and patriarchal societies.

Ms. Thapa indicated that in Nepal and other countries in the region, civil society groups lacked independence because they were dominated by donors and the corporate world. She emphasized the importance of freedom in working towards what the civil society believes in and wants to work for. She added that the structure of civil society groups should reflect the work they do or have done.

Ms. Pradhan gave the participants a legal insight into the issue of trafficking. She stated that a number of questions need to be answered: Why are cases not reported? Why is conviction so low? Why are so many cases pending in courts? Are state laws discriminatory? Is the environment in courts intimidating?

Ms. Pradhan lamented the lack of a regional instrument to deal with the issue as it is a cross-border problem, but added that the

SAARC Convention is a positive step towards creating a regional framework to deal with the issue of trafficking. After she elucidated the legal ramifications of the issue of trafficking, the chairperson pronounced the floor open for discussion.

The second session of the day was on Illicit Trade in Small Arms and Light Weapons. The panelists included Mr. Kapil Shrestha, Member, National Human Rights Commission, Nepal; Dr. James Arputharaj, Executive Director, SAP-International; and Mr. Ravi Raj Thapa, Deputy Inspector General of Police, Nepal.

Mr. Shrestha said that taking up arms has become easy because of access to them. There is a surplus of small arms in South Asia, and the control of these arms has become difficult due to the nexus between criminal groups and politicians. The SAARC process should recognize the importance of the civil society role, which can complement the state in the control of the illicit trade in small arms.

Next, Dr. Arputharaj presented his views on the illegal trade in small arms and how it was a precursor to terrorism which has rendered the South Asia region instable. The governments of SAARC countries have committed to UN Program of Action adopted in July 2001. It is fashionable to sign these conventions, but the states need to focus on implementation as well.

Dr. Arputharaj said that surplus weapons were easily available in South Asia which led to their proliferation. He added that small arms are a problem because more people are killed by their use than from the conventional wars. Most illegal arms come from governments themselves as they want to re-import and export weapons in order to make money. Therefore, illegal protections to these small arms are the blessings of governments in power as they promote their interests.

Dr. Arputharaj revealed that arms industries are the most profit-making industries in the world. It is here that the foreign ministers become sales agents for their government. The situation of surplus arms is a dangerous scenario in the region. It is unjustified that much of the government money is spent on arms in such a region where most people are poor.

Dr. Arputharaj suggested that there should be a national coordination agency for the control of such arms. There should be marking in terms of manufacture of small arms, so that one could know where these arms were manufactured. There should also be a legally binding instrument to check the proliferation of small arms; the civil society can play a vital role in this as a pressure group.

Dr. Arputharaj further said that insurgencies in various parts of the region have not been addressed properly. It is not only the non-state organs but also the state sources that are tampering in the trade of the illegal arms. There is the need to strengthen the community coping mechanism, and the general public should get the feeling that the state would take care of its security

Dr. Arputharaj informed that South Asia Small Arms Network (SASA-Net) has been established to campaign against the spread of small arms and light weapons. This could be achieved through advocacy, campaigning and lobbying with governments to have influence on policy developments that promote strict uniform legislation across the region on illegal manufacture of small arms; civilian possession of weapons; arms brokering, transfers, marking and tracing; destruction of weapons; etc. SASA-Net is open to all organizations and activists in the region who are committed to a peaceful resolution of conflicts, combating small arms proliferation and working towards the common goal of promoting human security.

Finally, Mr. Ravi Thapa presented his views on the illegal trade in small arms and its repercussions. He stressed that the taking up of arms should not be encouraged or glorified by the civil society, especially media. The pre-requisites for arms control are adequate legislation and threat assessment. It is the task of the civil society to take pro-active measures. We should try to see crime as an organized one and not as something carried out by single individuals. So, there is a need to target the source from where these arms are generated.

Mr. Thapa said that arms deals are an organized crime making the role of governments in controlling, monitoring, demobilization and decommissioning vital. Initially rebel movements start with valid justifications, but eventually they become playgrounds for the arms dealers. All social and political groups should discourage the use of violence resorting to arms as a means of protest in a democratic society.

“Regional cooperation to deal with these should be encouraged in a bilateral and multi-lateral basis irrespective of governments,” suggested Mr. Thapa and added that civil societies can play a vital role in developing a pressure group to take strong initiatives in arms dealing.

The last event of the day, the group discussion on Trafficking, was chaired by Dr. Rohit Kumar Nepali, Executive Director, SAP-Nepal. He welcomed the participants and highlighted the various questions that needed to be deliberated upon: How do we address the issue of trafficking? What instrumental points can be considered when dealing with the problem of trafficking? What steps can be taken to combat trafficking? What recommendations can be made? After notifying the fundamental points to consider during the course of the ensuing group discussion, Dr. Nepali declared the floor open.

Proceedings of the Third Day

On January 6 2002, the third day of the 2nd South Asian People's Summit, the proceedings started with three sessions of open floor discussions on Trafficking; Small Arms and Light Weapons; and Civil Society Networking.

The first of the three sessions on Trafficking was chaired by Ms. Jezima Ismail, Chairperson, SAP-International. The panelists for this session included Ms. Bushra Gohar, Vice-Chairperson, SAP-International; Dr. Rohit Kumar Nepali, Executive Director, SAP-Nepal; and Mr. Benedict, Executive Director, SAP-India.

Ms. Ismail said that it was heartening to see that all concerns of the People's Summit figure in the agenda of XI SAARC Summit. She expressed her optimism that the People's Summit would help in addressing issues of trafficking, small arms and civil society networking. Dr. Nepali read the recommendations from the previous day's discussion before Ms. Ismail declared the floor open for additional comments that would be incorporated in the present draft.

Next in the line was the open floor discussion on Small Arms and Light Weapons. Addressing the session, Ms. Ismail said that the recommendations drawn from the discussion would be sent to the SAARC Secretariat. "We should also lobby back home with our foreign ministers," she said.

Dr. James Arputharaj, Executive Director, SAP-International, said that a draft copy of the recommendations on how the South Asian nations could control the proliferation in illicit arms and small weapons would be presented to the SAARC Secretariat. The draft of Bamako Declaration on an African Common

Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons would be taken as a model for the purpose, he added.

The third session of the day was on Civil Society Networking. Presenting her views, Ms. Bushra Gohar stated that civil society networking on various issues exists, but it is not presenting a strong voice. We are probably not putting in adequate efforts and there is coordinating with each other, she said.

Some of the important recommendations that came up during the discussion are as follows:

- Facilitate people-to-people networking in the region as well as support to already existing organizations and networks.
- Consolidate resources and strengths of civil society organizations in the region to have a greater impact on development interventions.
- Networking efforts should be centered on the themes of Peace and Regional Cooperation (small arms, human rights, governance, etc.) and Human Development (trafficking, health, education, disaster management, children and youth, empowerment of women, etc.).

To conclude the Summit, group discussions were held on the themes of *Trafficking in Women and Children* and *Illicit Trade in Small Arms and Light Weapons*. The recommendations of both these group discussions were issued in the form of statements and presented to the SAARC Secretariat for the consideration of the Heads of State or Government.

Statement on Trafficking in Women and Children

We, the representatives of civil society networks and organizations from five South Asia Countries of Bangladesh, India, Nepal, Pakistan and Sri Lanka, would like to recognize and welcome the signing of the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (hereby Convention). In doing so, you have shown your commitment to jointly combat a grave problem faced by the region directly and by addressing the root causes including poverty, unemployment and social exclusion.

We would also like to congratulate you for clearly outlining the measures to prevent and interdict trafficking in women and children; and the care, treatment, rehabilitation and repatriation of the victims. However, we would like to draw your attention to the following in the Convention and urge you to make the following amendments to further clarify its scope and mandate:

The title of the Convention limits it only to prostitution. We recommend that the title should be changed to Convention on Preventing and Combating Trafficking in Women and Children, so that it also covers other forms of exploitation of the trafficked women and children. The contradictions regarding the scope of the Convention should be removed to ensure greater clarity in its implementation.

While the title is limiting the scope to Prostitution, Article III Number 1 makes any form of trafficking an offense to be dealt with as a crime. Similarly, the Article VII dealing with extradition or prosecution is contradictory and needs to be amended. The right of privacy and self-determination for the victims of trafficking should also be incorporated in the Convention.

To ensure the effective implementation of the Convention, we urge you to:

1. Formulate well-defined national policies and legislation in line with South Asia guidelines, developed in consultation with each other under the auspices of SAARC; and boarder legislative policies including criminalization of all actors involved in the process of trafficking.
2. Enforce legislation, policies and procedures that clearly outline the recipient country's accountability; mutual legal assistance; extradition, rehabilitation and repatriation of the victims; responsibilities for action and allocation of funds; and regular review and monitoring of the progress nationally and regionally.
3. Clearly assign responsibility of implementation and follow-up of the Convention nationally.
4. Allocate adequate funds for the implementation of the Convention.
5. Ensure that people holding public offices, if involved directly or indirectly in trafficking, are awarded stricter punishment in comparison with the others involved in such a heinous crime.
6. Ensure that the Regional Task Force to be established to facilitate the implementation of the provisions of the Convention includes, in addition to the officials of the relevant ministries of the member states, representatives of the civil society organizations working on the issue.

7. Evolve a mechanism to monitor the flow of people's movement in the region without restricting the freedom of movement of an average citizen.
8. Ensure that vulnerable populations of women and children are made aware of the issue of trafficking and are imparted with 'life skills' to enable them to make appropriate decisions and negotiations in difficult circumstances.
9. Evolve mechanisms to establish a regional court on the lines of the International Criminal Court to prosecute cases of trafficking in women and children.

Statement on Illicit Trade in Small Arms & Light Weapons

1. We are concerned at the continued violence and the killings of people, especially women and children, through the use of illegal arms. The response of the state will further escalate the situation by violating the fundamental rights of the people at large.
2. We call upon the South Asian civil society to become more aware of this situation and impress upon their governments of this menace.
3. The media can play the important role of educating the people and governments on the evil effects and consequences of the use of small arms.
4. We call upon the governments to promote the culture of peace and tolerance, and reflect the same in educational curriculum in their countries; and curb the depiction and glorification of weapons in public and media.

5. We call upon the South Asian governments to involve civil society and establish mechanisms for community participation in the recovery and destruction of illegal weapons.
6. We demand of the South Asian governments to take stringent action against illegal production of small arms.
7. We call upon the South Asian governments to mandate the SAARC Secretariat to draft a legally-binding regional instrument necessary for eradicating the illicit proliferation of and trafficking in small arms and light weapons, and establish coordinating agencies to monitor and review the same.

APPENDICES

A. Program of the Summit

Friday, 10 January 2003

04:00 pm to 05:00 pm: Press Conference

Saturday, 11 January 2003

11:00 am to 1:00 pm: Inaugural Ceremony
(**Chair:** Ms. Bushra Gohar)
(**Keynote Speakers:** Dr. George Mathew, Mr. I. A. Rehman, Mr. Karamat Ali, Dr. Wijaya Jayatilaka, Ms. Khawar Mumtaz, Ms. Savitri Thapa and Mr. Mahbubul Karim)

02:00 pm to 03:30 pm: Plenary (Welcome and Formation of Thematic Commissions)
(**Chair:** Mr. Mohammad Tahseen)

03:45 pm to 05:00 pm: Introduction to Themes

1. Peace and Regional Cooperation
(**Presenter:** Mr. I. A. Rehman)
2. Poverty Eradication
(**Presenter:** Ms. Ayesha Ayub)
3. Trafficking in Women and Children
(**Presenter:** Mr. Punya Khanal)

4. Governance

(Presenter: Dr. Wijaya Jayatilaka)

5. Social Development

(Presenter: Dr. Mahmuda Islam)

Sunday, 12 January 2003

09:30 am to 10:00 am:

Plenary (Briefing on Themes)

(Presenter: Mr. Mustafa Nazir Ahmad)

10:00 am to 05:30 pm:

Working of Thematic Commissions

07:00 pm to 08:00 pm:

Music Program

Monday, 13 January 2003

10:00 am to 12:45 pm:

Presentations

1. Poverty Eradication

(Presenter: Ms. Ayesha Ayub)

2. Social Development

(Presenter: Mr. Nadeem Malik)

3. Trafficking in Women and Children

(Presenter: Mr. Zia Ahmad Awan)

4. Peace and Regional Cooperation

(Presenter: Ms. Sheen Farrukh)

5. Governance

(Presenter: Mr. Nivard Cabral)

12:45 pm to 01:30 pm:

Working on Summit Joint Declaration

(Facilitator: Mr. Irfan Mufti)

01:30 pm to 02:00 pm:

Vote of Thanks

(Presenter: Mr. Mohammad Tahseen)

04:00 pm to 05:00 pm:

Press Conference

05:00 pm to 06:00 pm:

Visit to SACHET Gallery

B. List of Participants

The following is a list of 115 participants who were on one of the five thematic commissions formed during the Summit. It does not include names of journalists who covered the Summit as their contribution has been acknowledged separately in the section titled *The Media Response*. Likewise, it does not include names of those participants who only attended the inaugural session or/and first plenary of the Summit and numbered more than 1,000.

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