



Meeting of Regional Networks to Develop a Regional Agenda for Collective Advocacy on Human Rights, Peace and Democracy

12-13th January 2019, Colombo

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Part 1: Executive Summary

In the area of democracy, human rights and peace almost all the countries in the South Asia region are in crisis. Respect for democratic values and protection of rights is under constant threat in many countries in the region. In 2018, elections were held in Pakistan and Bangladesh. In both countries, the pre-election period saw restrictions on media and intimidation of journalists and activists. In February 2018, in Maldives, the Supreme Court ordered immediate release of the former president Mohamed Nasheed and 8 other opposition leaders and the reinstatement of 12 law makers for defecting the previous year. The President declared a state of emergency and ordered the arrest of two judges. Amidst pressure, the judiciary withdrew its ruling releasing the 9 dissidents. Sri Lanka was plunged into a constitutional crisis in October 2018, that eased only after the Supreme Court and the Court of Appeal

gave decisions that ended the political crisis. In India, 2018 saw the arrest of several leading activists working with the poor and marginalised and the government continued to restrict the space for civil society groups to function freely.

It is in this backdrop of political crisis, shrinking civic space and threats to enjoyment of rights, that South Asians for Human Rights (SAHR) organised a consultation in Colombo on 12-13th January 2019, for several regional networks and organisations to formulate a collective advocacy strategy to respond to the situation in the South Asian region.

The consultation was attended by 25 persons and included representatives from South Asian Forum for Human Rights (SAFHR), Peoples' SAARC, South

Asian Alliance for Poverty Eradication (SAAPE), The Pakistan India People's Forum for Peace and Democracy (PIPPFD), Sangat - a Feminist Network, Himal Southasian, Amnesty International, South Asia, FORUM-ASIA, Asia Pacific Refugee Rights Network (APRRN), Women's Regional Network (WRN), Asian Network for Free Elections (ANFREL), International Federation of Journalists (IFJ), Front Line Defenders, International Movement Against all Forms of Discrimination and Racism (IMADR), Alliance for Social Dialogue - Nepal (ASD) and National Fisheries Solidarity Organisation (NAFSO). The consultation was also attended by activists senior academics from Sri Lanka and journalists from India.

Key points reinforced at the consultation were:

- National security discourse and nationalism is used by States to target activists and human rights defenders including of the muzzling of civil society / human rights organisations at the domestic level. In this context, the regional human rights community needs to develop strategic responses to address such targeting and also support human rights defenders at risk.
- There is a need to understand the convergence of interests among the people in the region in different sectors such as fisheries, climate justice, environment protection, trade, labour migration, etc. and advocate for common policies that are based on respect of human rights.
- There is also a need to work towards establishing a regional human rights mechanism in South Asia. Until a formal mechanism could be established, there is a need for creating the space for dialogue across South Asia to share the status of human rights in each country, to identify patterns of violations in the region, and to reflect on actions that can be taken to strengthen protection of rights.
- There is an urgent need to delink the idea of South Asia from the South Asian Association for Regional Cooperation (SAARC), and re-imagine it as one that is based on inclusion, social justice, gender equality, peace and human rights.
- In order to facilitate this re-imagination, there is a need to build upon the experience of South Asian regional organisations / forums in the past decades and revive intimate cross border and regional level dialogues between different actors such as academics, human rights activists, social movements, parliamentarians, national human rights institutions, business interests, universities and youth, to reinforce the fact that the futures of people in South Asia are interlinked, and to explore different forms of co-operation that could be initiated amongst people across borders that would help to bring sustainable peace and economic prosperity in the region.
- Recognising the shrinking of financial resources/ donor funding there is a necessity to build strategic alliances amongst regional networks and organisations to strengthen the effectiveness and impact of their different interventions through collaboration at several layers such as sharing human resources and existing funds.
- Finally, the delegates to the Consultation agreed that despite its weaknesses, there is a need for an inter-governmental organisation to address issues at the regional level and called for the hosting of the 19th SAARC Summit with meaningful participation from the civil society.

Part II: Narrative Report of the Meeting

Introduction

The purpose of the meeting was to brainstorm over a South Asian regional agenda for collective advocacy on human rights, peace and democracy.

In South Asia, respect for democratic values and protection of rights is under constant threat as reflected in the elections in Pakistan and Bangladesh, the constitutional crisis in Sri Lanka and the lack of respect for minorities and the shrinking civic space in most countries. While civil society organisations are active at the national level - there are few initiatives directed at developing regional thinking and a sense of regionalism in South Asia. While there are strong historical and cultural links amongst the countries, barriers have been imposed by nation states on initiatives taken to strengthen solidarity among people and communities.

The meeting was organised with the purpose of discussing among the regional level networks and organisations, the idea of South Asia, and strategies that could be adopted to strengthen regionalism and regional cooperation.

Reimagining the Idea of South Asia and Why Peace Matters

Since the SAARC was formed in the mid 80s, numerous summits, meetings, conclaves and conferences have been organised that have kept the idea of South Asia alive. However, the present times are opportune for building upon the work of the past decades and initiating a second cycle of thinking and action on South Asia.

A few ideas could be forwarded to inform such second cycle of conceptualising of South Asia;

Unlocking South Asia from SAARC:

The idea of South Asia is synonymous with SAARC, an association of eight Member States. Against the onslaught of nation statism, without meaning harm to the idea of the nation state, there is a need to identify

commonalities that can give meaning to 'South Asian identity' or 'South Asian sensibility' and help people to connect as citizens of the South Asian sub-continent.

This need to delink South Asia from SAARC arises also because SAARC reflects an India centric approach to regionalism. At the 18th SAARC Summit in Katmandu in November 2014, the Indian Prime Minister, Narendra Modi, remarked that: 'The bonds will grow. Through SAARC or outside it. Among us all or some of us'. Through this remark India gave the message that it would move ahead of SAARC to other regional platforms, and have since then portrayed this through creating and accepting forums which have excluded Pakistan. The reason to postpone the 19th Summit was based on India's initial reaction to boycott the event due to Pakistan's involvement in the Uri attack. It worked to dissipate the energy that had been focused on thinking and activism on South Asia as a region.

Regionalism in South Asia should be based on peace, human rights, social justice, gender equality, local governments, economic growth and security of livelihoods:

The notion of South Asia is often seen as an attempt to supplant the nation States with a supra South Asian Commonwealth. There is a need to recognise the power of ultra-nationalism that exists in each of the South Asian countries, and approach the idea of South Asia differently. One way is to develop South Asian regionalism through the prism of peace that can help reduce tensions, promote human rights and social justice, local governments to have autonomy to take decisions on matters that affect lives of people, and economic policies that can help in uplifting livelihoods of the people.

Alternative formats of South Asian co-operation:

The first cycle of South Asian regional cooperation was led by the member States. However, other formats of regional cooperation need to be explored. One such example is forging province to province contact, such as cooperation between the states of Punjab in India and Pakistan. A good example of such format is the Kartarpur corridor between India and Pakistan.¹ Is it possible to replicate it along other frontiers such as Pakistan - Afghanistan, India - Sri Lanka, India - Nepal, and India - Bangladesh?

¹ During the launch of the initiative in November 2018, Navjot Singh Sidhu, Minister of Local Government, Tourism, Cultural Affairs and Museums in the State of Punjab (India), had observed that, 'The Kartarpur spirit can make pilgrims of us all, venturing out on a journey that people can together towards a future of shared peace? and prosperity for India and Pakistan'.

SAARC as an organisation has been weak and inactive. However, one could not expect more from an inter-governmental organisation with Member States racked by ultra nationalism. Civil society needs to recognise this reality and while focussing on other formats of working, also push for the convention of the 19th SAARC Summit in Islamabad. Despite all its limitations, the existence of SAARC is important in itself.

The environment of peace and security is essential in South Asia. However, there are three barriers; South Asia has been divided by politics, while economic imperatives could drive South Asia to prosperity; there is a lack of convergence of interests, and India's influence in the region intimidated the others.

Further, South Asia remains the least connected region in the world. Intra regional investments have been abysmal. The question that needs reflection is, whether bi-lateralism offer better opportunities for South Asian countries.

Human Rights Challenges in South Asia

Regarding building a collective South Asian identity, though there are many commonalities that bind people of South Asia together, there is a need to be mindful of the challenges, such as that posed by culture. It is the majority peoples' views which get imposed as the culture of a country or region, but within each region and country, there are differences depending 'who you are, what you belong to and what your identity is'. These multiple identities tend to get lost in the national debates and dialogues regarding the culture of a nation or region. There are people who face exclusion because of their ethnicity, religion, gender, caste and other factors, and such exclusion is absolutely ignored. Similarly, it needs to be recognised that religion plays an important part in influencing mindset of people and it is the majority religion in a country which becomes the dominant ideology. There has been a tendency where ruling governments use the division of communities on religious lines for their own advantage whereby creating the minority as an 'other' and labeling them and the dissenting voices as 'enemies' of the State. It also is important to recognise that most often, with patriarchy functioning at numerous layers of society, women are used as symbols of culture and religion and thus the burden of continuation of the culture or religion that determines the identity of the nation State, is placed on women.

Cross border migration for various reasons has been taking place even before the nation states were created in the region. Numerous human rights violations have been taking place on either side of the border as the security is tightened for national security reasons between countries. Various crimes occurring in across the borders have also exacerbated the situation. Moreover, today migration has become a political issue such as the issue that has been created in North-east India², or the situation in Myanmar vis-a-vis Rohingyas. Therefore, there is a need to have further discussions at regional level on border migration.

The Military plays a dominant role in South Asian nation states. It has expanded its authority beyond the national security to economic activities sometimes influencing the civilian hold in those activities in some countries, which needs comprehensively analysed. Some of the countries are prone to severe natural disaster situations and extreme affects of the climate change. These issues need to be addressed at national as well as regional level.

Most countries in South Asia have enacted draconian laws in the name of national security, public security, counter-terrorism etc. Most of these laws are in contravention to the international human right treaties ratified by the States as they impose unreasonable restrictions on the exercise of fundamental liberties and lower the protections available against torture, enforced disappearances and extra judicial killings. Furthermore, in most cases, the laws are not enacted through a transparent process. Neither adequate deliberations are held at the legislature, nor are the people consulted in law and policymaking. Rather, these laws reflect the majoritarian voices in the democracy.

Power at many layers is misused and abused at national level damaging the democratic values and rights of the citizenship. There is need for effective oversight against executive excesses. There should be checks and balances by national institutions such as judiciary and national human rights institutions. There is an absence of a regional human rights mechanism in South Asia. At the international level, only Afghanistan and Bangladesh have ratified the Rome Statute setting up the International Criminal Court. The recommendations of other mechanisms such as the Treaty Bodies or the Human Rights Council are not much discussed. The oversight mechanisms at different

² Kuldip Nayar, Illegal Migration in North East India, The Express Tribune, 25 August 2018, <https://tribune.com.pk/story/1787065/6-illegal-migration-india/>

levels need to be strengthened. Also, measures have to be taken to ensure that the marginalised and vulnerable have access to such mechanisms.

A Selective approach to human rights is existent in the region. States are not willing to accept obligations under the International Convention on Economic, Social and Cultural Rights (ICESCR). For example, in Nepal though economic, social and cultural rights are recognised in the Constitution, yet there is a failure at the implementation level. If human rights are to matter for the poor, then the immediate obligations and the core minimum under the ICESCR should be fulfilled. The denial of these rights is linked to conflict and social unrest. Likewise, though States have ratified the ILO Conventions and other treaties, labour laws are not implemented effectively. Furthermore, labour groups are targeted by the State whenever they organise themselves to claim their rights. In addition, Rights of people to have access to natural resources such as land and water bodies, are extremely important and have to be brought into focus. Such rights are under constant threat from business interests.

The question 'Is human rights a popular agenda in South Asia?' is apt when considering whether the population at large care about human rights, or is it considered as the western agenda. The challenge is to make human rights part of people's agenda and make them relevant for the common people. One way of achieving this objective is through human rights education at different levels.

A cumulative effect of all the challenges discussed above is the culture of impunity that is deepening. There needs to be criminal accountability for past violations such as in Nepal and Sri Lanka but also for ongoing violations happening in present times.

However, despite these challenges, there are opportunities. Public Interest Litigations have been instrumental in protecting human rights and holding authorities accountable for their actions. The national human rights institutions, though often not independent, hold the possibility of serving as a common forum for having discussion and dialogue on state of human rights in the region. There is cause for hope in common people coming together to advocate their interests and ensure protection of their rights. In recent times, the plantation workers in Sri Lanka have organised themselves and are claiming increase in

their daily wages. Similarly, workers in India observed a strike on 8-9 January 2019 to protest against the central government's policies.

Human Rights Issues of Special Groups

Fisheries

The fisheries sector is present in five of the eight member countries of SAARC sharing nautical boundaries. However, SAARC does not have any clear policy on the issues rising out of cross border fishing. Consequently, fisherfolk fishing in waters between India-Myanmar, India-Pakistan, India-Bangladesh and India-Sri Lanka, often suffer.

Indian fisherfolk go through many issues in engaging with their livelihood. For example, in coastal Saurashtra in Gujarat, there are many power plants because of which the temperature of the sea waters have risen. As a result, fisherfolk are compelled to fish more towards Pakistan in order to get a good catch. Once they cross into Pakistan waters they get arrested. The fisherfolk are aware of the risks as they have GPS in their boats. But in deep sea, they are not able to navigate the boats properly and thus end up crossing the borders. Once they are arrested, they have to spend a minimum of one year in jail in a foreign country. As of now there are 438 Indian fisherfolk in Pakistani jails while there are 98 Pakistani fishermen in jails in India. More than 1000 Indian fishing boats are in the custody of authorities in Pakistan, while 200 Pakistani boats are with India.

In different SAARC meetings there have been discussions on the adoption of a no-arrest policy. Unions and the International Fish Workers Forum have made proposals for granting of joint fishing licenses with quantitative restrictions. However, the States have not taken any action. There is a need of a regional mechanism that can do advocacy with the SAARC secretariat for taking steps in this direction.

Refugees

South Asia is amongst the highest refugee producing countries (Afghanistan and Myanmar) as well as the highest refugee receiving countries (Pakistan and Bangladesh). The largest refugee camp in the world housing Rohingya refugees is located in Bangladesh. There is also a large number of internally displaced persons in the region. Yet, there is a lack of legal protections in South Asia. Only Afghanistan has ratified

the 1951 Refugee Convention and most countries lack laws to protect refugees. Furthermore, refugees and stateless persons are treated as illegal immigrants and subjected to immigration detention, harassment, and deportation. Most refugees are living a life in limbo; possibilities of resettlement in a third country are very low, most refugees do not have opportunity to integrate into the receiving country and possibilities of safely returning to their home countries are also low.

Elections

All the South Asian countries have ratified the ICCPR. Article 25 of the ICCPR recognises periodic, genuine and democratic elections. The elements of a free, fair and genuine elections, are existence of a level playing field, right to participate without any discrimination, freedom of assembly and association, freedom of expression including the freedom of media, existence of independent and impartial judiciary and other election management bodies, presence of civic engagement, and freedom from arbitrary arrest detention.

Most countries in South Asia lack in one or more of these elements. Though SAARC had adopted a Charter for Democracy and had established the Forum of the Election Management Bodies of South Asia (FEMBoSA), these mechanisms are not very effective.

In the recently concluded elections in Bangladesh, many election monitors including ANFREL was denied the opportunity to observe the elections by the insidious ways adopted by the authorities such as not giving timely accreditation and denying visa to senior members of the ANFREL team. Also, in the case of the presidential elections in the Maldives in 2018, ANFREL election monitors did not receive visa.

There were at least in two instances of post election violence in Bangladesh where women were targeted with sexual assault for daring to exercise their mind in casting their vote. It is important that the local civil society and the international community to monitor elections violence and election irregularities.

Media

There is an expectation that journalists would speak truth to power and would have the power to speak. However, it is always not possible for journalists to do so as many faced threats whenever they tried to push boundaries.

There is also the question - does South Asia matter to journalists? The issues could be raised in this regard:

Restrictive visa regimes:

A South Asian narrative necessarily includes multiple narratives and in order to tell these stories, journalists needed to have the freedom to travel to different countries. There is also the need to connect with other South Asian journalists. However, journalists possessing a South Asian sensibility, are increasingly finding it difficult to secure visas to other countries in the region.

Threats to life and liberty:

Often journalists speaking truth to power face reprisals from the State. Recent cases include the arrest of photojournalist Shahidul Alam in Bangladesh and Kishorechandra Wangkhemcha in Manipur. Most often, journalists are targeted under draconian laws such as the law on sedition, or internal security. How can journalists engage in their work in the face of such insecurities? Are journalists also not human rights defenders?

State engagement with media:

The State does engage with the media, but only to perpetuate its own narrative and to promote its own agenda. Information given through such media is broadly in the nature of propaganda, and there is a need to actively counter it.

Ownership models:

The present ownership models of media are such that it creates the conditions for promoting narratives of those who control such media houses.

However, despite these challenges, journalists are finding ways of overcoming geographical boundaries and telling the South Asian story. One such initiative was the India-Pakistan journalist dialogue that was held in Colombo in recent times.

Human Rights Defenders

Human Rights Defenders in the region have been always challenged in their engagement of promoting and protecting rights. The civil society at national level as well as regional level has voiced many issues regarding the protection of HRDs. The following

concerns also could be flagged in terms of issues at present:

Definition of human rights defenders:

The definition of human rights defenders needed to be inclusive of victim turned defenders.

Threats faced by women human rights defender, LGBTQI activists:

The particular threats faced by women human rights defenders and LGBTQI activists need to be recognised and addressed. It needs to be recognised that women human rights defenders or LGBTQI activists do not only work on women's rights or LGBTQI issues. They are also engaged in working on issues of civil, political, economic, social and cultural rights. However, because of their gender identity, they face particular risks and threats in their work. LGBTQI defenders are more vulnerable as they have very little support from their own families and communities.

Response to instances of sexual harassment within the human rights movement:

The 'me-too movement' has given women the courage to speak up and some working in human rights organisations have made complaints regarding sexual harassment. There is a need to think about how the human rights community should respond to credible cases of sexual harassment.

Reprisal actions:

The State has been using multiple ways to intimidate activists; physical violence, subtle forms of intimidation, profiling as terrorists, shaming of families or inciting people to act against them. When the State arrests activists under anti-terror laws, it becomes difficult to raise support from even the diplomatic community and the larger civil society as people are conflicted regarding the involvement of such person in 'terrorism' activities.

Threats from non-state actors such as corporates, religious fundamentalists:

Activists and human rights defenders face threats not only from the State but also other actors such as corporates or religious fundamentalists. There is a need to think about the ways in which such threats can be countered so that their rights are protected. It needs to be remembered that behind every human rights defender, are victims whose rights are at risk of being infringed.

Regional Networks/Organisations and their Relevance – three case studies

The Regional network Peoples' SAARC facilitate to establish a platform for advocacy on common regional issues, meeting of regional experts and exchange of experience amongst people and for fostering solidarity. However, there are challenges to their activism as well such as strict visa regime existing in the region at present. Peoples' SAARC which usually organises an event parallel to the SAARC Summit at the same venue, has challenges arisen internally, such as weak communication amongst members, lack of regular activities and restricted ability to travel across borders for meetings and dialogues.

The Women's Regional Network (WRN), another regional network connect peace advocates with the purpose of amplifying voices of marginalised women and addressing the interlinking issues of peace and security, justice and governance and growing militarisation in South Asia. The network by linking advocates from Afghanistan, India, Pakistan and Sri Lanka, facilitates articulation of a collective voice, and creation of common policy frameworks. Further, such a network helps to provide solidarity to each other.

SANGAT, a feminist network which was created in 1998 following a workshop amongst gender trainers in Bangladesh, believes that understanding of peace and cooperation are essential for progress in South Asia. Regional networks play a critical role in fostering cross-border learning; For example, the month long course in Nepal organised by SANGAT brought together activists from the region and enabled participants to spend a substantial amount of time with people from different countries. The interaction during the course challenges the participant's existing ideas and notions about people from across the borders. The courses also help in creating knowledge that challenges the narrow hegemonic discourses and narratives that exist in our countries. The new knowledge that was created is not only academic in nature, but also in forms of art, dance, theatre, poster making and such knowledge is fed back into the work of social movements.

Further, regional networks such as SANGAT, foster cross border solidarity that is very effective in taking the issue of gender justice forward. The friendships created during the course, together with a strong theoretical understanding of social justice issues help in driving

meaningful action in the region. As an example, Sri Lankan participants of the Nepal course held a protest before the Pakistani High Commission in Colombo in 2018 in solidarity with Pakistani women protesting enforced disappearances in their countries. The action was organised by the women as they had friends who were experiencing such violations. It is through these interactions, that a South Asian feminist consciousness emerges. SANGAT has helped in bringing the me-too movement to Bangladesh and created the public space for women and LGBT persons to talk about their experiences. Regional solidarity is important as it has given human rights defenders the confidence to reach out to others for support when they are in dire need.

Crisis and Response by Regional Organisations

In South Asia people connect but through the paranoia of the States. Consequently, anybody in Pakistan questioning the hegemony of the military is termed as an Indian agent, and a similar process was happening in India as well. Thus, the States are developing a narrative through which a very negative regional consciousness has been emerging. Further, they are learning from each other and are using the fear of other countries to control their populations. Therefore, there is a need for a regional response to counter the oppressive powers of the State.

Since the late 1980s when most regional networks had emerged, there had been a paradigm shift in the geo political context. Availability of financial resources in that period had made it possible to organise different kinds of forums that helped in making the networks vibrant. However, since then, times have changed. As a result, civil society also needs to re-conceptualise their strategies of working and identify new allies and new sources of fund.

Earlier, in times of crisis, civil society used to convene discussion groups at multiple levels. There was engagement of the media as well. But presently, there is very little space in media for independent writing. In addition, it appears that within the present society there is little interest or demand for information about developments in the region such as the constitutional crisis in Sri Lanka or the turbulent elections in Bangladesh. What has changed? For example, earlier India, because of its regional aspirations and perceptions of regional responsibility, was much

more open. But today India has become much more inward looking. In addition, in general, States have become hostile towards people-to-people engagement as reflected in their visa regimes. There is a need to unpack the nature of the States; their hyper masculine, xenophobic nature with extreme focus on nation security.

In the earlier cycle of South Asian regional dialogue, the women's movement had focused on conflictual borders and had been in the forefront of creating fora for dialogues and exploring different kinds of alternate regional politics. There was unity in the women's rights agenda as it interlinked social justice, democracy and peace. There was recognition that our futures are inter-linked and such recognition propelled regional thinking and work. However today these platforms have become fragmented and the different agendas of peace, democracy, social justice, human rights had been delinked.

The emergence of Women's Regional Network, SAHR, and others indicate that there is recognition of the need for regional thinking. There is the need to convince people that issues such as that of migration, refugees, minorities and women's rights could not be addressed without understanding the geo political influences that converge on these issues. There is a need to stress that future of the people in the region is linked and if people do not assert that across national borders, they have common agendas and interests, they would be heading towards a conflictual world.

Way forward, Identifying Priorities and Strategies

In the concluding session, the delegates discussed the way forward and strategies that could be adopted towards reimagining South Asia as suggested in the opening session.

Weaving collective stories should be the common thread linking different initiatives. Networks are important, but they are successful only when they are infused with the spirit of care towards each other that comes from meetings, collective work, understanding of struggles, and sharing stories of experiences. There is a need to weave collective stories to understand each other and develop empathy. It is essential that a regional voice to be developed on commonality in issues - fisheries, migration, labour, as impact on

environment by business, xenophobia, and a regional voice on such issues need to be strengthened.

Planned strategies should be such that encourage people to think beyond their national identity as Bangladeshi, or Indian or Maldivian, and accept that issues affecting citizens of another country are their issues as well. These strategies should aim at awakening the recognition that the future of people across borders in South Asia is interlinked.

A summary of the points discussed is as follows:

Strengthening democracies

The idea of democracy is being hijacked by populist democracy. Elected governments are engaged in enacting and amending laws that would further entrench their powers and protect their interests. There is a need to re-affirm the notion of constitutionalism.

The first-past-the-post system is getting manipulated by political parties. Studies could be done on the proportionate representation system as existing in Nepal and Sri Lanka to assess whether such a system could offer better options.

Strengthening linkages with traditional social movements and civil society at the local level

With professionalisation of human rights NGOs, the linkages with social movements have declined. There is a need to build synergy with such movements. For example, dialogues have been initiated with the co-operatives and saving groups at the local level on governance issues at the community level in Nepal in this regard. The protection of rights would be strengthened if groups at the local level started claiming their rights from the local governments, such as if the women's groups started advocacy regarding their reproductive rights. In today's world, citizens have morphed into consumers - so there is a chance that politicising the consumers would bring desired results in this context.

There is a need to employ structured documentation on new forms of organising, such as the social media. Issues that agitate and mobilise them, strategies used by them, the challenges they face as well as their achievements entailed the discussion.

Strengthening the local government is important in order to concede more power to them in decision making on trans-boundary issues. At the same time, strengthening activism at the local level is also felt significant so that the local civil society / human rights organisations would be more empowered to discuss and dialogue on cross border issues affecting them.

Strategising to address the shrinking of civic space

In many cases media and human rights organisations engage in self censorship for their own survival.

There is a need to have discussions on the restrictions that media and human rights organisations impose on themselves, and for strategising on actions that can be taken for addressing these problems.

Focusing on cross border links and commonalities

Initiatives could be made to focus on specific constituencies that would recognise the cross border links and common interests. These discussions could then be linked to discussions on peace and democracy.

Regional human rights mechanism

A regional human rights mechanism should be established that could document systemic violations of human rights within countries, identify patterns of denial of rights within countries as well as across borders, and urge States to take corrective actions. Such mechanism could be in the form of a regional human rights commission, an ombudsman or a high level panel on human rights.

Initiating collaborations with Universities

Civil society collaboration with universities, especially with social science faculties will be fruitful in the context of conceptualising South Asia. The 'Global Academy' for example, is in the process of being set up where academics would be invited to write on various issues; it would be a useful venture to explore avenues to collaborate with the Global Academy.

Engagement with the youth

Conscious attempts should be made to engage with the youth and listening to their views and the idea of South Asia promoted, perhaps through a holding of inter-generational dialogues at the national level feeding into a dialogue at the regional level. Such intergenerational dialogues would help in developing a historical consciousness amongst the youth, as well as enable senior activists to learn from the present generations about their world views.



Dialogues with different constituencies

Maintaining dialogues with different constituencies such as parliamentarians, enlightened business community and national human rights institutions would be effective in the context of acquiring their perspective as well as to influence them to support the endeavours of civil society.

Supporting human rights defenders

There is a need for discussions on strategies through which support could be extended to human rights defenders systematically. For example, advocacy at international level helped in securing the release of Shahidul Alam in Bangladesh. However, there have been many other human rights defenders including victim turned defenders facing threats to their life and liberties from different actors, and about whom the international community had very little information.

Facilitating strategic leveraging

Collaborations should be explored between the regional networks and organisations at the national level, such that resources can be combined for the purpose of organising forums on issues of common concern, as a strategy to diminishing funding opportunities as well as to strengthen the voice regarding common regional issues.

Exploring possibilities of dispersed locations for continuing with programs that are under pressure

Drawing up on the example of Himal Southasian which had to be wrapped up in Kathmandu and reestablished in Colombo because of the increasing pressure from the bureaucracy in Nepal, possibilities should be explored of continuing holding of important programs in dispersed locations if they could not be organised in the country of original planning. For example, if the Chobi Mela could not be organised by Drik Picture Library and Pathshala in Bangladesh (given the recent action against Shahidul Alam), it could be worthwhile to explore the possibility of organising it at another location.

Ensuring inclusiveness

Conscious attempts have to be made to ensure the participation of minority groups, Dalits, civil society from the peripheries (to mitigate the tyranny of distance), youth, and others in all dialogues and discussions.

Part III: Declaration Adopted at the Consultation

Civil Society Declaration for Revitalising South Asian Regional Cooperation

Colombo, 30 January 2019

We, members of civil society networks of South Asia gathered in Colombo to deliberate on a South Asian Regional Agenda for Collective Advocacy on Human Rights, Peace and Democracy,* have resolved to re-energise collaborations across South Asian frontiers for peace, democracy and human rights.

Distressed by the progressive weakening of the inter-governmental SAARC organisation, we resolved to promote the spirit of regionalism among the peoples of South Asia while seeking to re-energise SAARC.

Noting that interactions between South Asian civil society organisations and individuals have declined over the past few years, for various reasons, the meeting recognised the urgent need to promote greater engagement between scholars, activists, professionals and politicians across South Asia.

While the 'first cycle' of South Asian civil society activism, which started in the 1980s, developed the idea of regionalism, the participants felt the need for a scholarly exercise to deepen the concept of 'South Asia'. Such a re-conceptualisation exercise would consider cross-cutting and complementary definitions in order to do justice to the shared history, socio-cultural diversity and vast geography of the region.

The participants believe that South Asian regionalism is more than a 'romantic' concept – it has philosophical underpinnings that support the human endeavour towards pluralism, democracy, economic growth, equity and social justice. The concept of region stands against closed borders, divided peoples and delinked economies, which do not reflect the realities of the South Asian past, nor the people's aspirations for the future.

The participants were convinced that numerous vitally important social, political and economic challenges would be better met under a regional framework, to assist national, provincial and local efforts.

With the India-Pakistan rivalry directly affecting efforts at regional cooperation under SAARC and otherwise, the participants agreed that enhanced confidence between the two states with nuclear-weapons in South Asia is also important for enhanced cooperation between all the regional countries and populations.

The meeting stressed that regionalism would benefit the people of South Asia, which contains nearly a fourth of the world's population. The diverse arena where South Asian regionalism matters include: civil rights, social justice, gender equality, social progress, economic growth, equity, inclusion, local government, devolution, fundamental freedoms, human rights, labour rights, free media, migration, refugees, statelessness, indigenous people's rights, free and fair elections, environmental protection and climate change – in all of these and other important areas, the regional cooperation will benefit the people of South Asia.

The participants agreed that the concept of South Asia, properly construed, will help fight the challenges of majoritarian populism, ultra-nationalism, interventionism, militarism and the increasing power of the national security state everywhere.

The gathering expressed concern about the continuous political turbulence in each country, which has immensely degraded people's right to participatory democracy. Examples include the threats to civilians from the state as well as non-state actors in Afghanistan and Pakistan; the erosion of democratic representation in Bangladesh; the systematic harassment of civil society organisations in India; the reluctance of the Nepali state to promote inclusion as guaranteed by the new constitution; the lack of respect for the rule of law in the transition to democracy in the Maldives; and the constitutional crisis that recently took Sri Lanka to the brink. In every instance, political turbulence weakens the rule of law, access to justice, reinforces impunity, and increases sexual and gender-based violence.

The meeting also expressed concern on the emergence of fake news and hate speech, which exacerbates existing divisions in the region; and on regimes conducting fake election observation to legitimise counterfeit political processes.

The participants agreed that the principle of constitutionalism was increasingly under threat from populist democracies in South Asian countries. They valued the relentless struggle of the citizenry of each South Asian country to protect their fundamental freedoms and safeguard democratic values, and emphasised the need for collaborations across frontiers to protect democracy, human rights and open society.

The 'second cycle' of South Asian regionalism must see its role as one of promoting peace, social justice, economic growth, equity, democracy and human rights through trade, commerce, open borders and dialogue between governments and the peoples. This 'second cycle' will gain strength with scholarly work on a conceptualisation of South Asia that is based on the region's history and the peoples' aspirations.

While SAARC is important, the understanding of regionalism must start with differentiating 'SAARC' and 'South Asia'. While SAARC refers to the inter-governmental organisation of the regional governments and related processes, 'South Asia' is a much broader concept that seeks to connect the people of the region with each other and their past, and prepares them for a future marked by peace and prosperity.

Therefore, we collectively call upon the governments of South Asia to:

1. Develop liberal visa policies to facilitate people-to-people interaction and engagement and build on the geographic, cultural and historical bonds that exist in the region;
2. Explore the convergence of economic interests among the people of this region to promote connectivity and cooperation;
3. Host the delayed 19th SAARC summit in Islamabad and facilitate meaningful participation of South Asian civil society in all SAARC processes, programmes and the official summit;
4. Work towards a common policy for South Asia on a trans-boundary basis, from resource-sharing to climate change, devolution, local government, fisheries, environmental protection, trade regimes, customs and labour migration;
5. Cooperate to develop the highest standards in democratic values, fundamental rights and freedoms, human and civil rights, inclusion and social justice;
6. Cooperate to protect journalists and human rights defenders;
7. Work to combat impunity for past and ongoing violations of human rights;
8. Help each other to strengthen accountability mechanisms for protecting rights and freedoms of all citizens and ensure access to these mechanisms by the vulnerable and marginalised;
9. Harmonise national laws with commitments made under international human rights treaties.

As civil society organisations, we commit to the following:

1. To build alliances across borders to develop strategic responses in defence of human rights, democracy and open society;
2. To energise the fight for constitutional democracy amidst the onslaught of radical populism and demagoguery;
3. Amidst the downturn in funding support, to work to generate backing for the spectrum of South Asian activities from national and international sources;
4. Promote interaction among scholars and activists to rigorously conceptualise South Asia, which will lead to a re-imagining of the idea of a peaceful, prosperous and just South Asia;
5. Generate a 'second cycle' of South Asian regional cooperation and thinking, challenging the governments together, while expanding the areas where citizens and citizens' groups can work across international boundaries to improve the social, political, economic and cultural condition of the peoples of South Asia;
6. Work together to promote and advocate South Asia-wide mechanisms to address pressing social, political, economic and cultural issues, including the setting up of a South Asian human rights mechanism.

** This declaration emerged from a meeting of regional networks held in Colombo, Sri Lanka on 12-13 January 2019, convened by South Asians for Human Rights (SAHR), to develop a South Asian Regional Agenda for Collective Advocacy on Human Rights, Peace and Democracy.*

Signatories:

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2. Dr. Aminath Jameel, South Asians for Human Rights (SAHR)
3. Deekshya Illangasinghe, South Asians for Human Rights (SAHR)
4. Nastasia Paul Gera, Sanga
5. Rita Manchanda, South Asian Forum for Human Rights (SAFHR)
6. Dinushika Dissanayake, Amnesty International South Asia
7. Raju Chapagai, Amnesty International South Asia
8. Arjun Bhattarai, Peoples' SAARC
9. Ammar Ali Jan, South Asian Alliance for Poverty Eradication (SAAPE)
10. Kanak Mani Dixit, Himal Southasian
11. Aunohita Mojumdar, Himal Southasian
12. Swarna Rajagopalan (WRN)
13. Jatin Desai, The Pakistan India Peoples' Forum for Peace and Democracy (PIPFDP)
14. Khushi Kabir, Sangat, and South Asians for Human Rights
15. John Samuel, Forum Asia
16. Evan Jones, Asia Pacific Refugee Rights Network (APRRN)
17. Chandanie Watawala, Asian Network for Free Elections (ANFREL)
18. Deanne Uyangoda, Frontline Defenders
19. Nalini Ratnarajah, International Movement Against all Forms of Discrimination and Racism (IMADR)
20. Bharat Bhushan, Senior Journalist, India
21. Hari Sharma, Alliance for Social Dialogue (ASD) Nepal
22. Herman Kumara, National Fisheries Solidarity Organisation (NAFSO), Sri Lanka
23. Dilrukshi Handunnetti, Journalist/Lawyer, Sri Lanka
24. Prof. Jayadeva Uyangoda, Political Scientist, Sri Lanka

Meeting of Regional Networks to Develop a Regional Agenda for Collective Advocacy on Human Rights, Peace and Democracy

12 & 13 January 2019, Colombo, Sri Lanka

Agenda	
12 January - Day 1	
9.30am - 9.45am	Welcome and Purpose of the Meeting <i>Deekshya Illangasinghe, Executive Director, SAHR</i>
9.45am - 10.15am	Reimagining the Idea of South Asia <i>Kanak Dixit</i>
10.15am - 11.15am	Human Rights Challenges in South Asia: A Contemporary Regional Perspective Moderator: <i>Aminath Jameel</i> Overview: <i>Raju Chapagai</i> (Amnesty International) Discussants: <i>Khushi Kabir</i> <i>Herman Kumara</i>
11.15am - 11.30am	TEA
11.30am - 12.00 noon	Why Peace Matters in South Asia - Open Discussion Moderator: <i>Bharat Bhushan</i>
12.00 noon - 01.00pm	Special groups and thematic issues: Moderator: <i>Lakshan Dias</i> Speakers: Elections - <i>Chandanie Watawala</i> (ANFREL) Refugees - <i>Evan Jones</i> (APRRN) Fisheries issues - <i>Jatin Desai</i>
1:00pm - 2:00pm	LUNCH BREAK
2:00pm - 2:45pm	Special Groups and Thematic Issues contd: Moderator: <i>Lakshan Dias</i> Speakers: Media - <i>Dilrukshi Handunnetti</i> HRDs - <i>Deanne Uyangoda</i>

2:45pm - 4:00pm	<p>Regional Networks/Organisations and their Relevance Moderator: <i>Nalini Ratnarajah</i></p> <p>Speakers: <i>Arjun Bhattarai</i> (Peoples' SAARC) <i>Swarna Rajgopalan</i> (WRN) <i>Ammar Ali Jan</i> (SAAPE) <i>Nastasia Paul Gera</i> (SANGAT)</p>
4:00pm - 4:15pm	TEA
4:15pm - 5:15pm	<p>Crisis and Response by Regional Organisations Moderator: <i>John Samuel</i> (Forum Asia)</p> <p>Speakers: <i>Deekshya Illangasinghe</i> (SAHR) <i>Rita Manchanda</i> (SAFHR)</p>
7.30pm onwards	DINNER
13 January - Day 2	
9.30am - 10.30am	<p>Way Forward - Identifying Priorities and Strategies Moderator: <i>Aminath Jameel</i></p> <p>Speakers: <i>Hari Sharma</i> (Alliance for Social Dialogue, Kathmandu) <i>Aunohita Momjumdar</i> (Himal Southasian)</p>
10.30 am - 10.45am	TEA
10.45am - 11.45am	<p>Strategising for Joint Action by Regional Organisations/Networks - Open Discussion Moderator: <i>Kanak Dixit</i></p>
11.45am - 01.00pm	<p>Adoption of a Common Statement and Conclusion Drafting Team: <i>Bharat Bhushan, Jatin Desai, Kanak Dixit, Aunohita Mojumdar, Ammar Ali Jan, Dinushika Dissanayaka</i></p>
01.00pm	LUNCH



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and finally, Ms. Sultana Kamal, the Chairperson, Mr. Mohamed Latheef, the Co-chairperson and the Bureau members for their guidance and assistance.



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