

National Workshop on South Asia Human Rights Mechanism Thimphu, Bhutan, August 17-19, 2015

A national level workshop on South Asia Human Rights Mechanism was organized on 17-20 August 2015 in Thimphu, Bhutan by FORUM-ASIA in association with the South Asian Initiative to End Violence against Children (SAIVAC). The Workshop was hosted by the Bhutan Youth Development Fund (BYDF) at Hotel Taj Tashi. The workshop was framed as a capacity building event for the National Action and Coordinating Group for Ending Violence against Children (NACG), a collective forum of state, civil society and other concerned stakeholders. The framing provided an opening to enter Bhutan, and initiate debate for South Asia Human Rights Mechanism. About 35 people participated in the workshop that included parliamentarians, civil society members and members of law enforcement agencies like the Royal Bhutan Police.

Inaugural Session

The Workshop began with an Inaugural held in the presence of Chief Guest Princess Ashi Chimi Yangzom Wangchuk; ministers for home affairs and education; Chair of the parliamentary Committee on Human Rights; parliamentarians; police officers; religious leaders; and, civil society organizations.

A general presentation on the situation of children in Bhutan, and also on the organisers and supporters, marked the start of the Inaugural. The inaugural session was an opportunity to make a point that human rights issues do not confine within national borders, more so in South Asia where countries and societies share the same culture, religion and other social practices, including marriage.

Violence against children and women, which feature prominently in the discourse of human rights in Bhutan primarily because Bhutan is Party to CRC and CEDAW, should be seen in a regional context, and thus be linked to regional initiatives addressing regional human rights issues. It is here the Bhutan Workshop was connected to RISAHRM with the later expected to take up pressing national human rights issues, the issues of children and women to speak in the context of Bhutan, in its broader campaign for the establishment of South Asia human rights mechanism. Unless specific national issues form part of the campaign, it was stressed, the regional campaign will not be able to generate national debates and opinions necessary for the realization of the regional mechanism.

Thematic Sessions

In the afternoon, three thematic sessions were presented. Mukunda Kattel, Director, FORUM-ASIA, led a session on "Human Rights Issues and Challenges in South Asia." Mukunda, in his presentation, first discussed the basics of human rights, and took the participants through some of the issues and challenges facing South Asia as a region. Mukunda introduced human rights as fundamental freedoms and liberties inherent in a person. Human rights are acquired by birth, and are a must for a human person to live a life with "freedom", "equality" and "dignity," Mukunda summarized.

"Anything (material object, idea, relationship, environment, and so on) necessary to live a free, equal and dignified life is human rights."

Mukunda Kattel, Director, FORUM-ASIA

Unwillingness and/or inability of states to "respect", "protect" and "fulfill (provide and

facilitate)” human rights obligations; prevalence of socio-cultural attitudes and institutions, including the Caste System; ‘More demanding’ and ‘less fulfilling’ individuals; and, lack of knowledge and awareness about rights and responsibilities among common people were presented as the main human rights issues facing the region. And, to build a human rights respecting culture was flagged to be the main challenge in South Asia.

In the second thematic session, RISAHRM Co-Convenor Subodh Pyakurel shared Nepal’s experience on tackling violence against women and children. Trafficking in women and children, he highlighted, is not just a national problem. It involves more than one country, and creates spillover effects for the entire region, he highlighted. All the actors of the region, both state and non-state, should work in unison to combat the problem of trafficking, Mr Pyakurel stressed.

‘Nepal was a sending country in terms of trafficking and now it is a receiving country as well. Women from Nepal are trafficked to Suda, Nigeria and Bangladesh for prostitution. The issue of trafficking and prostitution is politicized through the creation of Special Economic Zone (SEZ)’... RISAHRM Co-Convenor Subodh Pyakurel

The third thematic session, moderated by Dr. Rinchen Chopel, focused on the situation of children in South Asia. He presented a rundown of the children in South Asia, and stressed the need for joint actions to tackle the problem facing the children of the region given that the problems are multifaceted and inter-connected. A child abused is a future abused, he underlined, and called on all to launch an integrated campaign in collaboration with all likeminded forums and processes. Here, he saw the importance of collaborating with the Regional Initiative for Human Rights Mechanism, which he said should take up pressing regional issues as part of its campaign for the regional mechanism. Unless RISAHRM is rooted in specific issues, the cause it champions will not draw a needed response. Similarly, unless the movement against violence against children and women is connected to the process like RISAHRM, the movement will not appeal a response needed to deal with the underlying issues, Dr Chopel reiterated.

‘[in absence of a South Asia level human rights mechanism].We are encouraging regional cooperation and organizing ‘Chicken Neck’ conference in Siluguri, India to discuss issues on trafficking [of women and children] in India, Nepal and Bangladesh with participants from Bhutan and Myanmar as observers. We have to ensure that for every missing child, an FIR is filed. Uniform case management system need to be formed along with disclosure reports based on the experiences of the survivors’ Dr. Rinchen Chopel, Director General, SAIEVAC.

Discussion on RISAHRM

The fourth thematic session, the only session for the first half of the second day and fully devoted to the business of RISAHRM, followed a short recap of the presentations and discussions of day one, by Dr Chopel. Then, Mr Pyakurel presented the campaign for regional initiative for South Asian Human Rights Mechanism. Why such a mechanism is needed and how this should be created were questions he tried to deal with in his presentation.

South Asian human rights mechanism is necessary to bind all national human rights initiatives together and to create a regional force to tackle common human rights problems facing the people of the region – Mr Pyakurel highlighted. A regional mechanism, Mr Pyakurel added,

adds to national mechanisms by creating an additional layer of human rights protection and promotion and by providing a regional avenue to discuss pressing issues and problems of the region.

‘A regional mechanism is also necessary to provide the missing link between national and global processes without which human rights protection and promotion will not be possible at the national level’ Mr Pyakurel.

He then shared experiences from other countries, where national core committees have been formed to steer nation-wide discussion to create public opinion in favour of the regional mechanism, and invited the Bhutanese participants as well to think along the line.

In response to Mr Pyakurel’s presentation, the delegates felt the need for Bhutan to join the regional process to effectively respond to the human rights problems facing the people of Bhutan, and decided to form a national core committee.

Key Outcomes

In key outcomes of the Bhutan Workshop, Bhutan’s civil society organizations and parliamentarians were sensitized to the need for a regional mechanism. While debating the regional mechanism, they also felt the need for constituting a national human rights mechanism. Parliamentarians, including the Chair of the Parliamentary Human Rights Committee, were keen to learn more about human rights and the scope and mandates of the national human rights mechanism. They have asked for help from FORUM-ASIA in this respect.

In another concrete outcome, a principle-agreement has been reached to form a national core committee to promote the debate on the regional mechanism. Since parliamentarians also expressed their interest in serving as members of the committee, the actual formation was delayed as the members of parliament needed a clearance from the Speaker/Chair of the Lower House. Once the clearance is issued, members will be identified.

“The two day workshop introduced me many new concepts related to human rights. It was educative and I learnt the need for a regional cooperation and action [Regional Human Rights Mechanism]. Bhutan has good socio-economic indicators and perhaps we can lead such a process” a participant