

FORUM-ASIA Kathmandu Statement

(Adopted in Kathmandu, on 7 April 2017)

We, the members of FORUM-ASIA, representatives of regional human rights and development networks, human rights defenders including women human rights defenders, academicians and media professionals, participating in the “Regional Dialogue on ‘Regional Human Rights Mechanism in South Asia’” in Kathmandu, Nepal from 6 to 7 April 2017 adopt this declaration:

Asserting our identity as defenders and promoters of human rights, and our indispensable role in the consolidation and promotion of democracy and the rule of law that is built on the foundation of universal human rights as elucidated in the International Bill of Human Rights and other human rights standards;

Standing in solidarity with all human rights defenders and civil society organizations facing persecutions and reprisals for their human rights defense;

Reaffirming our firm commitment to the realization of all human rights for all peoples, and ensuring justice for victims and survivors of human rights violations;

Expressing serious concern over ongoing humiliating and degrading treatment, surveillance, fabricated and false criminal charges, funding restrictions, cancellation of registration licenses, abductions, enforced disappearances, extra-judicial killings, torture, impunity, counter-terrorism, and all other forms of violence including gender and caste based violence, facing human rights defenders in varying degrees in South Asia by acts of States and vigilante groups;

Alarmed at shrinking space for democracy, human rights and the rule of law, and its implications for civil society organizations and social justice movements;

Noting with grave concern that the governments, judiciary, and other state institutions are increasingly failing to provide protection and facilitate enabling environment and space for human rights defenders, civil society organizations and other social movements in the region;

Aware that it is extremely necessary to enhance people-to-people connectivity within and beyond borders, and collaboration to build a regional response to the increasing trend of extremism, illiberalism, intolerance, crony capitalism, patriarchy, and divisive policies and laws, and to reclaim our democratic rights space as civil society members and citizens;

Committed deeply to the establishment, and strengthening as relevant, of inclusive and gender responsive national and regional institutions and frameworks capable of rising to the challenges discussed above, and ensuring promotion and protection of all human rights at the regional level;

Call to Action:

1. We call on SAARC Governments to:

- (a) Repeal all repressive laws and legal provisions that criminalise and restrict the work of human rights defenders and restrict the space for civil society to operate freely;

- (b) Investigate human rights abuses and violations, committed both by state and non-state actors, and hold those responsible accountable for their actions; and that the victims of violence have had access to redress and justice;
- (c) Guarantee the right to freedom of movement, including the right to free travel regionally by relaxing visa regulations and other restrictive orders and policies;
- (d) Support civil society efforts towards the establishment of a South Asia regional human rights mechanism, and take measures towards the establishment of such a mechanism.
- (e) Establish and strengthen national human rights institutions in line with Paris Principles in respective countries.

2. We call on National Human Rights Institutions to:

- (a) Investigate human rights violations and abuses committed by both state and non-state actors, and instruct Governments to hold those responsible accountable and provide justice to the victims;
- (b) Encourage governments to ensure that national laws and policies are in line with international human rights law, and to repeal laws and policies that are in conflict with international human rights law;
- (c) Ensure that the nationals of foreign countries are not persecuted and wrongfully prosecuted, and that they enjoy basic human rights as guaranteed by international covenants.

3. We call on human rights defenders and civil society actors to:

- (a) Enhance mutual support, collaboration, cooperation and connectivity among human rights defenders, civil society organisations, community groups and progressive movements at local, national and regional level;
- (b) Engage in human rights awareness and education at the community level to empower people with information and mobilize them for defense of human rights;
- (c) Form SA People's Human Rights Commission, national networks to addresses shrinking democratic spaces and engage it in human rights monitoring, reporting and other works, including drafting of South Asia People's Charter of Human Rights;
- (d) Invest in research to create evidence and knowledge base on which to base effective advocacy (to challenge extremism and to create pro-human rights policies), and to develop alternative discourse and strategies to promote the respect for human rights;
- (e) Work with parliamentarians to make them aware of the importance of a regional human rights mechanism, and mobilize their support in its favour;
- (f) Engage with media to discuss common human rights issues facing the region.