

***Gender, Poverty and Constitutional Rights:
South Asian People's Struggle***

PROCEEDINGS

FIFTH GENERAL ASSEMBLY



South Asia Alliance for Poverty Eradication (SAAPE)

*Gender, Poverty and Constitutional Rights:
South Asian People's Struggle*

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Table of Contents

Acknowledgements

Acronyms

I. Contemporary Challenges in South Asia	1
II. SAAPE: Background and Milestones	3
III. Proceedings: Inaugural Session and Keynote Speech	6
IV. Key Challenges in South Asia:	9-16
A. Partnership between CEDAW and Civil Society of South Asia in Promoting Gender Equality	9
B. People's Struggle against the Rising Fundamentalism in South Asia	10
1. <i>Migration, Fundamentalism, Terrorism in South Asia</i>	10
2. <i>Religious Fundamentalism in Bangladesh</i>	12
3. <i>Religious Fundamentalism in Afghanistan</i>	13
C. Shrinking Civic Spaces and Citizen Rights in South Asia	14
D. Constitutionalism in South Asia: Lessons from Nepal's Constitution-making Process	15
E. Citizen Rights of conflict affected People in the Countries in Post Conflict: People's Struggles for Peace and Democracy in Sri Lanka	15
F. Autocratic Regimes and Violation of Human Rights in South Asia: People's Struggle in Maldives	16
V. Sharing Progress on Poverty Report 2016, People's SAARC and Campaigns	17
VI. SAAPE's Strategic Direction 2017-2020	23
VII. SAAPE Fifth General Assembly Declaration	26
Annexes	28-39
Annex 1: Background Paper	28
Annex 2: Programme Schedule	30
Annex 3: List of Participants	32
Annex 4: Manesar Declaration	34
Annex 5: List of Participants of SAAPE Founding Meeting	36
Annex 6: Some Glimpses of Fifth General Assembly	37

Acronyms

ANPFa	All Nepal Peasants' Federation
BBC	Beyond Beijing Committee
BJP	Bharatiya Janata Party
BNP	Bangladesh Nationalist Party
CAP	Common Agricultural Policy
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CEPA	Centre for Poverty Analysis
CSO	Civil Society Organisation
FATA	Federally Administered Tribal Areas
GA	General Assembly
GEFONT	General Federation of Nepalese Trade Unions
GDP	Gross Domestic Product
HRA	Human Rights Alliance
ICSCR	International Conference on Substantive and Constitutional Rights
IDPs	Internally Displaced Persons
IFI	International Financial Institution
IMF	International Monetary Fund
JNU	Jawaharlal Nehru University
LDCs	Least Developed Countries
LTTE	Liberation Tigers of Tamil Eelam
MDGs	Millennium Development Goals
NATO	North Atlantic Treaty Organisation
NCSG	Nepal Centre for Security Governance
NGO	Non-Governmental Organisation
NLSIU	National Law School of India University
ODA	Official Development Assistance
RtFN	National Network on Right to Food, Nepal
RSS	Rashtriya Swayamsevak Sangh
SAAPE	South Asia Alliance for Poverty Eradication
SAARC	South Asian Association for Regional Cooperation
SACSN	South Asia Civil Society Network
SAP	Structural Adjustment Programme
SDGs	Sustainable Development Goals
UN	United Nations
UNDP	United Nations Development Programme
US	United States
TWN	Third World Network
WTO	World Trade Organisation

I. Contemporary Challenges in South Asia

Introduction

South Asia, like its global counterpart, is not immune to global capitalist crisis. Although we still continue with “encouraging” levels of growth, the future seems to be wedged for many of these economies. Even the World Bank, a great advocate for “free-markets” and economic growth, was forced to tread caution about its economic outlook citing “uncertain global economic environment, low commodity prices, volatile weather and ever-rising security concerns”.

Already, 25 years of Structural Adjustment Programmes under the guise of globalisation have ruined the life of common people. True, we have had unprecedented and unthinkable economic growth in the last 25 years, but it is truer that the very nature of economic growth has accentuated insecurities for a vast majority of the population. It is apodictic that we see the emergence of enormous wealth – both exhibited and concealed – but the working class and other toiling masses of the country have been literally excluded from any meaningful social gains. In the name of attracting investments and promoting economic growth, the region has become a laboratory for labour cost reduction experiments and intensification of exploitation.

The economic crisis coupled with unbridled neo-liberalism is having a deadly impact on the region. The

region is confronted assorted challenges including poverty and deprivation, fundamentalism and extremism, religious and ethnic tensions, militarism, human rights violations, along with the geopolitical sensitivities and hegemonic repercussions of globalisation.

South Asia is home to the world’s largest working-age population, a quarter of the world’s middle-class consumers, the largest number of poor and undernourished in the world. About 399 million people—40 per cent of the world’s poor—live on less than \$1.25 a day. More than 200 million people live in slums, and a half a billion people go without electricity. Many countries in the region suffer from extreme forms of social exclusion and all countries are experiencing sharp increases in inequality.

In the name of “competitiveness” in the world market, the ruling classes of the region are conducting an ongoing systematic offensive to destroy the collective rights that were acquired, particularly during the period that followed the Second World War. They do not aim to impose a new “social contract” that is more favourable to them, but want to do away with all such agreements and to get their hands on all the potentially profitable sectors which, because they were public services, escaped them: health, education, pension systems, transport, etc.

Shrinking of Democratic Spaces in South Asia

Generally, it is seen that those who typically caused the crisis have not been affected that much; some in fact have been quite enriched and they make no apologies about it. Instead, the poorer and more working class in those societies have typically felt the brunt.

It is quite natural that mass protests erupt at a time when large sections of the population have been affected by policies of the rulers and elite. They are often met with brutal crackdown by the guardians of the elite, be they local police, militias, military, or even another nation’s military forces. The ruling classes, instead of addressing their needs, resort to coercive methods. All these actions contribute to shrinking democratic spaces in the region.

The space for freedom of expression is shrinking across South Asia. Pakistan is one of the world’s most dangerous countries for journalists; Bangladesh is increasingly dangerous for those speaking their own minds and human rights defenders are not tolerated in Afghanistan. In India, authorities clamped down on organisations critical of official policies and censorship and attacks on freedom of expression by Hindu fundamentalist groups grew rapidly since the BJP came to power in 2014. A climate of growing intolerance is holding the sway. In Afghanistan, the Afghan Parliament has amended the Mass Media Law, which journalists and human rights group fear would further restrict freedom of expression.

Across the region, democracy has been weakened, corruption has increased and the rights of citizens are denied. Development in the region is affected by the corrupt political leadership, inefficient State institutions and growing militarisation. The crisis of democracy is manifested by pervasive nepotism and corruption, misappropriation of State Funds, an absence of transparency and accountability in public administration, a lack of respect for the rule of law and ethical behaviour in public life and reluctance to delegate administrative or financial powers to grassroots organisations. There is a growing consciousness of injustice and discrimination. Elections are generally won with money and the coercive power of local elites. The role of religious parochialism in politics has substantially increased in Bangladesh, India, Pakistan and Sri Lanka. While all the countries of South Asia have democratic governments, their governance is not truly democratic.

Extremism and Fundamentalism

Various forms of extremist and fundamentalist violence have been the constant challenges for democracy and development in South Asia. The emergence of Hindutva forces in India, the radical Islamic forces in Pakistan & Bangladesh, the Buddhist dominated Sinhalaisation in Sri Lanka, all state the fact that many countries are caught in the web of communal, fundamental and fascist forces.

This growing identity strife is also a manifestation of the crisis. The resulting tensions led to an identity crisis, as minorities sought to address injustices and nationalists agitated against cultural and religious diversity. The nation, cultural differences, ethnicity, even race and religion have stoked passions and terrible tensions within numerous countries, between nation-states, and

on a global scale, confronted by major difficulties: unemployment, diverse forms of social insecurity and exclusion, racism, discrimination, family destabilisation and unequal opportunities. Within these populations there developed a new emphasis on religion, ethnicity, caste and many other forms of identities.

The particularity of globalised capitalism is that it seems to accommodate itself to crisis as a permanent state of affairs: crisis becomes con-substantial with the normal functioning of the new global system of domination. If this is really the case, we must profoundly change our view of "crisis" as a particular moment between long periods of "normality" – and we have not finished measuring, and suffering, the consequences of this.

There is not only a crisis of legitimacy of the ruling classes, but also an ideological crisis. To counter this, the ruling classes are increasingly resorting to "divide and rule", using racism, Islamophobia and anti-minority, xenophobia and stigmatisation. Therefore, the fight against racism and xenophobia is more than ever a critical area of resistance at the regional level. The same goes for other forms of discrimination (gender, sexual, social etc.).

The democratic imperative – "real democracy now!" – thus acquires a more subversive dimension that is more immediate than it was often the case in the past, making it possible to give it an alternative, popular content. Similarly, the universality of neo-liberal policies and the accompanying commoditisation of "common goods" make the convergence of forms of social resistance possible as seen in the global justice movement. The consequences of climate change, which are already being felt, also offer a new field of potentially anti-capitalist convergences.

II. SAAPE: Background and Milestones

South Asia is home to above 1.766 billion people that comprise about 24% of the world's 7.442 billion population. The region has a wide diversity of cultures, languages, religions and social structures, which are severely affected by poverty. Despite several decades of planned development efforts targeted towards poverty reduction, almost all countries of South Asia have been experiencing poverty, exclusion and denial for a long time. Even the conventional poverty estimates show that, compared to almost one quarter of the world's population living in South Asia, half of the poor reside in this region. Out of the eight South Asian countries, four (Afghanistan, Bangladesh, Bhutan & Nepal) are in the category of least developed countries (LDCs). Conflicts in different forms and manifestations —mainly rooted in denial, discrimination, exclusion, deprivation and marginalisation— are frequently faced by South Asian societies. The region has also been characterised by the unjust distribution of productive resources, resulting in deep rooted inequality, conflict, destitution and systematic marginalisation. This unequal distribution of resources is encountered by various communities within the region.

Against the backdrop of rising poverty and escalating human rights abuses, various civil society actors from across the region, together with representatives of civil society organisations from Europe, convened a consultation in 2000 in Manesar, India, to discuss the problems facing the region and to come up with possible solutions. About 200 participants, comprising journalists, academics, trade unionists, human rights activists, NGOs and other civil society actors, agreed to form an alliance to fight against poverty and injustice in South Asia. This led to the creation of the South Asia Alliance for Poverty Eradication (SAAPE). It was formalised later at the South Asia Civil Society Network meeting on poverty eradication in Kathmandu in December 2001.

Priority Themes

SAAPE's main focus for the first 10 years of its establishment was poverty eradication through policy research, advocacy, lobbying and campaign works on five key themes, which were priority concerns for civil society in all countries of the region. The five major themes were:

- Food sovereignty, livelihoods, climate change and employment,
- Peace, justice and demilitarisation,
- Gender justice,
- Labour rights and economic/financial crisis,
- Democracy and just governance.

From 2012, SAAPE has grouped five themes into three campaigns, namely; food sovereignty, gender justice and demilitarisation, democratisation and social justice in South Asia.

SAAPE envisions just societies that enjoy all human rights and freedoms, giving dignity to individuals. SAAPE's mission is to intervene on the issues of poverty and exclusion thereby contributing to eradicating poverty and injustices, rejecting the neo-liberal development models and striving for sustainable alternatives that are pro-poor.

Strategies

- Expanding membership constituency of SAAPE, building capacity and confidence of civil society aimed at improved access of poor, excluded, and vulnerable people in South Asia to political, social and economic governance structures of all levels and fighting against poverty and anti-people policies at national as well as regional levels;
- Analysing the situations and problems for raising awareness, developing issue-based advocacy, lobby and campaign;
- Building solidarity and shared civil society vision for the region. Bringing together civil society groups across South Asia in a platform to jointly discuss strategies and take action to contribute towards poverty eradication;
- Enabling groups of poor and excluded to identify their own sustainable solutions locally and bringing alternatives to the regional level;
- Working as a pressure group on governments, SAARC, the inter-governmental organisations and other multilateral bodies active in the region with lobby and campaign activities, advocating for pro-poor policies and programs from a regional perspective; and
- Developing and promoting alternative policies that are conducive for the elimination of poverty and promotion of sustainable livelihoods.

SAAPE Milestones

Multi-stakeholder Gathering including Civil Society Groups, Manesar, India (27-29 September 2000)

In the year 2000, civil society actors from South Asia and their well-wishers from Europe came together in Manesar, India to collectively fight against poverty and injustice in the South Asian region. The factor that brought these actors together was the recognition that civil society organisation and NGOs' expertise in macro-economic and political frameworks could help in effectively addressing rampant poverty and injustices prevailing in the region. The meeting consequently formed the South Asia Civil Society Network (SACSN) and also adopted the "Manesar Declaration."¹ The declaration recognised that the economic policies of globalisation, liberalisation and privatisation promoted by the International Financial Institutions (IFIs) and the non-participatory development model followed by the South Asian States as the major reason for growing poverty and deprivation in the region. The participants of the meeting resolved that only a "rights based approach" to social development would help in eradicating poverty and ensuring the dignity of the poor, marginalised and deprived peoples of South Asia.

South Asia Civil Society Network Meeting on Poverty Eradication, Kathmandu, Nepal (December 2001)

As a follow-up to the Manesar consultation, the SACSN met in Kathmandu, December, 2001, with the theme of "Fighting unitedly against poverty, hunger and injustice". The Kathmandu meeting felt the need for an alliance to further pursue their goals which subsequently led to the creation of the South Asia Alliance for Poverty Eradication (SAAPE). SAAPE, since then, is firmly based with the vision of creating a society free from poverty, hunger and injustices so as to strengthen peoples' democracy and their empowerment. Since its establishment, the mission of SAAPE has been to facilitate the process for establishing suitable mechanisms to ensure people's genuine participation in the decision-making processes at all levels to contribute towards poverty eradication.

First General Assembly (GA), Colombo, Sri Lanka (14-16 June 2003)

"Power, Politics and Poverty in South Asia"

The first General Assembly of SAAPE was held in Colombo from 14 to 16 June, 2003, with the theme "Power, Politics and Poverty in South Asia." The purpose of the Assembly was to analyse poverty, politics, power and the politics of development in South Asia, to formalise the SAAPE alliance and to strategise about how SAAPE could better facilitate the work of its

member organisations in eradicating poverty in the region. The meeting also intended to provide a space for sharing experiences from the various social struggles and mass movements represented by the SAAPE membership and discussing how to work together, learn from each other, and formulate constructive next steps forward. The Colombo Declaration reiterated the Manesar Declaration and reaffirmed the power of the people in the South Asian region to regain control to abolish both poverty and the politics that create this condition. The country focal points were also established at the first GA.

Second General Assembly, Kathmandu, Nepal (2-3 July 2006)

"Struggles for Grassroots Democracy: A South Asian Civil Society Perspective"

The real challenge in most countries in South Asia is to improve the process of governance in such a way that public policy fundamentally protects the general public interests rather than being a hostage to vested interests keeping the vast majority of the poor and marginalised deprived of access to political decision-making, natural resource use and human development. Increased commitment to democracy and justice are, therefore, prerequisites for the South Asian countries in order to achieve their development goals. Against this background, the second General Assembly of SAAPE, which was held in Kathmandu on 2-3 July, 2006, focused on the theme of "Struggles for Grassroots Democracy: A South Asian Civil Society Perspective." Given the historic failure of the IFIs policies in eradicating poverty and development, the participants of the GA called to downplay and de-legitimise the International Financial Institutions (IFIs) and international capital for their self-proclaimed right to set agenda for poverty eradication and development. The participants took note of the region's food crisis and the severity it could bring to the millions of the South Asian population and therein, committed to work towards realising food sovereignty and food security for the people of the region and struggle to create a supportive policy framework – promoting eco-agriculture, opposing GM food and promoting peasant alliances for ensuring food sovereignty.

Third General Assembly, Kathmandu, Nepal (8-9 August 2009)

"Global Financial Crisis and Implications in South Asia"

The global economic crisis that began in 2007 is in fact symptomatic of the broader failures of neo-liberalism. Its impact in South Asia could be felt in terms of food crisis, fuel crisis and financial crisis. Therefore, the third General Assembly held on 8-9 August, 2009, in

¹See Annex 4: Manesar Declaration

Kathmandu, Nepal, chose the theme “Global Financial Crisis and Implications in South Asia.” The Assembly recognised that the neo-liberal economic policies have not only led to the loss of millions of jobs and intensification of poverty in South Asia but have also deprived the South Asian population their rights to life. The GA, therefore, called the South Asian governments and the international community to recognise and support the development alternatives initiated by the communities that incorporates the principles of gender justice, ecological sustainability and participatory democracy. It is only under this development paradigm that the basic legal, social and economic rights of all citizens in the region would be fulfilled.

Fourth General Assembly, Kathmandu, Nepal (18-19 December 2012)

“People’s struggle for poverty eradication: Towards a new development agenda in South Asia”

The South Asian region is often characterised by deeply rooted structural poverty, food insecurity, poor governance, exclusion, gender injustice and conflict. Despite the growing trend of democratic discourse in South Asia, the greater section of the population continues to be impoverished, marginalised and deprived of their fundamental rights. Prevalence of neo-liberal policies in the region that prioritise profits over people, has added to the plight and misery of those already marginalised by creating a further divide in terms of access to and distribution of wealth between the haves and the have-nots. As such, the fourth General Assembly held from 18-19 December, 2012, in Kathmandu, Nepal, highlighted the struggles of poverty eradication in the region, as well as the need for an effective, all-encompassing development paradigm. The participants recognised that the region as a whole has witnessed the rise of democratic struggles. The General

Assembly also called Civil Society Organisations (CSOs) to recognise the aspirations of ordinary people and to strive for a new world order. CSOs were urged to come together in preparation of the upcoming People’s SAARC. Additionally, pertaining to the theme of the Assembly, “The Poverty and Vulnerability Report” which SAAPE publishes every three years was also discussed.

Fifth General Assembly, Kathmandu, Nepal (02-03 September 2016)

“Gender, Poverty and Constitutional Rights: South Asian People’s Struggle”

Despite the continuous struggle of women’s movements for liberation from gender-based discrimination, women in South Asia are deprived of their fundamental rights to dignity with patriarchal systems impinging every spheres of their lives. Economically, they remain without access to control of resources, and rights, equality in wages. There are uneven levels of constitutionally recognised rights that women enjoy in countries of South Asia. However, rights do not get automatically implemented in the absence of any political will. In this context, the fifth General Assembly of SAAPE was held from 02-03 September, 2016, in Kathmandu. The speakers and participants of the programme discussed the key challenges in South Asia including fundamentalism, shrinking of civic spaces and violation of human rights. The General Assembly also discussed on the SAAPE Poverty and Vulnerability Report 2016. Country perspectives on People’s SAARC 2016 and preparations for the same were deliberated. Besides, the General Assembly threw light on the progress made so far on thematic areas of SAAPE’s engagement and also suggested the course for the future. Lastly, SAAPE’s strategic direction from 2017-2020 was also discussed along with the adoption of the Kathmandu Declaration.

III. Proceedings: Inaugural Session and Keynote Speech

The fifth General Assembly of SAAPE was organised on 2-3 September, 2016, in Kathmandu, Nepal. In the inaugural session, Dr. Netra Timsina, Regional Coordinator of SAAPE, welcomed all delegates and participants, and highlighted how SAAPE has been continually engaging over the years in strengthening and consolidating the socio-political movements in South Asia.

The delegates for this fifth General Assembly had come from all eight South Asian countries representing peasant organisations, women's movements, trade unions, social movements, environment movements, academics and human rights activists and NGO.

They deliberated on the issues of gender, poverty and constitutional rights and also shared about the ongoing people's struggles in South Asia. The outcomes of the deliberation are taken forward to shape SAAPE's strategic direction for 2017-2020.

Welcome Speech: Challenges of South Asia and SAAPE's Role

*- Netra Timsina,
Regional Coordinator, SAAPE*

SAAPE, a platform of grassroots social movements, academics, women, peasants, trade union, and human rights activists to collectively fight against poverty, injustice and indignity in the South Asian region since 2001, continues to stand united against the structural causes of poverty and social injustice in South Asia.

It attempts to contribute to a political process of poverty eradication through conscious efforts to promoting peoples' struggles for equality, social justice, food sovereignty, labour rights, peace and social protection. SAAPE strongly believes in a democratic political process that helps to strategise genuine politics of poverty eradication by creating an enabling environment of options and opportunities to lead people's political empowerment.

South Asia, like its global counterpart, is undergoing a number of capitalist crises, economic and political in nature with the criminalisation of politics, rising extremism and fundamentalism resulting in the shrinking of civic spaces, climate crisis and food crisis. While official data on poverty and growth interpreted by proponents of neo-liberalism and financial institutions show a reduction of poverty and an increase in growth, the gap between the rich and the poor is widening, leaving more and more people to live in a state of destitution. This contradictory relation between poverty, growth and economic gap has

become characteristic to countries across South Asia and the globe.

Despite the continuous struggle of women's movements for liberation from gender-based discriminations, the plight of women is continuing. Gender discrimination operates through various forms of exclusion and oppression like patriarchy, caste, class, race, religion and ethnicity. Moreover, increased poverty in the face of globalisation, expansion of war, militarism and the rise of various fundamentalisms are recreating and reasserting traditional patriarchal social relations.

The progress in women's empowerment is highly inconsistent and patchy. The increased economic turmoil has exposed women to greater uncertainties. Although most South Asian countries have adopted the United Nations Security Council Resolution 1325 and 1820 (Women, Peace and Security)², increased unemployment, trafficking and violence against women are still major challenges. The lack of economic and social support for the ageing population, especially older women, loom large. In addition to gross under-representation in the decision-making processes, women are continuously restricted from access to productive resources and social support systems.

In spite of the UN stating "Gender Equality and Women Empowerment" as one of the Millennium Development Goals to be attained by the year 2015, the ground realities in South Asia are starkly different. Women in this region are deprived of their fundamental right to dignity with patriarchal systems impinging every sphere of their lives.

There is an uneven level of constitutionally recognised rights that women enjoy in countries of South Asia; however, rights do not automatically implement themselves in the absence of any political will. It is the prerogative of the South Asian States to guarantee the



Netra Timsina welcoming all participants and underlining SAAPE's role considering the challenges in South Asia

² "Women, Peace and Security is UN Security Council Resolution 1325, 1820

fullest rights to women and ensure their effective implementation, enforcing radical changes for eliminating gender inequalities from the society.

This General Assembly signals the start of the revisiting, redefining and strengthening of SAAPE's role in propelling struggles across South Asia against these multi-layered global capitalist crises.

Keynote Speech: Interrelations between Gender, Poverty and Constitution

*-Sapana Pradhan Malla
Honourable Justice, Supreme Court of Nepal*

The theme of the General Assembly "Gender, Poverty and Constitutionalism" allude to deeply integrated and contextually relevant concepts. The theme of the GA directly implicates the notion of the feminisation of poverty, wherein the experience of poverty is in itself disparate between men and women. Women bear the brunt of larger global economic-political processes that affect poorer economies, such as increased burden of care-work as a result of the breakdown of State welfare funds following the implementation of structural adjustment policies. Further, gender is connected to the SDGs where gender equality is an issue that intersects with all goals of the SDGs. The links between the SDGs and constitutionalism become clear once we explore the common rights-based framework between them, which bear commitment to ensuring justice, non-discrimination, inequality and liberty.

Instances from my own practice as a cause-lawyer make apparent the unforgiving nexus of poverty, gender and violence. Domestic violence is both a cause and

consequence of poverty. This inter-linkage can be illustrated through its operation in court where female victims of domestic violence are unable to tell the truth and become hostile because of the fear of becoming homeless. At the same time, domestic violence generally emanates from the poorest families. Mechanisms must be put in place that empower women to tell the truth about their experiences without fearing for their lives.

Nepal's constitution is one of the most progressive constitutions in recent history. Despite challenges in implementation and reservations in recognising citizenship through the mother, the rights of women and marginalised groups have been widely recognised. The constitution has mechanisms to ensure socio-economic rights transformation, the right to appropriate housing, right to food security and right to social security. Moreover, the constitution recognises pluralism through the language of diversity as central to democracy and rule of law. Although Nepal follows a unified code based on Hinduism, the constitution makes provisions to recognise all traditions, laws and customs and simultaneously regards any religious law that is discriminatory and exploitative. Monthly social security allowances have been guaranteed to marginalised and vulnerable groups such as senior citizens, Dalits and people with disabilities. Though the amount does not add up to much, the sense of entitlement felt by senior citizens is a positive reflection of constitutionalism.

A wide range of definitions of poverty were explored during the constitution-making process. The human capabilities approach, social inclusion and representation were, however, deemed best suited to



Sapana Pradhan Malla speaking on the issues of poverty, gender, domestic violence and the Nepali Constitution as a keynote speaker

measure poverty in South Asia, which became indicators that formed the framework during Nepal's constitution-drafting process. Inclusion constitutes a central organising principle in the constitution, whereby the State has made provisions that commits to monitoring the process of inclusion. Nevertheless, the issue of inclusion has remained contentious in Nepal wherein it is not only regarded as a gateway to opportunities but also a threat. However, a missing element that remained was intersectionality, which led to challenges in understanding the multi-layered inequalities and discrimination within the clusters of caste, class, ethnicity and geographical areas. For example, divisions based on class within the Tharu or Brahmin castes are often not appropriately acknowledged.

Regarding the formulation of a gender-inclusive constitution, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) framework became an important point of reference in the constitution-making process, especially its language of non-discrimination and inequality. It provided guidance in differentiating between non-discrimination and inequality. The principles of non-discrimination are used to locate institutional barriers but equality requires the use of corrective measures through the substantive model of equality. CEDAW's framework was used as a guide to draft progressive rights particular to women, examples of which are the recognition of reproductive rights as a fundamental right and non-discrimination based on marital status and pregnancy, 33 per cent reservation in the lower house and 40 per cent in the local government and reservations either in the positions of President or Vice-President, Speaker or Deputy-Speaker. Two areas in which the inclusive framework has been put into effect but proportional representation has not been granted are the Judiciary and political parties. Further, general recommendation No. 30³ of the convention was used to formulate laws on women's migration and ensure safe migration. The CEDAW framework and the language it provides, allows great negotiating power for those working to ensure gender justice through gender-inclusiveness.

SAAPE's poverty report is a credible tool to keep state accountability in check, especially with the critical lens

it provides. Input from research done during the course of preparing the report on strategies to deal with the barriers in eradicating poverty can lend much needed negotiating power to civil society. However, there are several areas in which SAAPE can generate pressure to change constitutional rights in a positive direction. For example, debates about accountability focus exclusively on the public sector, neglecting the private sector altogether. The fact that most opportunities are concentrated in the private sector calls for generating more pressure on the private sector to become accountable. The linkages of business and human rights are becoming increasingly recognised as evident in the appointment of a rapporteur on Business and Human Rights, however, efforts from the business sectors need to go beyond the practice of corporate social responsibility and must address human rights issues of workers. The injustice experienced by victims of the Bhopal disaster is an example of human rights violation caused by a disregard for human life on part of the corporate sector. Civil society can provide the much needed voice to push for accountability from the private sectors as it has done from public sectors.

Other areas in which civil society networks such as SAAPE can contribute are assessments of the use of mechanisms that we are party to as member states such as the Optional Protocol within ICSCR, as well as other opportunities provided by human rights instruments to engage in constructive dialogue with the State. The question is how to use SAAPE's report to encompass this issue. A persistently neglected aspect of advocacy by civil society is related to treaties and jurisprudence, which in most post-colonial countries is still based on colonial framework. It takes a dualistic approach to national and international law, where the problems with implementation of international laws and treaties are located.

In closing, the importance of the constitution as an effective and powerful tool must be reiterated. Constitutionalism has the potential to encompass both issues of poverty and gender as well as a wide range of concerns regarding inclusion, socio-economic and political justice, and the rights to live a full, dignified and enriching life.

³ General recommendation No. 30 is on "women in conflict prevention, conflict and post-conflict situations"

IV. Key Challenges in South Asia

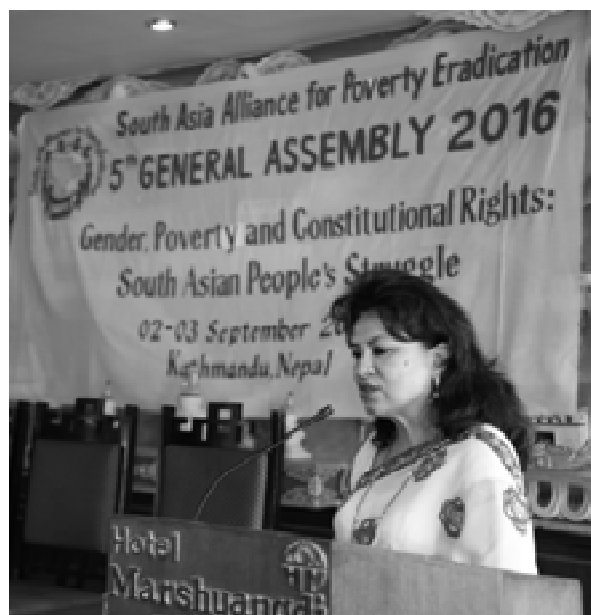
The panel discussion led to the convergence and sharing of multiple and multi-dimensional contemporary issues that persist throughout the South Asian region. Commonalities in socio-political and economic spheres across the region were unearthed once again and country-specific solutions to ongoing crises were sought. Religious fundamentalism, as a common threat to peace in South Asia, was rigorously debated with in-depth analysis from participants from Bangladesh, Pakistan and Afghanistan on its impact in their respective countries. South Asia's struggle with safekeeping constitutionalism was reflected in the discussion on Nepal's constitution-making process, with major focus on threats to constitutionalism from neo-liberal agenda despite the progressive orientation of the constitution. In the same vein, the shrinking of civic spaces that are conducive to alternate discourses on progress and growth were seen as direct consequences of the domination of neo-liberal economic and political ideology. The Sri Lankan post-conflict and transitional justice progress and setbacks were discussed as well as the Maldivian struggle against the perils of an anti-democratic, authoritarian regime.

The organising theme of the discussion was to conceive of the potential role of networks such as SAAPE in mediating solutions to the key challenges in the sub-continent. This was best discussed in the presentation on civil society's role in promoting gender equality through a strong partnership with CEDAW. Overall, the panel discussion lent a correct picture of the struggles in South Asia and for SAAPE to support those struggles in favour of the people.

A) Partnership between CEDAW and Civil Society of South Asia in Promoting Gender Equality

*- Bandana Rana
Expert member at CEDAW Committee*

The facts and figures of gender violence in South Asia are persistent and staggering. In South Asia, more women die during child birth than in any other part of the world, except Sub-Saharan Africa. Almost fifty per cent of the women report physical violence by intimate partners. Only twenty per cent of the women in South Asia are in non-agricultural wage employment, the lowest figure in the world. Ownership of farmland is negligible even though fifty per cent of the region's women are employed in agriculture. Gender inequality of wages remain persistent with women earning 70-90 per cent less than men. Discrimination against women



Bandana Rana describing possibilities of collaborative efforts by the CSOs of South Asia to promote gender equality

begins right from conception as evident by the increasing rates of female foeticide. Dowry deaths are responsible for the deaths of thousands of women in addition to alarming rates of honour crimes and acid attacks. Women are vulnerable to early pregnancy owing to the continued practice of child marriage. These statistics outline the context in which CEDAW operates to promote gender equality. It is touted as the foremost overall tool in the work on gender equality. It instigates domestic policy change by influencing domestic legal processes, altering national policy agenda and legitimising political mobilisation. The convention serves two purposes; i) it defines and identifies public and private practices that reinforce gender inequality and ii) requires ratifying States to take active measures to guarantee women enjoy rights granted to them through CEDAW. Thus, it acts as a binding agreement to ensure women are treated as equal citizens to men across a range of civil, political and social rights. While possessing the strength of a human rights treaty, the specific significance of CEDAW goes beyond conventional approaches, working to unravel the deeply embedded structural and dynamic processes that underpin the various manifestations of inequality. As a treaty, it demands practical realisation of rights and compels State parties to eliminate all forms of discrimination through law, policy practice or custom. CEDAW can be taken as a road map to ensure substantive equality, which is equality not limited to law and policy but practical manifestations of these in public and private domain.

There is much cynicism surrounding the convention, which mainly stems from the failure of States to implement its principles as part of the domestic legislation. A discussion of the major loopholes in the implementation of CEDAW policies despite ratification by all South Asian countries could yield insight into civil society's collective role in harmonising the potential of CEDAW in their respective countries. The implementation of CEDAW is hindered by reservations to article 2 (a country's obligation to pursue without delay policies to end all discrimination against women) and article 16 (a country's obligation to end discrimination within family and marriage relations). Considering the fact that these two commitments are responsible for rendering CEDAW a landmark for women's rights, the CEDAW committee regards reservations to these two articles as incompatible with the spirit of the convention. The civil society can work towards withdrawing those reservations that are in effect in almost fifty per cent of South Asian countries, particularly that pertaining to family code and discrimination. Family law systematically denies the same basic citizenship rights to women as men by limiting their ability to select a career, own property and make decisions regarding children from birth to death. Family law disbars the rule of law from entering the private domain and thereby from effectively reaching out to victims of domestic violence.

There are multiple opportunities for civil society networks like SAAPE to engage with the convention and to ensure its effective implementation in domestic policy. First, the network needs to take a strong stance on withdrawing the reservations to articles of the convention. Second, it can present comments on government papers during each week of the deliberations of the CEDAW committee. Additionally, the committee is also open to alternate or shadow reports from civil society. The committee regards this as an opportunity to gather grounded and critical knowledge which then guides the concluding comments and observations as well as implementation time-lines provided to each member state. Another space for civil society networks would be in the drafting of general recommendations. The CEDAW committee started drafting general recommendations in urgent emerging and cross-cutting themes, some of which were issues not interpreted in the article but which were issues that member states were encouraged to include in their reporting mechanisms. Briefing papers on matters of serious concerns are also resourceful ways to improve the implementation of the convention, as these could be distributed directly to committee members or sent electronically.

My own experience as a civil society activist in pushing the CEDAW committee to adopt general recommendation No. 30 may provide a clear picture of the process. We started by initiating a dialogue through hearings and plenary discussions on the cross-cutting

issues of women, peace and security at significant UN meetings, where we invited CEDAW committee members. As a result of our advocacy, coupled with submissions of comments from UN agencies and NGOs, we were able to convince the committee to adopt general recommendation No. 30. This is directly related to increasing the accountability of member states in that it obligates member states to include the issue of women peace and security in their reporting to the convention.

Another area in which civil society attention is needed is in pushing States to ratify the Optional Protocol to CEDAW. This gender-specific international complaint procedure has only been ratified by Nepal, Maldives and Sri Lanka in this region. This convention has two parts: the communication procedure and the inquiry procedure. Under the communication procedure, groups of women can file a complaint directly to the committee in confidence. Through the inquiry procedure, the committee can launch an inquiry into certain women rights issues in any country that has ratified the protocol. SAAPE must work to promote the Optional Protocol by all States in the region.

CEDAW is a dynamic tool for advancing women's human rights and to end gender-based discrimination. Civil society possesses critical role as citizens and advocates, as watchdogs and as active participants in ensuring that governments fulfil all their promises to women and that women claim those rights. Gender equality and empowerment are not merely a part of development but rather constitute its core elements. The elimination of poverty cannot be envisaged without gender equality. The realisation of better lives for women, whether through access to education, healthcare and technology or the control of resources, lands and markets and through the roles of bread-winners, peace builders and leaders are part of the process of poverty eradication. In closing, to effect real change, I encourage everybody, including men in all realms of life, to feel a sense of ownership to the issue of women's rights by internalising the principles that CEDAW stands for.

B) People's Struggle against the Rising Fundamentalism in South Asia

1. Migration, Fundamentalism, Terrorism in South Asia

*-Farooq Tariq
SAAPE Core Committee Member, Pakistan*

Religious terrorism has become one of the major challenges for most of the countries in Asia, particularly in South and West Asia. It has resulted in a seemingly non-stop series of incidents where ordinary citizens are killed on a daily basis.

On the 1 July, 2016, after an 11-hour-long hostage situation, 20 hostages were killed in a restaurant packed with foreigners in Dhaka, the capital of Bangladesh. Nine



Farooq Tariq talking on the threat of rising fundamentalism and its negative implications on human rights and democracy in the region

of them were Italian, seven Japanese, one US citizen, an Indian and two locals. The responsibility for the barbaric act was claimed by the so-called Islamic State. The incident is a manifestation of the international character of the threat posed by Islamic religious fundamentalists.

Over the course of 20th century, Islamic fundamentalism has emerged as the most serious threat to democratic values, peace and security in most of the Asian countries.

In Pakistan, the menace of terrorism, in particular of the religious kind, has spread throughout the length and breadth of the country. There are people and groups who extend direct or indirect support to the terrorist activities of the Taliban and its ilk in the name of religion. Violence has become a norm and religion is routinely used to silence voices of reason and compassion. The society has taken a turn towards the right-wing.

In India, attacks by fanatic Hindu fundamentalists are becoming increasingly common on religious minorities. As part of its campaign to spread its reactionary political ideology the governing conservative Bharatiya Janata Party (BJP) is patronising communal violence and promoting communal polarisation.

For some time now, Afghanistan has been embroiled in conflict involving a religious terrorist organisation and a weak government supported by US imperialism. Suicide attacks have become a norm. The strategy of the NATO forces has not resulted in peace and security in Afghanistan. The influence of the Taliban remains intact despite the killings of some of its top leaders in US drone strikes.

Daish's spectacular growth in West Asia has resulted in some of the most cruel acts of terrorism witnessed in history. The so-called Islamic State has emerged as the most dangerous religious terrorist organisation in the region. It has taken over parts of Iraq and Syria and now controls or can operate with impunity in a great stretch of territory in Western Iraq and Eastern Syria, making it militarily the most successful jihad movement ever. It has the resources at its disposal to organise terrorist activities across the globe.

The tactical differences among Western countries in dealing with Daish have resulted in new contradictions. The Syrian Government, supported by Russian Federation, is on an all-out bombing campaign, reducing to rubble various towns under Daish control.

Mass migration of people out of these conflict zones has led to an unprecedented refugee crisis and taken the miseries of the affected people to a whole different level. This state of affairs has shattered all the established relations among nations throughout Asia and Europe. The European Union project is under threat amid differing strategies to deal with the issue of migrations and border controls.

Migration of people from zones affected by religious conflict is not just confined to Western Asia. South Asia has witnessed various instances of mass migrations by persecuted religious minorities. In Pakistan, scores of Ahmadis, Christians and Hindus have left the country for safer shelters.

Over 800,000 people have left their homes in the Federally Administered Tribal Areas (FATA) linking Pakistan and Afghanistan in the wake of an ongoing military operation since December 2014. Most of these have ended up as Internally Displaced Persons (IDPs) and are forced to live in inhumane conditions in refugee camps.

In Pakistan, religious fundamentalism is fighting on several fronts to gain more mass support. They do not spare a single opportunity to promote "anti-India" sentiments, a pillar in developing Islamic religious fundamentalism in Pakistan. Weak civilian governments, littered with neo-liberal agenda, are cornered by mass disconnect to take any decisive action against fundamentalism. The Pakistani State has miserably failed to curb the rise of religious fundamentalism. There is always a soft spot for them. For a long time, they were encouraged by the State as a second line of security. The security paradigm meant an India enmity was the core purpose of State patronage. The process of Islamisation was sped up by military dictator Zia-ul-Haq, with the full support of US imperialism.

Apart from creating and supporting jihad groups for decades, the State and military with the financial and political help of imperial power have indoctrinated millions with conservative Islamic ideology to safeguard its strategic interests.

What is religious fundamentalism? Essentially the term fundamentalism suggests going back to the basic texts and reproducing as closely as possible the laws and institutions found then. It has also come to imply a dogmatic adherence to traditions, orthodoxy, inflexibility and a rejection of modern society, intellectual innovation and attempts to create a "golden era". Islamic fundamentalists have exploited the dream of the "golden era of Islam", in poverty-stricken, economically backward Muslim countries through the local "mullahs".

Religious fundamentalists are not anti-imperialist force. They are not a class-based social set up. They are new kind of neo-fascist groups. Opposing imperialism does and should not mean an alliance with the religious fanatics or vice versa.

Fundamentalism finds its roots in the backwardness of the society, social deprivation, a low level of consciousness, poverty and ignorance. To sum up, it can be said that religious fundamentalists are against democracy, pluralism, religious toleration and freedom of speech. They fear annihilation by secular modernity.

Religious fundamentalists are a new kind of fascists in the making. This phenomenon now dominant is the assertion of fascist currents with religious references (and no longer the triptych "people/state, race, nation"). They appear in all the "great" religions (Christianity, Buddhism, Hinduism and so on). They now pose a considerable threat in countries like India or Sri Lanka. The Muslim world thus does not have the monopoly in this field; but it is certain that it has taken on a particular international dimension, with "trans-border" movements like the Islamic State or the Taliban and networks which are connected more or less formally from Morocco to Indonesia.

The religious fanatic groups are internationalists. They want an Islamic world. They are against democracy and promote Khilafat (kingdom) as a way of governance. They are the most barbaric force recent history has seen in the shape of Islamic State and Taliban. There is nothing progressive in their ideology. They are not anti-imperialist but anti-American and anti-West.

They must be countered; however, a military solution to end fundamentalism has a limited scope with long-term negative effects. The US way of fighting back in the form of "war on terror" has failed miserably. Despite all the US initiatives of occupations, wars and creating democratic alternatives, the religious fundamentalists have grown with more force. Fundamentalists are stronger than they were at 9/11, despite the occupation of Afghanistan.

In several Muslim countries, strategies to counter religious terrorism have been misused against the working class and the peasantry. Anti-terrorist laws are used against opponents to jail them for lives. Progressive groups and social movements are becoming target of these laws. In Pakistan, anti-terrorism laws are most often used against climate change activists, striking workers and peasantry along with political opponents.

To effectively curb the growth of religious fundamentalism and religious terrorism, the State must break all links with fanatic groups. The mindset that religious fundamentalists are "our own brothers, our own people, our security line and guarantee against Hindus", "some are bad and some are good" and so on must be changed.

There is no shortcut to end religious fundamentalism. There is no military solution. It has to be a political fight with dramatic reforms in education, health and working realities in most Muslim countries. Starting from nationalisation of religious *madrasas*, it must go on to provide free education, health, residence and transport as one of the most effective means to counter fundamentalism.

Right-wing ideas are promoting extreme right-wing ideology. A mass working-class alternative in the shape of trade unions and political parties linked with social movements is the most effective manner to counter religious fundamentalism.

2. Religious Fundamentalism in Bangladesh

- Mahbubul Mokaddem 'Akash'

Professor, University of Dhaka, Bangladesh

Religious fundamentalism stems from the politicisation of religion, which then takes on an anti-democratic, anti-



M. M. Akash stressing that fundamentalism of all religions exists in Bangladesh

human rights and dogmatic face, leading to claims that one's own is the more superior religion. The psyche of a religious fundamentalist operates in such a manner that victory is claimed in both dying for their beliefs or succeeding in their agendas. Though Islamic fundamentalism predominates in Bangladesh, fundamentalist versions of all religions exist. This is evident from the terrors caused by Buddhist, Hindu and Christian fundamentalists in the region and across the globe.

A theoretical dimension to understanding religious fundamentalism can be conceptualised by invoking Gramsci's notion of hegemony. The display of hegemonic control by religious fundamentalists can be observed in the embedding of religious fundamentalist groups in society through the establishment of commercial institutions, educational institutions, business institutions, nurseries, banks, insurance companies and even hospitals.

The emergence of religious fundamentalism in Bangladesh can be traced all the way back to the origin of the Jamaat-e-Islam party, the defeat of this party

during the liberation struggle in 1971 and the consequent exile of the chief of the party to Pakistan all the way to the present scenario. The Jamaat-e-Islam characterised a highly organised militant force in Bangladesh. In the present context, particularly 2009 onwards, Prime Minister Sheikh Hasina has sanctioned repressive mechanisms to deal with religious fundamentalism that has culminated in bringing war criminals to trial. The five war criminals that have been hung were all members of the Jamaat-e-Islam party.

Going forward, there are three possible routes Bangladesh polity could take for tackling religious fundamentalism and in reinstating a secular democratic nation. One possibility is that Bangladesh will continue to be an authoritarian “democracy”, if Prime Minister Sheikh Hasina keeps with her decision of non-compromise with fundamentalist religious parties, whereby terrorists are captured and put on trial. A complexity has been added as she faces pressure from US and Europe to compromise with moderate Islam. Wiki-leaks sources have uncovered the tactical plans of Jamaat-e-Islam since 2010 to reintroduce the party as the representative of moderate Islam while continuing terrorist activities under this new label. The terrorist atrocities and attempted attacks in Bangladesh have been unfolding at an alarming scale, for instance the failed attempt during a prayer meeting of about 2 million people. Perpetrators have been killed in what is often termed as a “crossfire” between State forces and militants. Although repressive, it is speculated that this authoritarian democracy will continue so long as the State is able to deliver services in the forms of infrastructural development and welfare policies.

Another possibility could be a turn towards democracy and the legitimization of State rule through popular vote. However, another major reform for this legitimization needs to take place through the enforcement of correction measures to deal with rampant corruption by the ruling party. At the same time, this would necessitate the defeat of the popular base of BNP, an ally of Jamaat-e-Islam. Only then the spirit of the liberation movement manifested in the four fundamental principles and enshrined in the constitution: nationalism, secularism, democracy, socialism is likely to be reinstated in the country.

A third route and worst-case scenario could be the strengthening of Bangladesh Nationalist Party (BNP) and the launching of a movement in the name of democracy with allies as Jamaat-e-Islam for the creation of an Islamic upsurge.

In this context, NGOs could become major actors in countering fundamentalism as repression alone is not likely to produce results conducive to democracy. A possible solution could involve the introduction of religious education and tolerance in the formative

schooling years under the subject of moral principles, coupled with socio-cultural and non-repressive movements by civil society.

3. Religious Fundamentalism in Afghanistan

- Nooria Sultani

Equality for Peace and Democracy, Afghanistan

Fundamentalism is closely associated with experiences of disenchantment and disillusionment with the dominant economic and political ideology of capitalism or bureaucratic socialism, the roots of which are present in all societies. Afghanistan's experience and struggle with religious fundamentalism has been marked by the horror of copious numbers of civilian deaths. Just between January and August 2016, there have been more than 17 suicide attacks out of which resulted 246 deaths and 819 serious injuries. The major causes responsible for the development of extremist ideologies are illiteracy or the partial and doctrine-based education in madrasas, and sectarian conflict and tension brewing from discontent with the government.

The State has dealt with fundamentalist attacks and threats by investing more and more in defence sectors, thereby ignoring structural causes such as poverty. Socio-cultural and economic reforms and programmes for the reduction of poverty have been neglected in favour of strategies and tactics related to defence. An example that illustrates the massively disproportionate budget allocation between the two sectors is revealed by the 1,598 billion for the Ministry of Defence for the defence of civilians annually relative to areas of reform, especially pertaining to poverty reduction. This clearly



Nooria Sultani noting that the State of Afghanistan is not properly dealing with fundamentalism

shows that the State's attention is misplaced and needs to be brought back to the importance of investing in human development rather than defence projects.

Regarding the role of SAAPE in combating fundamentalism, several avenues can be explored such as ensuring proper monitoring of religious institutions or of any group preaching fundamentalism and terrorism. But protecting the youth as a social group against the traps of fundamentalist ideology is extremely important. Forums to enable dialogue such as consortia and gatherings are useful in clearing misconceptions and the need for regional level research on the causes and roots of terrorism must not be side-lined. Finally, the network must openly and consistently condemn the financing and sponsoring of terrorists groups, and thus fundamentalist ideologies.

C) Shrinking Civic Spaces and Citizen Rights in South Asia

*- Akhil Ranjan Dutta
Professor, Gauhati University, Assam, India*



Akhil Ranjan Dutta highlighting the importance of networks like SAAPE during a time of shrinking civic spaces

Multiple contradictions have emerged as a result of the seemingly similar discourses engaged in by civil society networks and global financial institutions. Their overlap on concepts such as poverty, civil liberties, capacity building and empowerment render urgent the need for civil society networks like SAAPE to differentiate their principles by generating alternative discourses to those of the global financial institutions. Another site of contradictions that requires critical analysis comes in the aftermath of Structural Adjustment Programmes (SAPs), where on the one hand decentralisation of power to grassroots people is vehemently advocated and on the other, public resources have become rapidly privatised by corporate institutions under direct patronage of the State.

The deepening nexus between global financial institutions with State institutions, feudal forces and

corporate media are a lethal combination that works to compress and minimise civic spaces where creative debates and discourses can be generated. While State "fundamentalism" and imperialist (market) "fundamentalism" have been in operation for long, the statist, non-constructive and provocative tendencies of digital media are examples of growing media fundamentalism. Left-leaning activists and intellectuals who are in a position to engage in public discourse and challenge the status quo through alternate discourses are regarded as the real threats to such forms of fundamentalism in India. As a result, the government and media increasingly target public institutions such as universities, a clear example of which is the recent crackdown on JNU and Hyderabad University in India. Discourse on "nationalism" and "national unity" is reduced to State's obsession with territoriality devoid of substantive rights of the citizens. Public institutions are crucial locations where critical interrogation of a wide range of subjects can take place including government policies, discussion of civic and substantive rights, citizenship and issues of national security. Civilisation lives with new and creative ideas and it is the public institution like a university where such new ideas germinate. Once such institutions are targeted, the civilisational process gets stagnated.

SAAPE is a credible platform to facilitate critical and creative civic deliberations in local communities and economies to alter the current state of conflicts over community and natural resources engineered by neo-liberal corporate greed. Furthermore, SAAPE because of its close engagement with local dynamics, can engage local communities in conversation about their claims or share over common property and resources such as the river or forests. They can help bring attention to the voices of discontent and frustration resulting from forced dispossession of these resources by the government. Villages are increasingly becoming conflict domains rather than civic spaces for deliberations because of common resources being leased out to contractors under the guise of a neo-liberal mode of decentralisation and self-governance under which grassroots self-governing institutions like Panchayats in India are required to generate their own revenue and become self-reliant.

The conversion of people from citizens to subject is deeply lamentable. The State has restrained local ownership of resources and increased local communities' dependence on the government by offering token benefits. This lack of ownership has meant that deliberations between citizens regarding the nature of ownership they need and policies they require have been systematically disbarred. In closing, SAAPE's role in helping reclaim peoples' spaces to deliberate for alternate policies especially in local economies cannot be stressed enough.

D) Constitutionalism in South Asia: Lessons from Nepal's Constitution-Making Process

- Dilli Raj Khanal

Institute for Policy Research and Development, Nepal

As the preamble itself shows, the new Constitution of Nepal is progressive as it is grounded on the three principles: equity, inclusiveness and self-reliance. These components may be regarded as contextual to and aligned with main elements of various forms of anti-globalisation struggles that are being mounted across



Dilli Raj Khanal believes in the Nepali Constitution, however, effective implementation needs to be assured

the world against mainstream politics that demand a return to people-centric economic systems.

One of the main features of the Constitution is that it has assured some fundamental rights such as the right to health, education, shelter and food. It also includes employment as a fundamental right. Further, women's rights, Dalit rights and other disadvantaged groups' rights have been added within a more distinct and wider banner of economic rights. There is also a special provision of social protection which exclusively targets the marginalised and vulnerable population. When combined, these elements provide a progressive orientation for the constitution.

As is the case across South Asia, the major problem lies in ensuring the effective implementation of provisions laid down in the constitution. The course of development, primarily driven by neo-liberalism led policies embedded in the economic and development system, stands as a glaring problem to implementation. Fostering the compatibility of these policies with the spirit of the constitution are major problems for the realisation of economic, political and social rights that have been engrained in the constitution. Despite strong collective commitments to the constitution, the status-quoist or regressive political forces oppose steps that are directed to fulfil the commitments made in the constitution. One of the best examples of this is the vehement opposition to the doubling of social protection benefits and extending its coverage proposed by the 2016-17 fiscal year budget. This illustrates the erupting tensions between political progression and regression.

There is an urgent need to locate the real beneficiaries and losers of this neo-liberal economic and political set-up, bringing into notice the plight of a certain section of the population that in the market process has become marginalised and unaccounted for, such as the massive pool of people involved in informal employment. This group of people, without a formal mechanism of guaranteed wages or social protection, are placed in an extremely vulnerable position in the market.

There is much divergence between these progressive State policies and their implementation. The expertise of networks like SAAPE are needed to monitor the deviations and wrongful practices of actors who wish to maintain the status quo tendencies by neglecting the implementation of constitutional rights.

E) Citizen Rights of conflict affected People in the Countries in Post Conflict: People's Struggles for Peace and Democracy in Sri Lanka

- Udan Fernando

Centre for Poverty Analysis, Sri Lanka

The end of the nearly thirty-year Sri Lankan civil war in 2009 has not necessarily meant the end of the conflict. Resettlement of IDPs, the heavy militarisation of the Northern and Eastern regions of the country, land grabbing by the military for personal ventures and the constricted civic spaces by military and LTTE militants were immediate challenges after the war. Though resettlement projects have largely been put into effect, demilitarisation remains a persistent challenge as the military continues to occupy strategic positions in the North and East.



Udan Fernando pointing out that even though the war in Sri Lanka is over, the country still faces socio-economic as well as political challenges

Reconciliation remains an ongoing challenge in Sri Lanka. The road to reconciliation has been a central pre-occupation and addressed under the framework of transitional justice. The four aspects to transitional justice being i) truth-seeking ii) accountability from militants and government to civilians iii) reparation/compensation to communities, localities and people iv) non-recurrence. Under the new political

establishment since 2015, the democratic spirit and political stability in Sri Lanka have somewhat been revived and reclaimed, allowing certain practical realisation to the four aspects of transitional justice. The positive milestones in seeking transitional justice so far have been the setting up of the Ministry of National Dialogue, Languages and Co-existence, the Office of National Unity and Reconciliation under the purview of the President, the task force on reconciliation under the Ministry of Foreign Affairs and the Office of the Missing Persons.

In the present context, transitional justice in Sri Lanka has also received a high degree of attention from the international community. However, we must be mindful whether people and communities are critically engaged in dialogues and discourses about post-war reconciliation. Most civil society members, who represent the common people, have now become a part of the government processes, either as part of the task force or related ministries. Although in some ways this may lend an upper hand to the agenda of the civil society, there is great risk of civil society becoming co-opted into the governing apparatus. Therefore, civil society must take caution to maintain their independent stance and ability to represent the voice of the people.

Post-war reconciliation and recovery involve other pertinent aspects: that of poverty and gender. Even though statistics show that between 2002 and 2012 the poverty level has decreased from 22 per cent to 6.7 per cent, regionally there are disparities in the poverty rate across the country. As far as gender is concerned, one of the main demographics that needs attention in the post-war recovery are the expanding number of female-headed households, whose protection various organisations have been working towards, but who still require concerted investments for empowerment.

The post-war recovery in Sri Lanka has focused heavily on political process and neglected the structural causes of poverty. With respect to SAAPE's responsibility areas, the network can contribute by shifting attention towards discussion on structural causes of poverty by bringing poverty back into the macropolitical discussions within the discourse of post-war recovery.

F) Autocratic Regimes and Violations of Human Rights in South Asia: People's Struggle in Maldives

- Ahmed Nizam

SAAPE Core Committee Member, Maldives

The process of democratisation began in Maldives in 2008 following the promulgation of the new constitution. It ensures all basic rights to people. With the new government, a modern regime was also introduced, which promoted local tourism development as a corrective measure to deal with the widening socio-economic gap. The Tourism Goods and Services Act and Business Profit Act enacted in 2011 under the first



Ahmed Nizam sharing that the process of democratisation in the Maldives did not last long, democratic rights and practices are being eroded daily

democratic rule posed threats to the oligarchy that assumed entitlement and control over the nation's wealth. However, in February 2012 a military coup ousted the democratic government supported by loyalists of the past regime. Since then, political instability has occupied the economic and political landscape of Maldives. Meanwhile, the current government, which came to power through elections in 2013, has widely been criticised for alleged misappropriation in the elections. After just three years of economic transition, Maldives' democratic transition has come to an abrupt end. All recently introduced democratic rights and practices are being eroded daily. In order to deflect blame, the current autocratic regime uses "anti-colonial" rhetoric, illustrated in claims by the President such as, the international community's admonitions for the country regarding internationally accepted democratic principles stems from their "envy" of Maldivians' sovereignty and faith. Most of the opposition leaders today are either in jail or exile, which includes the former President, two of the former Vice Presidents, the first Defence Minister of the current government and the leader of the Pro-Islamic Adhaalath Party.

Regarding the violations of human rights, two important areas must be discussed. Recently a law was passed by the Maldives' Parliament, introduced in March, 2016, called the "Defamation and Freedom of Expression Act". Introduced shortly after an audit report that revealed the theft of US\$ 226 million from the State coffers by senior government officials, it criminalises content that is defamatory, breaches social norms and Islamic tenets and threatens national security. Freedom of speech has been curtailed in this manner and restrained the jurisdiction of media, civil society and pro-democracy advocates. This Act comes with a penalty of US\$ 130,000 if found guilty. Another threat to democracy is posed by the denial of the right to freely hold assemblies without the consent of the police. These negative developments that thwart pro-democratic values, signal a return to the long experience with one-party totalitarian rule and throw draconian obstacles in the face of peoples' struggle for good governance and democracy in the Maldives.

V. Sharing Progress on Poverty Report 2016, People's SAARC and Campaigns

Shobha Raghuram moderated the session, while Farooq Tariq and Deepa KS were the presenters.

Poverty Report Records the History of time:

*- Shobha Raghuram
Founding Member, SAAPE*

At its inception in 2001, SAAPE sought to create a social platform for the multiple/plural voices of people who have never been the authors of their own destiny given

leaders, also members of SAAPE. It is the constituencies of SAAPE who find reflection in the report. The report faces harsh criticism from elite academics who challenge most reports from the voluntary sector as not being evidence-based, as not having the right data and on grounds of credibility. However, SAAPE has always tackled these challenges and complexities by continued attempts qualitatively. The current edition of the poverty report has three major strengths. First, its preparation has been led by individuals and groups with direct



Shobha Raghuram presenting the whole idea of publishing a poverty report which captures the narratives from the ground and is considered as an alternative to other official reports

the forms of State powers that we have. The poverty report was an attempt to record the testimonies of people who live in conditions of distress across South Asia. When it was first conceptualised the same year, this was a (trying) task given the extremely complex and different realities in all eight countries. Yet there were (non-ignorable) commonalities in peoples' resistance living outside of the margins of development, struggling in their best possible way to seize power from the State. The work and reach of SAAPE members, most of whom were active members of social movements, peasants or fisheries alliances, made the consolidation of these voices come to fruition.

The reports followed a unique and complex process, very distinct from the way a multilateral agency would commission a report with a group of editors. In this case the editors are the people's and movement's

knowledge of the lived experiences of people on the margins. Second, the demand of the report from grassroots organisations has been large and finally, translations of certain chapters at the country level in regional languages are under way.

The credibility of the report and the authenticity of the work find a great space in the debates of today regarding the role of the State, market and civil society and particularly the post-1991 period. SAAPE has been critical of the negative trends globalisation has brought in the political economy and the restructuring of national institutions, along with the restructuring of budgets and the consequential decrease in investments on public health, privatisation of education and so on.

The aggregate data is misleading and the poverty-stricken people who have been responsible for the level of democracies in our countries have been invisible in

the data. The MDGs are thought to be successful because they look at aggregate data and altogether neglect issues of rights and justice. In most countries, people and certain geographical locations are not easy to reach and therefore issues of caste, ethnicity and all parameters of poor women living in poverty and vulnerability are left out. The World Bank has gone to the extent of stating that it is too expensive to reach these corners.

The poverty report serves as a historical record because it is important to remember the history of struggles and the people who have sacrificed their lives for social transformation. This report stands as a reminder that economics has not changed the unequal order that we live with today. Lastly, it serves as a record of the conditions we are living in and as a possibility or a window to the reality for people across the region who cannot travel due to diplomatic impasse between nations or other reasons.

This report also allows us to account for the movements on the ground which have always been integral to SAAPE's organisation and principles.

Critical Assessment of the Report

-Farooq Tariq

The previous report of 2013 that covered the crises, vulnerabilities and poverty in South Asia, gained credibility among youth, universities, journalists, social activists and trade unionists because of the alternative view it presented on poverty in South Asia. The present report aims to preserve this tradition and will be published by November, 2016, in time for the SAARC Summit⁴ and People's SAARC to be held in Pakistan.

SAAPE has always believed in grassroots research founded in alternative views and discourses. We are not keen on producing a poverty report based on the figures already circulated by different institutions. Our purpose was to start a process in each country to discuss on what has been undertaken on poverty in the wider context. So we have eight lead authors in eight countries in South Asia who started writing their country reports and we have very good country reports now, from Sri Lanka, Bangladesh and India.

Two editorial meetings took place in Colombo, one was in March and the other in August. The last meeting discussed the commonalities of the eight reports and what was the common theme? Each country is deep into the neo-liberal agenda, privatising, giving all sort of concessions to the rich and implementing the World Bank and IMF conditionalities and opting for market economy in each country. All of these have created precarious existence for the vast section of the

population. Yet, they claim that poverty is decreasing in South Asia. If we read economic statistics, they all claim that poverty is in the decrease and our system is working very well. This is what we challenge through our own grassroots level activists' observations that poverty has increased in each country despite all the claims of economic growth. It has polarised the whole society. The rich have become richer and the poor have become poorer.

Poverty for us is not just a limited term. We see it in a much wider outlook. Implementation of neo-liberal agenda has almost the same effect on all of the countries: doing away with permanent workers, less social security, contractual work, new restrictions on trade unions by States. These issues are all included under the theme of how neo-liberal agenda has affected the organised labour, informal sectors, religious minorities and working class women in the report.

The recently increasing enmity between Pakistan and Afghanistan and the recently increasing tension between Pakistan and India and how the Chinese intervention is affecting South Asian countries— Is China taking over the natural resources of South Asia or our economies? And does that benefit the working class people and their economy? — will also be taken up by the report.

Contents of the Report

-Deepa K S

Co-editor, SAAPE Poverty Report 2016

In March 2016, the first editorial meeting of SAAPE's poverty report brought to light the chain of experiences of different South Asian nations and also the question of tradition and change. As fifth in the series of an endeavour that SAAPE started fifteen years back, this report will focus on the question of tradition and continuity. Essentially the question of tradition, continuity and change has become central to the report.

The team was deliberately careful in preserving the fundamental essence of SAAPE that comes through its



Deepa K S going over the structure and different topics of the poverty report

⁴ The 19th SAARC Summit was originally planned to be held in Islamabad, Pakistan on 15–16 November 2016. It was cancelled later since Bangladesh, Bhutan and Afghanistan followed India's decision to stay away from the November summit to be held in Islamabad.

ideals, its unique *modus operandi* and nature of its work through campaigns as the voice of South Asian people and concomitantly what could be re-emphasised differently with great care.

Besides the common experiences of crises and conflict, we felt it is necessary to lend a new voice and a certain amount of contemporariness to the context. For this, case studies have been presented along with statistics which show the recent struggles as an example of what people have been going through. Although a continuation of what we have been carrying out, this adds a new flavour in its voices and concerns.

The narratives provide a sort of completion to the mainstream narratives including state-sponsored reports and multi-governmental reports by critiquing their reports and taking the same issue an inch forward or by bringing in other aspects that remain invisible such as issues of empowerment, poverty and inclusiveness differently than the mainstream narratives undertake. Hence, the report is both the completion of the narration of history and a critique of what was lacking in the State-sponsored or multi-governmental "bureaucratic" report.

Instead of aggregate data which is easily distortable, with the help of case studies, evidence-based writing and descriptive narratives (which have often been neglected in the mainstream reports), the report also provides an alternative view along with a certain degree of credibility and power. Therefore, this report is both a descriptive and argumentative. The greatest challenge for this report remains the cultivation of a common language or set of terminologies that can encompass the kinds of struggles that people have reached.

Every three years SAAPE brings out two kinds of reports. Eight countries bring out their country reports which are nation-specific and the second is the regional report which accommodates the common issues of all the South Asian countries. We have now reached the process of writing the regional report, extracting content from the country reports themselves.

The common problems that South Asian countries face, including democratisation, demilitarisation, poverty related issues, labour and land issues as well as women's rights issues, are spread out over four chapters, each dealing with specific themes that South Asia faces. The report begins by critiquing neo-liberalism followed by a critique of transitional politics. Essentially, it takes a political economic approach to the problem. The reports address issues and stories at both State and societal levels. It discusses national issues of prominence and then moves on to the inter-state issues, concluding with an attempt to forge an alternative paradigm of development that people of South Asia are struggling to achieve. The preface, prepared by the Secretariat, shows the connection between SAAPE's politics and the poverty report bringing in the three themes of advocacy, activism and analysis.

The first chapter opens by judging neo-liberalism and is devoted to understanding poverty both at the conceptual level and at the level of measurement. This argument is based on the view that the current mainstream analysis on poverty is incomplete. The report questions the different kinds of norms used to define poverty and whether these are enough to understand poverty as experienced by people. Then the discussion moves on to issues of measurement, questioning the methodological rigour in understanding poverty. Essentially, this entails questioning both the analytical and measurement level understanding of poverty. The report then moves on to describe the paradox of growth. How can growth co-exist with such an incredible amount of poverty? How can development, if it is present, co-exist with inequality? Examples and case studies come from the country reports. The question debated here is whether we need growth with justice or growth through justice.

The introduction of the neo-liberal agenda in South Asia has been followed by permanent changes in the democratisation polity of the region. Rather than old, new or State-led nomenclature, we are using People's Constitutionalism (pre-legislative constitution), drawing lessons from Nepal. The use of this new term is also a novel way to address the kind of new resistances that have emerged as they require a new language under the rights-based framework dealt with in Chapter 2.

Chapters 3 and 4 deal with the issues at the national level and how they are connected at the inter-state level. Some common issues at the national level are: dismantling of the welfare system, rising fundamentalism, corruption of public institutions and violence against minorities. The ways these issues are linked are essential to understand. What is the link between dismantling of the welfare and rising militarisation? A comparison of the budgets allocated for welfare policies and the defence budget speaks volumes about state-level priorities.

The final chapter is the most challenging part of the report. It brings an alternative vision and dwells on the difficulties and challenges that people face and particularly civil society activists face within different structures. While doing so, we must also bring in the appropriate language to understand the resistance movements that people are going through. We are fighting the State, the military, the market and the society as people at a time when the State has increased militarisation tendencies, the market has compromising tendencies and the society has feudal and patriarchal tendencies.

The use of language and means to communicate these struggles in a powerful manner is very important. Military forces of the States have extensively used media to propagate a particular language of development that they have imposed on us. We require an equally

powerful and alternative language to describe what we are fighting. Our voices should not be fragmented along multiple lines. In preparing the report, we must be careful to avoid provocative labels such as “good” and “bad” terrorists. Idioms and phrases should be used cautiously as using a prerogative term can do a lot of harm. Hence, it is not just about analysing the causes of poverty and experiences of poverty but a system of thought and system of understanding the world around us. Along with a new language and new methods of resistance, there is an urgent need for new forms of solidarity for trade unions, peasant movements, social movements and environmental movements.

The report takes a new approach to statistics. Two kinds of tables are presented in the report. One is the economic table that goes beyond regular statistics and rather compares welfare as a percentage of GDP against the defence budget of all eight countries. This report takes direct headcount to measure poverty along with other proxy measurements that might tell a different story, all displayed side by side.

Since we are also fighting the law, it is necessary to find a table of law for all eight countries. The law will be discussed in direct relation to the impact that neo-liberalism has made across South Asia for the past 25 years in the areas of women’s rights, labour rights, land and agriculture and child welfare. In each of these areas, the major laws promulgated in each country will be examined. This will allow for the comparison of major provisions within the same laws across the eight countries.

Summary of the Plenary Discussion

- The point of departure for the poverty report must be located within the argument that despite mainstream claims of decreasing poverty, there has been a steady increase in poverty across South Asia.
- SAAPE’s poverty report must contain a poverty index that is distinct from multi-dimensional poverty indices used by other organisations such as UNDP.
- In analysing laws across the region, the judiciary rather than the executive require more attention as recent experience has shown that the high court and supreme court have been playing a proactive role in forcing governments to enact laws. Although these verdicts could go in both democratic or undemocratic directions, it shows the limitations and shortcomings of the government vis-a-vis the active role of the judiciary.
- Much caution should be taken in attaching the term “alternative” to SAAPE’s campaign philosophy as alternative suggests an opposition to the mainstream which may isolate the network from being part of the processes that are already under-

way in the social economic and political spheres. Our process emerges from social and political realities of our time and contexts and does not imply a separate or alternate truth. The warnings, precautions and recommendations that SAAPE reports are being accepted by mainstream themselves as IMF included saying that the neo-liberal and trickle-down approaches have not worked. Therefore, it is not necessary to be defensive and limit ourselves to a peripheral voice. SAAPE offers a sound, insightful and reality-based voice and therefore we need to profile ourselves and position ourselves carefully.

- The report needs to address both poverty and growing inequality, the measurements of which are multidimensional in the sense that it takes evidence from sectors such as education wherein in the last year access to government schools in India has seen a reduction because of government budget cuts. Moreover, the global hunger index can be assessed which shows that India has replaced China with the largest number of people going without food. Even discussions and publications on sustainable development goals in the last two years refuted the indicators of MDGs. All these symptoms and the facts that public goods are getting privatised indicate that the people living in poverty and conditions of vulnerability have increased. Hence, the report tries to give the world view or the picture of the current existential reality. The issue of social inclusiveness as a major governmental policy is also broken down. The question we ask them is who are the poor and what lies behind percentages.
- In defining poverty, we must also take inspiration from Ravi Kanbur who believed that poverty could not be defined by non-poor groups and should be defined by the poor themselves. His project Poverty Voice involved the collection of sixty thousand voices from sixty countries of the world who answered the question “What do you understand by poverty?”

NOTE: Deepa and Shobha admitted that the report is the work in progress and is in evolving process and they pledged to accommodate the recommendations and suggestions floated by the participants during the floor discussion and asked the participants to send their impressions and reflections in writing to the Secretariat.

People’s SAARC

People’s SAARC- Country Perspectives

The session on preparations for People’s SAARC was presented by Shujauddin Qureshi and moderated by Sarba Raj Khadka.

Country perspectives on People's SAARC summit were presented by Farooq Tariq. He pointed out the lack of unity and goodwill among participating countries, citing the Pakistan-Afghanistan diplomatic relations as an example of bitter exchanges within the region.

The continued terrorist attacks in both Afghanistan and Pakistan, the imposition of a strict visa regime by both sides and the prohibition of cross-border businesses indicates the development of an unhealthy relationship between the two countries.

Similarly, the non-cooperation between India and Pakistan, especially concerning Kashmir, has resurged amidst outright condemnation of the violation of human rights in Kashmir by the Indian citizenry. Moreover, the blockade of Nepal by India has soured Indo-Nepal relations.

Despite this unfavourable political context and the unlikelihood of a smooth SAARC Summit in Pakistan, the importance of taking initiatives for People's SAARC where social movement activists, trade unionists, religious minorities, peasant movement activists and oppressed nationalists, women's groups, rights groups come together was heavily stressed.

The progress, problems, financial and logistical issues, along with viable options related to organising the People's SAARC gathering, were presented, with visa restrictions between various countries posing the most difficult problems.

Plenary Discussion

- The contribution of People's SAARC to the eradication of poverty by providing people with a platform to build their movements was acknowledged.
- The need to preserve People's SAARC's history of communicating a strong message was drawn up. It was acknowledged that conflicts are limited to the political level and that no such hostility exists at the peoples' level.
- Ongoing processes to sort out the visa restriction problems were discussed.
- Possibilities of running a parallel People's SAARC in one of the other countries as a symbol of decentralising the process was suggested.

Reporting by the Secretariat and Campaign Groups

- The activities to be completed by May 2017 were presented which was followed by suggestions and feedback from participants.
- Participants were reminded that after organising campaign activities at the country level, there would be a convergence at the regional level.
- The major activities until May 2017 are as follows:



Praman Adhikari presenting the progress of SAAPE's programmes and campaigns from the Secretariat

- Publishing poverty report by the end of November
- Organising General Assembly every three years
- Organising Core Committee meetings every six months
- Organising People's SAARC regional convergence in Pakistan
- Organising regional workshop of critical think tanks
- Mobilising three campaigns: Food Sovereignty, Women's Rights and Demilitarisation
- A progress chart of activities was referred, which highlighted the programmes that are running in accordance with the plan and other signature campaigns that have been interrupted. For Women Rights Campaign, we have four to five activities like:
 - Organising trainings for women's political participation in each country
 - Training to women rights campaign activists
 - Organising rallies, demonstrations in each country

Summary Note from Plenary Discussion

Diverse views emerged during the Core Committee meeting that were interrelated with the work being done on the field. One of the problems in the South Asian region is that there are not enough funds for activists to travel across the countries physically. Therefore, what suffers is that a lot of work being done on the field is simply not being communicated and may disappear, whether it is policy work, campaign efforts or ratification of bills or working with national governments or local governments. Because there is no communication, the engagement at the field level appears to be very thin. Therefore, a serious need for a workshop on systematic process communication within SAAPE Secretariat and with campaign partners has been felt.

Secondly, another difficulty that has arisen time and again is related to the record-keeping and communication mechanism at the field level. The cultural history in South Asia is such that narrative forms of record-keeping are more effective and correct. However, SAAPE requires a system of record-keeping and communication

between countries whereby fieldwork is documented systematically and the voices of the people are recorded as narratives which can be shared throughout the network. A strategy to set up this system would involve a trained individual in each organisation who can record data and connect those observations with the wider context. The lack of communication has serious consequences for the visibility of the network at both country and regional levels. Disintegrated communication leads to difficulties in getting across to the government and other community organisations and for membership expansion of SAAPE. Therefore, there must be some capacities within the Secretariat, within the campaign members and the Core Committee to emphasise this kind of communication within SAAPE.

Additional Feedback

- The procedure of SAAPE activities must be separated from the NGO procedures. One way to achieve this is by identifying and locating existing peoples' movements whether they emerge from trade unions or the efforts of the NGO sector. The aim is to capture and support those movements rather than operating in the NGO mode itself. SAAPE can thus maintain and expand its profile as a network of movements. SAAPE can represent people only with attempts to cross the borders that NGOs set for themselves. To this extent, the lack of "big money" at SAAPE may allow for the space to push for agenda that favour peoples' movements.
- A pertinent issue related to the execution of activities relates to the discontinuity of certain programmes that were running in the past. We need to reflect on the causes for this difference and what has changed internally and externally for the lacunae. We have assessed whether our campaigns and focal groups at the national and regional level are still relevant. Do they have enough interest to subscribe or engage with the political position that SAAPE upholds? Or, are there some gaps because of which we have not been able to reach out or deliver services. A question that requires rigorous reflection is whether the models and approaches SAAPE has been adopting for so many years are still relevant. Moreover, at the country level, are we sufficiently adopting more

flexible processes to invite new people and new movements? Or have we become a closed group? However, it must also be noted that many of the programmes and activities that are continuing have become repetitive and therefore it is time for SAAPE programmes to evolve. This GA has provided us with resourceful ideas and areas that SAAPE must further explore to change its programme and activity plans.

- An area of improvement regarding SAAPE visibility can be made in its efforts to outreach. SAAPE must extend its reach to universities and research centres that are willing to engage with the alternative paradigm SAAPE adopts which is recorded in the poverty report. For example, if it becomes a reference point in Indian universities for democrats or leftists then campaigning may automatically reach the grassroots level. Furthermore, direct accessibility to the poverty report by local communities who have little to no command over the English language can be heightened by translating it into local languages. The country process must take responsibility for increasing accessibility as has been done by the Pakistan and Sri Lankan teams who have translated the reports into local languages.
- The importance of becoming a self-reliant network and depend less and less on external funds needs to be stressed. One way to work towards self-reliance is to continue associating with like-minded civil society organisations that endorse our values and core principles. In some cases, this may involve collaborations with progressively oriented NGOs. However, there must be stringent forethought about the associations we make.
- SAAPE's setbacks are not related to the lack of funding. Budgets, funding and donor partners are only instruments. We must be careful that our political positioning is not compromised at any point. We remain a common platform for civil society members, political activists, individuals and critical academicians. What is more important at this new juncture is revisiting and refining our political positions. As has been evoked time and again during this GA, SAAPE needs to look for new inspirations and models for campaigning.

VI. SAAPE's Strategic Direction 2017-2020

*-Babu Mathew
Founding Member, SAAPE*

Revisiting Core Principles and Vision

The enriching and insightful deliberations in this three-day GA captures SAAPE's process over the past 15 years. The network has always thrived on and grown in strength from the contributions and participation of individuals who engage closely and thoroughly with people and issues on the ground.

A major strength of SAAPE has been derived from the Nepali context which has given the network tremendous inspiration and which may be irreproducible in any other part of the region in South Asia. Nepal is the product of the fight against monarchy in favour of republicanism and constitutional reform backed by the powerful Second People's Movement. The significant role of the Maoist struggle and their consequent assimilation into the constituent assembly is a marker of that spirit for social change in a progressive direction.

SAAPE's position as an independent civil society not associated with political parties must be reasserted. It is not a donor-driven organisation and must continue to retain its credibility through non-partisan affiliations. This awareness is something that belongs to the rich tradition of SAAPE. SAAPE has always been conscious of this position and going forward will plan its strategic direction for 2017-2020 based on those principles. Therefore, even the process of inviting NGOs and campaigns and seeking funds must take place with this awareness. The history of identifying and working with the best campaigns and organisations in South Asia will continue.

In going ahead, SAAPE must continue to be mindful of the uniqueness of each country and the recognition that what will work in one country will not work in another one. However, despite this politico-cultural specificity, the common vision, goals and aspiration shared by the network must not be lost to the uniqueness of specific countries. In the next 6 months the SAAPE Secretariat will have in written form the vision for 2017 and beyond.

Lessons from the 5th General Assembly

There is much to be learned from the debates and discussions that have emerged during the three-day General Assembly which can inspire SAAPE's roadmap for 2017-2020. First, it has provided insight into the common problems the region battles with, especially concerning constitutionalism and its relation to fundamentalism. Second, the deliberations urge was to revisit our ideological stance on the economics and polity in the region and finally lays the groundwork for

drafting possible strategies that can be adopted to meet our objective as a network.

During this General Assembly an outstanding reality made its presence felt that was uncharacteristic in the previous General Assemblies, which is the recognition that fundamentalism of one kind or another plagues all parts of South Asia. Based on these deliberations, we must collectively find the terminology or expression to capture the idea of fundamentalism in a manner that is valid for the whole of South Asia even though it is not manifested in the same way everywhere. But beyond the specificities, fundamentalism is a politico-ideological question. In India for instance, every mass organisation has now become a front of the RSS, the only comparison of which in history is the fascist model of Hitler. It must be noted also that these movements have a patriarchal nature; they are completely nurtured and led by men. The only remaining statute of democracy in India is the constitution, but even that is being threatened as every institution that supports constitutionalism is under attack. An area of hope that remains — but which again is under extreme threat by the BJP on constitutionalism, is the fact that the Supreme Court remains independent. Constitutionalism has persistently emerged as a question that needs to be taken forward from the legal fraternity to the common people. It merits high priority since the region is in some way or the other engaged with the question of constitutionalism. The various manifestations of right-wing fundamentalist tendencies in the region have no doubt encroached constitutional rights. A point of departure to grasp this problem may be to examine our constitutions. Our function as a network then should be to make efforts to bridge the gap between ordinary people and the order of the country.

SAAPE as a network needs to study these manifestations of fundamentalism further and members must familiarise themselves with the histories of the other countries in the region. A priority area for the SAAPE Secretariat should therefore be to identify areas of discussion and engage with experts on fundamentalism to grasp the complete picture of the issue. This should be driven by the agenda to reinforce secularism, to approach secularism as a constitutional goal, again taking notes from the recent example of Nepal's journey from a Hindu Kingdom to a secular country.

The economic model to which SAAPE subscribes, but no State in our respective countries subscribes to, stands as another issue that demands close attention. We have been consistent in rejecting neo-liberalism, but we must

take caution regarding the return to old bureaucratic socialism. Our region is home to communists, most of whom lack the courage to examine why Soviet communism failed. In countries like Nepal, contradictions arise whereby the long history of communist movements stands in contrast to the economic model subscribed to by the State. Despite the mainstreaming of communist parties and ideologies, the Nepali Constitution states sustainable development as the economic model of the country with emphasis on public ownership, private ownership and cooperative ownership. Therefore, an economic model that contains the scope to develop a critique of growth may be required. From a traditional socialist ideological point of view, we condemn the bourgeois democratic formation, but with fascism around the corner, SAAPE's commitments to supporting struggles against right-wing pushback must be strengthened.

The two debates outlined above operate as a preliminary groundwork for conceptualising potential which SAAPE can adopt to reach desired ends. Means that apply both to the State and political mobilisation must be sought. There cannot be a situation where terrorism is used in political mobilisation while condemning the use of terrorism by the State; a logic Maoists and various other non-State actors in India are prone to use. Inspiration for advocacy through peaceful means of protest can be drawn from several human rights activists. SAAPE's programme of action must subscribe to a peaceful people's movement remaining within the remit of the constitution framework, and in that sense the framework of the rule of law. Again, Nepal's constitution is inspirational in that it is born out of a people's movement; it is a peoples' Constitution. We must support peaceful struggles of this nature that work to develop further and assert people's constitutional rights.

SAAPE's rejection of the project approach is clear but the presently used campaign mode is also under crisis. An approach that reaches beyond campaigning may be in order for the next three years. Much introspection is needed to re-conceptualise in which direction we are to head. If we are to accept the perceived notion of a think tank, we ought to differentiate ourselves from other think tanks that emerge from NGOs by producing organic intellectuals that are born from social movements. Our association with and participation in social movements needs strengthening. In India, the failure of SAAPE is most apparent because of the inability to relate to ongoing people's movement but not because the grassroots movement in India has been weakened. In fact, laws such as the Right to Information, Right to Education and Right to Food Security materialised from the efforts of civil society organisations that reject foreign funds. SAAPE has not been able to make inroads in those movements in India because of their wrong perception of foreign funding.

Another connected issue to revisiting and redefining SAAPE's core philosophy calls for a re-emphasis on the non-party political process in which we are involved. It will be most difficult to manifest that in Nepal because Nepal's social movements have had intimate connections with political processes. These connections may be necessary but there are real fears of activists becoming co-opted into the dominant regime. Therefore, enormous efforts have to be made to prove that we are a non-political formation. The main activity for the next period should be formulated with this principle in mind.

As far as theoretical questions are concerned, the presentation on CEDAW lends insight into a number of areas where there is a campaign space for SAAPE. In relation to the human rights' campaign, there is a national human rights framework and an international human rights framework. The latter has to be used to criticise the former and vice-versa. Supporting certain constitutional provisions or critiquing certain provisions is a very important non-party political agenda for SAAPE's work, both of which should again be coupled with evidence-based research in order to demand policy change. We need to encourage the counter-hegemonic discourses in the fight for constitutional rights.

Finally, new techniques of reaching people need to be identified. Rather than launching new campaigns, existing powerful campaigns need to be located and taken on board. Effective and momentous campaigns are likely to work with SAAPE only if we have something unique to offer and only when we are able to increase our visibility on a regional level as a network committed to peaceful social movements. Between now and the adoption of new plans, SAAPE's specialisation as a regional level network needs to be revisited, revised and reconstructed for efficiency.

Comments

- SAAPE must be mindful of what kind of NGOs to be associated with and what kind of funding is to be sought.
- SAAPE can provide a platform of pressuring the government regarding the implementation of the constitution which it will be able to do because of its outreach.
- The need to coalesce social movements across the region was reiterated.

Decisions on the Structure of SAAPE

Core Committee and Advisors

There were deliberations regarding the role of members and advisors and changes in the membership of SAAPE's Core Committee were facilitated. The following decisions were reached:

New members for the Core Committee must come from consensus during the country-process through consultation by December 2016. The final structure of the Core Committee must constitute 20 members and it should be formed on the following basis:

1. Two (2) members (1 female and 1 male) from each South Asian country (16)
2. One (1) member from each of the three SAAPE Regional Campaign Focal Organisations (3)
3. One (1) Regional Coordinator (1)

The selection and approval of the Core Committee members from each country must be mandated by the General Assembly. The key criteria constituencies are encouraged to follow during the selection process is that of retaining one old member and welcoming one new member from each country into the Core Committee. Continuity and a process whereby an experienced member trains a new member of the Core Committee were stressed. A list of potential Core Committee members from each country was requested.

The Core Committee members that have already been mandated are as follows:

I. Afghanistan

1. Raz Mohammed Dalili, *Sanayee Development Organization* (SDO)
2. Najiba Ayubi, *The Killid Group*

II. Bangladesh

3. Rokeya Kabir, *Bangladesh Nari Progati Sangha* (BNPS)
4. AKM Mustaque Ali, *INCIDIN Bangladesh*

III. Bhutan

5. Karma Dupthob, *Bhutanese refugee rights activist*
6. Selection of another member is in progress

IV. India

7. Sushovan Dhar, *Progressive Plantation Workers' Union* (PPWU)
8. Zakia Soman, *Bharatiya Muslim Mahila Andolan* (BMMA)

V. Maldives

9. Ahmed Nizam, *Maldives NGO Federation*
10. Aminath Shazly, *Huvadhoo Aid* (HAD)

VI. Pakistan

11. Khalid Mahmood, *Labour Education Foundation* (LEF)
12. Farhat Fatima, *The Pakistan Institute of Labour Education & Research* (PILER)

VII. Nepal

13. Padma Prasad Khatiwada, *Human Rights Alliance* (HRA)
14. Sharmila Karki, *All Nepal Women's Association* (ANWA)

VIII. Sri Lanka

15. Nalini Ratnarajah, *Mothers and Daughters of Lanka* (MDL)
16. Herman Kumara, *National Fisheries Solidarity Movement* (NAFSO)

Regional Campaign Focal Organisations

17. Food Sovereignty Campaign: *All Nepal Peasants' Federation* (ANPFa), Nepal
18. Women's Rights Campaign: *Mothers and Daughters of Lanka* (MDL), Sri Lanka
19. Minimum Living Wage and Social Protection Campaign: *Labour Education Foundation* (LEF), Pakistan

Regional Coordinator

20. Netra Prasad Timsina, Nepal

The general members mandated from the respective campaign groups are instructed to map and assess potential social movements and campaigns for collective actions, networking and effective collaborative efforts.

The meeting decided to convert the advisory committee members into invitee advisers. SAAPE will consult with advisers as deemed necessary. The balance of gender ratio of invitee advisers will be recognised

Administrative Issues and Endorsement

- The discussion on administrative and endorsement issues focused on the need to look for donors who believe in SAAPE's philosophy.
- It was suggested that the upcoming proposal for funding to be submitted by 20 October needs to explicitly detail the role SAAPE aims to play in the next phase.

VII. SAAPE Fifth General Assembly Declaration

Kathmandu Declaration 2016

We, the members of the Fifth General Assembly, of SAAPE, having met at Kathmandu, Nepal from 2-3, September, 2016, do hereby, unanimously adopt this declaration.

We have assembled at this fifth General Assembly as South Asians drawn from Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka and taken note of the emerging situation in our respective countries and in South Asia.

We are deeply disturbed at the all-round degradation in the quality of life that most South Asians are experiencing. We witness increasing deprivations in the human, cultural, economic, social and political spheres of our people.

1. We condemn the warmongering and spawning of trans-border hostilities by South Asian States to suit their sectarian political interests. We condemn the violence, cruelty, arson and looting injected by extraneous thinking into the locality, the class room, the market place or the place of worship.
2. We condemn religious fanaticism and its recourse to terrorist methods in which unarmed civilians are the worst affected. Indeed, this sort of terrorist attacks has become one of the major challenges for most of the countries in South Asia. We unequivocally denounce the use of terror against civilian populations in all forms and circumstances. Today, that means first and foremost we must condemn the bombings, suicide attacks and other means of terrorism. The attack on the Holey Artisan Bakery in Gulshan, Bangladesh; the series of terrorist attacks in Pakistan and Afghanistan; the increasing attacks by fanatic Hindu fundamentalists in India; the attacks by Buddhist groups on Muslims; all bear signs of a society where violence has become a norm and religion is routinely used to silence voices of reason and compassion. We demand that States restrain from supporting groups/organisations that attack unarmed civilians for political or other goals.
3. We pledge to carve out a new narrative of radical peace and equality from the ruins of our violent past. All the progressive, secular and democratic forces must stand together, under the banner of radical peace, justice and equality for all. Despite all the setbacks of the last few years, the potential growth of a genuine progressive alternative has not been extinguished and, most importantly, has never been more necessary.
4. We must also condemn acts of terror when these are perpetrated by our own governments. We

strongly denounce the repeated acts of State-terrorism by the Indian government in Kashmir, North-East and the tribal heartland of Central-East India; the Pakistani forces that continue their rampage and brutalities across Balochistan; state-backed terrorist activities carried on in the Chittagong Hill Tracts in Bangladesh. We condemn State-terror pursued by repressing movements, suspending civil liberties, militarising the public space, hardening the Penal Code and rousing religious and racial animosity. Perpetuating a coercive police-state in the guise of so-called anti-terrorism agreements, do not attack the cause but only the symptoms. These are only superficial answers dished out to masses and contribute to the endless spiral of global terror.

5. We also condemn another form of terrorism — that imposed neo-liberal fundamentalism — in all South Asian countries where millions of children go to bed hungry and grow up in acute malnutrition resulting in stunting and underweight, thus affecting their ability to study, grow up and live with full citizenships due to increasing income gaps. This is happening after more than two decades of neo-liberal growth in all countries of South Asia. The story of hunger, unemployment, disease, illiteracy, homelessness, child labour, gender inequality, discrimination and deprivation, especially against the excluded social groups of our region is writ large in every corner of South Asia. It is our considered opinion and our lived experience that this condition of all round human misery stands further accentuated ever since neo-liberalism invaded our lands. Unfortunately, the ruling class across the region in spite of their mutual differences and hostilities are united in imposing this economic model which has spread inequality, human deprivation, discrimination and erosion of the quality of life of the millions.
6. SAAPE stands committed to help to appraise the situation of Bhutanese refugees in Nepal. The international community has not been able to significantly contribute to ease this pending problem. There has been no sign of immediate repatriation of the refugees by the Government of Nepal. The Government of Bhutan is adamant in refusing the refugees' right to return.

We also demand that Sri Lankan refugees wanting to stay back in India are given citizenship. The Government of Sri Lanka must provide security and assistance to those wanting to be in their homeland.

7. We demand "Rights to Minorities" and "No to Majoritarianism", "full citizenship with all entitlements to minorities". All cases of cross border inceptions where migrants have not been treated well even within legal framework must stop. We also demand full rights for migrant workers.
8. We demand that People's SAARC and Official SAARC relationship be linked and maintained so that the two bodies do not work in isolation. People's SAARC should be accredited with Observer status, to voice grass-roots opinion and work for a better South Asia.
9. Land and natural resource grab in South Asia is the serious issue that has led to the alienation of people from their rights to live and rights to livelihoods. The land grabbing process must be stopped urgently. We demand rational utilisation of natural resources and democratic control of communities over them to eradicate poverty. A democratic and ecological regional planning for water and other resources must be ensured as a priority.
10. We urge States to comply with the rights of land locked countries of the region.
11. We urge States to unilaterally repudiate sovereign debts.
12. We realise that the marginalisation and structural exclusion of women from governance and economic and political participation has exacerbated the feminisation of poverty; discrimination and violence against women are further hindering women's accession and influence in politics and governance; exclusion of women and other sexual minorities from politics and governance is a violation of fundamental human rights and breaches the spirit of the Universal Declaration of Human Rights. We recognise that women's meaningful engagement in politics and governance can contribute in reducing gaps in society and promoting peace and dignity for all. We reconfirm that women's participation in politics and governance is a right. The historical and structural exclusion of women needs to end. All forms of patriarchal authority need to end. Violence against women must have zero tolerance in society.
13. We therefore pledge ourselves in favour of a secular, democratic, humanist order free from discrimination, denial of dignity and artificial boundaries that impede our travel and our friendships, especially at a people to people level. We demand barrier free movement and visa free regime. We want a society that guarantees us all human rights, especially that which is contained in the international Bill of Rights. We want the South Asian governments to ratify all Human Rights conventions and implement them strictly. The South Asian society can only claim itself democratic when the rights of people at the bottom are guaranteed.
14. We want a people friendly Rule of Law based political order which is guaranteed by a constitutional arrangement in which sovereignty rests entirely with the people, with the right to recall corrupt officials along with the machinery that can put such usurpers of power behind the bars, after due process of law.
15. The SAARC charter as well as the agreements must be immediately implemented.
16. We call upon all our friends in civil society and in people friendly political processes to wake up to the needs and aspirations of ordinary people and to strive for a new world order and to make efforts for the same in South Asia. Let us prepare well for the People's SAARC and use the coming opportunity to ascertain the will of the widest sections of civil society and move forward to defeat the forces of fundamentalism, elite rule and exploitation, discrimination based on gender or social group affiliations and end all forms of poverty, inequalities and religious fundamentalism.
17. Full social security needs to be guaranteed for all vulnerable populations in South Asian countries by national governments. Given the rise of inequalities this is mandatory. We must ensure minimum living wage and job security for all workers in the region.
18. We are aware that catastrophic levels of climate change would make the poor even more vulnerable. To fight that we need to institute sustainable patterns of production and consumption. We demand that governments take affirmative steps and firmly commit to hold global warming below 2 degree Celsius increase. This would imply phasing out fossil fuels, investments in renewable energy, stopping the loss of biodiversity, and ending overfishing, deforestation, and desertification.
19. While we appreciate the Sustainable Development Goals' affirmation to reduce inequality, combat climate change, strengthen labour rights, eliminate Western agricultural subsidies, etc. we have apprehensions that the effort to eradicate global poverty only through economic growth, export-oriented models, trade liberalisation, etc. within the existing neo-liberal paradigm would be counter-productive and perpetuate poverty. We assert that the attainment of SDGs are dependent on changing the current socio-economic model and its institutions.

Annexes

Annex 1

Background Paper

SAAPE, a regional people's platform working united against the structural causes of poverty and social injustices in South Asia, has been continually engaging over the years in strengthening and consolidating the socio-political movements in the region. Contributing to a political process of poverty eradication through conscious efforts by promoting peoples' politics of good governance, food sovereignty, gender equality, peace and labour rights through their own mechanisms, SAAPE aims to achieve its mission through strengthening people's struggles and movements across the countries in South Asia. SAAPE strongly believes in a democratic political process that helps to strategise genuine politics of poverty eradication through creating an enabling environment of options and opportunities leading to people's political empowerment.

SAAPE initiative has already passed its 15 years of struggle against poverty. The Manesar meeting (2000) and the South Asia Civil Society Network (SACSN) meeting (2001) formed this alliance to collectively organise campaigns and fight against poverty, injustice and indignity in the South Asia region.

Please visit www.saape.org for detail.

Rationale of Forming an Alliance

A stratified and feudal socio-political order coupled with exploitative colonial histories marked the greatest challenge for the birth of new and free nation States in the region during the middle of the 20th century. Social differences and economic inequalities have been at the heart of the ongoing political turbulence in the countries of the region thus jeopardising often the brave experiments with democratic polity, plurality and participation. The poor indeed become the worst sufferers of this turbulence losing out on land and other rights, entitlements, identity and political space.

In spite of different political and governance structures, all South Asian countries find themselves in positions of adversity in the global economy with negative trade balances and mounting international debt. These compulsions along with the pressures of their respective bourgeoisie in alliance with international capital have driven the South Asian governments to accept structural adjustment programmes spearheaded by the World

Bank/International Monetary Fund and to agree to move towards integrating global markets through privatisation and deregulation. Changes in the role of the States in South Asia have come to a point where it is widely accepted that the State will withdraw from several core social sectors and will invite private business interests for spearheading these.

Context of the Fifth General Assembly

In a crisis prone world chained by neo-liberal politics and economics, the vulnerability of the poor, women and other working classes has massively increased in South Asia. The informalisation of labour market has aggravated the problem amidst the dismantling of the limited social security programmes including various targeted subsidy and other programmes. This has made the survival or livelihood issues very acute. Therefore, apart from certain rights provisioned in the constitution, a comprehensive universal social security system is crucial. It has to target the workers in the informal sector in general and women workers in particular along with provisions for a pension for senior citizens, single women, disabled and other vulnerable/deprived sections of the society.

Despite the continuous struggle of women's movements for liberation from gender-based discriminations, the plight of women is continuing. Gender discrimination operates through various forms of exclusion and oppression like patriarchy, caste, class, race, religion, ethnicity, etc. Moreover, increased poverty in the face of globalisation, expansion of war, militarism and the rise of various fundamentalisms are recreating and reasserting traditional patriarchal social relations.

The progress in women's empowerment is highly inconsistent and patchy. The increased economic turmoil has exposed women to greater uncertainties. Although most South Asian countries have adopted the United Nations Security Council Resolution 1325 and 1820 (Women, Peace and Security), increased unemployment, trafficking and violence against women are still major challenges. The economic and social support for the ageing population, especially older women, loom large. In addition to gross under-representation in the decision-making processes, they are continuously restricted from access to productive resources and social support systems.

In spite of the UN stating 'Gender Equality and Women Empowerment' as one of the Millennium Development Goals to be attained by the year 2015, the ground realities in South Asia are starkly different. Women in this region are deprived of their fundamental right to dignity with patriarchal systems impinging every sphere of their lives. Economically they remain without access to control of resources, land rights, equality in wages. At all levels of access to health care, to livelihoods, to education and to living a politically active life as citizens they remain outside of all reasonable quality of life indicators. Consequently, the violence against women continues unabated and despite their extraordinary roles in labour, environment, struggles for democracy their citizenship has been consistently devalued. Girl children are particularly at risk in South Asia with high malnutrition figures, poor school retention, early child marriage, not to mention female foeticide at unacceptable levels in some South Asian countries. Dalit and tribal women face even greater challenges in survival.

There are uneven levels of constitutionally recognised rights that women enjoy in countries of South Asia;

however, rights do not get automatically implemented in the absence of any political will. It is the prerogative of the South Asian States to guarantee the fullest rights to women and their effective implementation, enforcing basic changes for eliminating gender inequalities from the society.

In this context, the fifth General Assembly of SAAPE, which is held triennially, is focusing on the issues of gender, poverty and constitutional rights and people's struggle.

This General Assembly will also discuss future strategies for centralising the women's struggle issues in all campaigns in the South Asian countries. The eradication of the conditions of poverty can only be achievable if equality is struggled for as a central value in society.

The GA will be attended by SAAPE delegates/members from South Asian countries that are involved in the issues of poverty and exclusion. They mainly include the representatives from peasant organisations, women's coalitions, NGOs, trade unions, social movements and independent academics and human rights activists.

Annex 2

Programme Schedule

Day 1 (02 September 2016)

Venue: Hotel Marshyangdi, Kathmandu, Nepal

S. N.	Time	Programme
1.	0830-0900	Registration
2.	0900-1230	<p><u>Inaugural Session</u></p> <ul style="list-style-type: none"> Welcome and presentation of GA (09:00-09:10) Netra Prasad Timsina, SAAPE Coordinator <p>Keynote speech on Interrelations between Gender, Poverty and Constitution by Hon'ble Justice Sapana Pradhan Malla, Supreme Court of Nepal (09:10-09:30)</p> <ul style="list-style-type: none"> Panel discussion: Key Challenges in South Asia <ul style="list-style-type: none"> i) Partnership between CEDAW and civil society of South Asia in promoting gender equality (09:30-09:45) Bandana Rana, Expert member, United Nations Committee on the Elimination of Discrimination against Women (CEDAW) <p>Question-answer session: 09:45-10:00 Tea break: 10:00-10:15</p> <ul style="list-style-type: none"> ii) People's struggles against the rising fundamentalism in South Asia (10:15-10:45) <ul style="list-style-type: none"> • Farooq Tariq, SAAPE Core Committee member, Pakistan (10:15-10:30) • M. M. Akash, SAAPE member, Dhaka University, Bangladesh (10:30-10:45) • Nooria Sultani, SAAPE member, Afghanistan (10:45-11:00) iii) Shrinking civic spaces and citizen rights in South Asia (11:00-11:15) Akhil Ranjan Dutta, Guwahati University, India iv) Constitutionalism in South Asia: Lessons from Nepal's Constitution making process (11:15-11:30) Dilli Raj Khanal, Economist, Nepal v) Citizen rights of conflict affected people in the countries in post conflict: People's struggles for peace and democracy in Sri Lanka (11:30-11:45) Udan Fernando, The Centre for Poverty Analysis (CEPA), Sri Lanka vi) Autocratic regimes and violations of human rights in South Asia: People's Struggle in Maldives Ahmed Nizam, SAAPE Core Committee member, Maldives (11:45-12:00) <p>Discussion/questions/sharing</p>
3.	1230-1330	Lunch
4.	1330-1530	<p>Session 1: Progress report on SAAPE Poverty and Vulnerability Report 2016 <i>Moderator: Shobha Raghuram</i> <i>Presenter: Deepa KS, Farooq Tariq</i> Plenary discussion for inviting feedback to the draft report</p>
5.	1530-1545	Tea/coffee break
	1545-1700	<p>Session 2: People's SAARC</p> <ul style="list-style-type: none"> People's SAARC- country perspectives People's SAARC 2016 preparation <p><i>Moderators: Sarba Raj Khadka, Herman Kumara</i> <i>Presenter: Farooq Tariq, Shujauddin Qureshi</i> Plenary discussion and way forward</p>
6.	1700-1730	Wrapping up

Day 2 (03 September 2016)

1.	0845-0900	Recap of Day 1
2.	0900-1100	<u>Session 3: Reporting by the Secretariat and Campaign Groups</u> <i>Moderators: Sushovan Dhar, Nalini Rathnarajah</i> <i>Progress report: Netra Timsina and Praman Adhikari</i> <u>Campaign sharing</u> <ul style="list-style-type: none"> • Food Sovereignty Campaign- Progress made so far and opportunities and challenges • Women Rights Campaign- Progress made so far and opportunities and challenges ahead • Demilitarisation and Social Protection Campaign- Progress made so far and opportunities and challenges ahead Open floor discussion
3.	1100-1115	Tea/coffee break
4.	1115-1230	<u>Session 4: Discussion on:</u> <ul style="list-style-type: none"> • SAAPE's strategic direction 2017-2020 • Leadership, role of members, advisors and core committee members • New movements and collaborative work Moderators: Babu Mathew, Rokeya Kabir
5.	1230-1330	Lunch
6.	1330-1500	<ul style="list-style-type: none"> • Administrative issues and endorsement • Fund raising • Membership Moderator: Netra Timsina
7.	1500-1515	Tea/coffee break
8.	1515-1615	Declaration, adoption and closing Moderator: Balram Banskota

Annex 3

List of Participants

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Manesar Declaration

The Hivos India Regional Office had taken the lead in the organisation of a Eurostep South Asia Consultation on Poverty Eradication and Quality of Aid held in Manesar, Haryana, India from September 27 to 29, 2000. Of the 57 participants, 45 were selected representatives of civil societies in the South – NGO representatives, activists and lobbying organisations from Nepal, Sri Lanka, Bangladesh, Pakistan and India. Twelve representatives from the European Commission and Delegation were also present. The Eurostep South Asian Consultation recommendations noted the need to focus on South Asia's population living below the poverty line, the need for independent NGOs and social movements to play a lead role in pressurising governments and donors to give serious attention to countering poverty, and the need for further alliance building and networking between Asian and European NGOs to raise impact at various levels.

During a meeting in Haryana, India, representatives comprising journalists, academics, NGOs and other Civil Society actors from Sri Lanka, Bangladesh, Nepal, Pakistan and India, together with representatives from European NGOs within Eurostep drew the following conclusions and recommendations.

- The process of development is inherently political and if it is inequitable and non-participatory, it can actually create poverty. The objective of eradicating poverty can only be achieved through struggle in which people living in poverty are empowered to take control of their own lives and resources. People living in poverty, the majority of whom are women, are best able to identify the structural obstacles that perpetuate and accentuate poverty. In consequence, they are also best placed to set the agenda, to address these obstacles and to define solutions that can eradicate poverty.
- The definition and framework of the Poverty Reduction Strategy as defined by the World Bank and the International Monetary Fund (IMF) cannot eradicate poverty. On the contrary, the policies and practices of the Breton Woods institutions as they are currently modelled, accentuate poverty.
- Current forms of globalisation based on unfettered liberalisation accentuate global inequalities both between countries and within countries. On the other hand, global alliances can actually contribute to the eradication of poverty.
- It is clear that a 'rights based approach' to social development, which recognises the multi-faceted nature of poverty, is central to its eradication. The rights-based approach can also ensure that the dignity of people living in poverty is recognised.
- The struggle to eradicate poverty calls for partnerships and alliances based on shared values and principles, together with mutuality of concerns.
- Past development policy and practice, which emphasised technocratic approaches, have disempowered people living in poverty by de-politicising their struggles.

Therefore the participants from South Asia and Europe will work together towards:

- Promoting a multi-dimensional, democratic and comprehensive dialogue.
- Work towards linking constituencies in the North and South to develop common strategies, particularly with regard to the adverse affects of structural adjustment.
- Promoting viable development alternatives based on people's own knowledge and innovations.
- Defending people's livelihoods, including the guarding and nurturing of biodiversity, community resources and their own knowledge systems.
- Promoting the development and strengthening the capacities of civil society organisations to create political and economic democracy.
- Working towards identifying common strategies that address food security concerns including reforms of current policies, such as the Common Agricultural Policy (CAP) and the Agreement on Agriculture of the World Trade Organisation (WTO).
- Raising awareness of human rights violations and promoting the evolution of civil societies in countries where civil society is non-existent.

We call upon the European Union to:

- Develop new pro-poor development strategies, independent of IMF/World Bank models, in consultation with representatives of civil society and peoples' organisations.
- Develop its country strategy papers in proper consultation with organisations of civil society, ensuring that the voices of people living in poverty are heard and reflected in the formulation of the strategies and agendas of poverty alleviation/eradication programs. In addition, a regional strategy for South Asia should be established.
- Develop suitable mechanisms for consultative processes, including a right to information that takes onto account traditional forms of civil society. In this context, the use of new information technology, the media (inclusive of community and alternative forms) and public hearing in project impact areas should be incorporated.

- Give increased emphasis to providing relevant support to peoples' initiatives for poverty eradication.
- Ensure that in its budget allocations there is an increased reflection of the proportion of people living in poverty within South Asia. In addition, emphasis should be given to financing important social sectors. Scarce Overseas Development Assistance (ODA) resources should not be diverted to the private sector.
- Establish mechanisms for a social audit in all projects that it supports, and to make a commitment to adequately address any negative consequences that are identified.
- Work to ensure that global trade and investment regulations allow national governments to regulate and control their economics in ways that protect the rights of its entire people.
- Use its political and economic influence to make structures of the World Bank and the International Monetary Fund (more) democratic.
- Mobilise its member states to agree not to sell military arms to countries of South Asia.
- The European Union should explicitly mainstream gender in the development co-operation agreements that it negotiates with South Asian and other countries.
- Strive towards the promotion and preservation of a multi-polar world in which there is a respect for democratic principles and space.

We call upon the state and governments in South Asia to:

- Enhance and strengthen their commitments to social sectors and in particular to ensure that the basic needs of all people are met.
- Ensure that the rights of citizens to life, liberty, human dignity and livelihoods are protected and promoted, particularly those of the marginalised and minorities.
- Ensure that the policies and practices of the state and its institutions are carried out in a transparent, effective and accountable way, free of corruption. South Asian governments in collaboration with the EU countries should take initiatives to stop market driven corruption.
- Reject structural adjustment models defined by the World Bank and the IMF. In addition, the governments in South Asia should not bind themselves to the WTO's agreement on agriculture.
- Reduce expenditures on defence to provide further resources for health, education, agriculture and other programs that address the needs of people living in poverty.
- Actively work together and support networks and alliances on crosscutting areas of concern such as trafficking of women, water, refugees, citizenship, violence, ecology and disasters.

- Ensure that their plans emerge from a consultative process that specifically involves the marginalised. Gender concerns should be emphasised in all such development plans.

We call on Eurostep and its members to:

- Work towards the establishment of mechanisms of dialogue between civil societies constituencies in Europe and South Asia and between South Asian civil society and EU institutions.
- Promote alternative development models drawn from people's experiences and knowledge with a view to their mainstreaming within EU development policies and practices.
- Support South Asian networks and alliances on crosscutting areas of concern such as trafficking of women, water, refugees, citizenship, violence, ecology and disasters.
- Work towards deepening and broadening global alliances that can effectively project the concerns and voices of people living in poverty and promote pro-poor solutions.
- Work together in partnership to build capacity and support for effective policy interventions at the local, national and global level based on a pro-poor agenda.
- Help promote and establish a global alliance to establish a permanent, independent, social audit commission on the policy and practices of the WTO.
- Provide information and analysis of the development policy and practices of the European Union.

We call on Civil Society in South Asia to:

- Work towards setting up regional alliances and supporting existing ones, to work on strategies to effectively change and combat the harmful economic policies of globalisation, liberalisation and privatisation which cause increasing poverty in the region.
- Develop strategies, which create space for people's initiatives and support their struggles, recognising the specific and different contexts of marginalised groups.
- Develop common strategies that make governments, states and local authorities accountable and responsive to people's needs.
- Establish dialogue collectively and individually with EU representatives.
- Set up a "People for Peace" structure in the region, to influence governments to reduce defence expenditure and work towards peace in the region.
- Work for the establishment of a social audit in all projects supported by the EU and to press for the EU to adequately address any negative consequences that are identified.

Secretariat is based in Kathmandu at Rural Reconstruction Nepal.

Annex 5

List of Participants of SAAPE Founding Meeting* 2000

SN	Name	Organisation	Country
1.	Rokeya Kabir	Bangladesh Nari Prograti Sangh	Bangladesh
2.	Sheepa Hafiza	Bangladesh Rural Advancement Committee	Bangladesh
3.	Gianluca Nardi	Movimondo Cambodia Country	Cambodia
4.	Aija Taskinen	The Service Centre for Development Cooperation	Finland
5.	Harsh Mander	Action Aid	India
6.	Hannah Piek	Hivos Regional Office	India
7.	Brenda Gael Mc Sweeney	United Nations Development Programme	India
8.	Sonu Khangharani	Thardeep Rural Development Programme	India
9.	Shobha Raghuram	HIVOS, Bangalore	India
10.	Stan Thekaekara	ACCORD	India
11.	Bhargavi Nagaraja	Hivos, Bangalore	India
12.	Supriya Roy Chowdhury	Hivos, Bangalore	India
13.	Kumud Sharma	Centre for Women Development	India
14.	Vijay Pratap	Lokayan	India
15.	Ginny Shrivastava	Astha Foundation	India
16.	Babu Mathew	National Law School of India University	India
17.	Vandana Shiva	Navadanya	India
18.	Illina Sen	Rupantar	India
19.	V. Vivekanandan	South Indian Federation of Fishermen Societies	India
20.	Binoy Acharya	Unnati	India
21.	V. Rukmini Rao	Decan Development Society	India
22.	Pradeep Sharma	Public Policy Division, UNDP	India
23.	Balaji Singh	Action Aid	India
24.	Julietta Venkatesh	HIVOS	India
25.	Sunil Fernandes	HIVOS	India
26.	Narayan Banerjee	Centre for Women's Development Studies	India
27.	Chandrika	Centre for the Study of Developing Society, Delhi	India
28.	Arjun Karki	Rural Reconstruction Nepal	Nepal
29.	Sarba Raj Khadka	Rural Reconstruction Nepal	Nepal
30.	Renu Rajbhandari	Women's Rehabilitation Centre	Nepal
31.	Bhogendra Sharma	Centre for Victims of Torture	Nepal
32.	Sharmila Karki	Children Women in Social Service and Human Rights	Nepal
33.	Vinaya K Kasajoo	Media Service International	Nepal
34.	Sarmila Shrestha	Women Acting Together for Change (WATCH)	Nepal
35.	Jagadish Pradhan	Sahabhazi Bikash Abhiyan	Nepal
36.	Pieter van Veenen	HIVOS	Netherlands
37.	Aijaz Ahmed Qureshi	National Rural Support Program	Pakistan
38.	Najma Sadeque	Shirkatgah	Pakistan
39.	Lubna Nazir Chaudhary	Sustainable Development Policy Institute	Pakistan
40.	Shaheen Khan	Sindh Rural Support Programme	Pakistan
41.	Laxshmi Pereira	Agromart Foundation	Sri Lanka
42.	Cecil Yuvaraj Thangaraja	Eastern University	Sri Lanka
43.	Sarath Fernando	Movement for National Land and Agricultural Reform	Sri Lanka
44.	S M de Silva,	Sewa Lanka Foundation	Sri Lanka
45.	Patrick Brochard	World University Service of Canada(WUSC)	Sri Lanka
Eurostep Members			
1.	Birgit Dederichs	Bain German Agro Action	Germany
2.	Siddharth Deva	OXFAM GB	UK
3.	Jaap Dijkstra	HIVOS	Netherland
4.	Bjorn Forde	Eurostep Secretariat	Denmark
5.	Bernhard Hoepfer	German Agro Action	Germany
6.	Simon Stocker	Eurostep	Belgium
7.	Fazila Banu Lily	Naripokkho	Bangladesh
European Commission			
1.	Antonio de Menezes,	European Commission	Bangladesh
2.	Jose Felix Merladet	European Commission	India
<i>*Organisation and position at the time of the meeting</i>			

Some Glimpses of the Fifth General Assembly



Panelists attending a discussion session on key challenges in South Asia



Herman Kumara (Sri Lanka) sharing his thoughts in the open floor discussion



GA Participants



GA Participants



Sushovan Dhar (India) contributing to the discussion



Rokeya Kabir (Bangladesh) contributing to the discussion



Sarba Raj Khadka (Nepal) moderating the People's SAARC Session



Balram Banskota (Nepal) contributing to the discussion

Some Glimpses of the Fifth General Assembly



Raz Mohammed Dalili (Afghanistan)



Mohd. Abdul Matin (Bangladesh)



Babu Mathew (India)



Shobha Raghuram (India)



Shafga Shafeeg (Maldives)



Sharmila Karki (Nepal)



Talat Rubab (Pakistan)



Nalini Ratnarajah (Sri Lanka)

Despite the continuous struggle of women's movements for liberation from gender-based discrimination, women in South Asia are deprived of their fundamental rights to dignity with patriarchal systems impinging every spheres of their lives. Economically, they remain without access to control of resources, and rights, equality in wages. There are uneven levels of constitutionally recognised rights that women enjoy in countries of South Asia. However, rights do not get automatically implemented in the absence of any political will. In this context, the fifth General Assembly of SAAPE was held from 02-03 September, 2016, in Kathmandu.

The speakers and participants of the programme discussed the key challenges in South Asia including fundamentalism, shrinking of civic spaces and violation of human rights. The General Assembly also discussed on the SAAPE Poverty and Vulnerability Report 2016. Country perspectives on People's SAARC 2016 and preparations for the same were deliberated. Besides, the General Assembly threw light on the progress made so far on thematic areas of SAAPE's engagement and also suggested the course for the future. Lastly, SAAPE's strategic direction from 2017-2020 was also discussed along with the adoption of the Kathmandu Declaration.