

2006  
ANNUAL REPORT

South Asians for  
Human Rights (SAHR)

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## INTRODUCTION

South Asians for Human Rights (SAHR) is pleased to present its annual report of work carried out during 2006.

South Asians for Human Rights (SAHR) is a democratic regional network with a large membership base of individuals and organisations committed to the promotion and protection of human rights at both national and regional levels. SAHR seeks to contribute to the realisation of South Asian peoples' right to participatory democracy, good governance and justice by strengthening regional responses, including regional instruments, monitoring human rights violations, reviewing laws, policies and practices that have an adverse impact on human rights and conducting campaigns and programmes on issues of major concern in the region.

SAHR comprises both institutional and individual members. An elected bureau works as the organisation's executive body while an elected membership committee oversees enrolment of members.

The SAHR Chairperson and Co-Chairperson are Mr I. K. Gujral (former Prime Minister of India) and Ms Asma Jahangir of Pakistan, respectively. The SAHR Secretariat is in Colombo, Sri Lanka with chapter offices in Colombo, Dhaka, Kathmandu, Lahore and New Delhi.

## INSTITUTIONAL ACTIVITIES

### 1. Personnel

The SAHR secretariat in Colombo, Sri Lanka provides overall support to the running of the organisation with the following staff:

Mrs. Shiranthi Jayatilaka  
- Executive Director

Mrs Jaqueline Lyman  
- Communications Coordinator

Mrs. Tharangani Seneviratne  
- Accountant

Mr. Roshan Manjula  
- Office assistant/clerk

National coordinators run the offices in Dhaka, Kathmandu and New Delhi. Their work is overseen by the respective bureau members (see annex 1). Other offices in Colombo and Lahore are run by the bureau members themselves.

## PROGRAMMES

SAHR is carrying out 2 programmes at present:

### 1. STRENGTHENING HUMAN RIGHTS AND DEEPENING DEMOCRACY

The long-term objective of this programme is to strengthen human rights and contribute to a more inclusive democracy within the South Asian region by providing regional mechanisms and solutions to the issues confronting human rights and democracy, and by enabling regional inputs into the system.

The main activities include the organisation of two regional consultations on human rights and democracy issues, undertaking fact-finding missions, monitoring the state of human rights and democracy in the region, publishing periodic briefing papers on key issues, highlighting violations through a web-based Rapid Response Alert service, producing post-consultation publications, interacting with media, strengthening regional responses and mobilising public opinion on a regional level.

### 2. SAHR PROGRAMME ON FACT-FINDING AND ADVOCACY

Under this programme, is carrying out two activities namely 'Serious Violations of Human Rights, and Minority Rights.

- **Serious violations of human rights (domestic)**

The activities consists of investigations into the root causes of human rights violations. Fact-finding missions have already been to Nepal in April and December 2005.

- **Protection of Religious Minorities**

To address the complex issues related to minority rights, SAHR set up an independent commission called the South Asian People's Commission on Rights of Minorities (SAPCROM) in New Delhi, India in November 2003. The commission comprises ten eminent persons from Bangladesh, India, Nepal, Pakistan and Sri Lanka.

## **ACTIVITIES IN 2006**

### **Evaluation meeting on minority rights (March 2006)**

An evaluation meeting was conducted with SAHR members on the SAPCROM in order to see how best to use the experience gained in the previous missions and to carry out future work.

Also discussed was the publication of the reports of the SAPCROM missions in one volume. Prof. Meghna Guhathakurta has agreed to write the summary of the report. The publication will consist of country reports (Bangladesh, India, Nepal, Pakistan and Sri Lanka) as well as recommendations to South Asian governments and civil society.

### **Strengthening the democratic process in the Maldives (March 2006)**

SAHR engagement in the Maldives had the immediate objective of assessing the state of human rights in the country and the reform process underway.

It organized a fact-finding mission to the Maldives in December 2005 and the report of that mission was presented at a seminar organized in Colombo on 15 March 2006.

Executive Director of SAHR Shiranthi Jayatilaka welcomed the participants and explained the purpose of the SAHR mission to the Maldives. She thanked the Maldivian government for the cooperation it extended to making the mission possible and for facilitating meetings with government representatives.

In his opening remarks, SAHR Chairperson Mr I K Gujral (former Prime Minister of India), mentioned that SAHR could directly claim credit for the fact that the Maldivian government now has an information unit functioning in New Delhi which regularly distributes news on the progress of the reforms in the Maldives. He welcomed this initiative on the part of the Maldivian government and commended them for the reform process, which is a good step towards the achievement of a democratic framework.

Mr J C Weliamuna proceeded to present the findings of the mission also on behalf of the other members of the delegation. The floor was then open for discussions. Questions were raised on transparency issues, which were however beyond the mandate of the mission and therefore not addressable in this particular venue; and on the willingness of the Maldivian government to see NGOs such as SAHR involved in the development of civil society organisations.

Participants included the Maldives High Commissioner to Sri Lanka Dr Mohamed Asim; Attorney General Dr Hassan Saeed; members of the Maldivian Democratic Party (MDP), an opposition party in the Maldives; SAHR bureau members from around the region; media; representatives of international organisations and NGOs in Sri Lanka.

The Island newspaper, an English daily in Sri Lanka, published an article regarding the seminar, as did Minivani News, an online publication in the Maldives.



*Mr J. C. Weliamuna presenting the findings of the SAHR mission to the Maldives. Also at the head table are Mr I. K. Gujral, Ms Asma Jahangir and Mr Keshab Mathema*



*Participants at the Maldives seminar – front row R-L: Ms Shiranthi Jayatilaka, Executive Director SAHR; Dr Mohamed Asim, High Commissioner of Maldives to Sri Lanka; Dr Hassan Saeed, Maldives Attorney General; Mr Vijay Singh, lawyer and SAHR bureau member, Nepal.*

#### **Publication of fact-finding report on the Maldives**

The mission report has been printed and copies have been distributed to a wide audience comprising NGOs, human rights institutions, academia, think-tanks, government and intergovernmental organisations in the region. The report contains a foreword by I K Gujral, background information on the human rights scenario in the Maldives, the mission report and comments from the Maldivian Attorney General's Office as well as the SAHR response to these comments.

The UNDP office in Colombo requested additional copies for distribution to the UNDP office in Maldives and Geneva, as well as to the HRC in Geneva.

#### **Fact-finding on minority rights Sri Lanka -- May 2006**

A fact-finding team of the independent commission set up by SAHR called the South Asian People's Commission on Rights of Minorities (SAPCROM) visited Amparai, Colombo, Kandy, Puttalam and Jaffna.

The team members were Prof Pushpa Bhawe (India), Mr Iqbal Haider (Pakistan) and Dr Hameeda Hossain (Bangladesh).

The report is included in the SAHR publication "Including the Excluded – Rights of Minorities in South Asia" together with other country reports on minority rights, also based on fact-finding missions conducted to these countries by SAPCROM.

#### **Fact-finding on the death penalty in Pakistan May 2006**

SAHR conducted a fact-finding on the death penalty in Pakistan, a country that has ratified the ICCPR. However, the report makes the case that Pakistan imposes the death penalty for numerous offences that surpass the limitation laid out in the 'most-serious crimes' as stipulated by the Commission on Human Rights or the 'war crimes' provisions defined by the Second Optional Protocol of the ICCPR.

SAHR member Hifza Aziz participated in the mission to the women's section of the Multan Jail from 22 – 24 May, meeting various women prisoners including those who had been sentenced to death.

A report on the July 4 visit by SAHR member Alia Malik and national coordinator Zainab Siraj to the women's section of the Lahore Central Jail is also included.

The report also focuses on juvenile offenders, the promulgation of the Juvenile Justice System Ordinance (JJSO), and the difficulties encountered by the judicial system in the execution of the JJSO, also due to the fact that the ordinance was not extended to the Provincially and Federally Administered Tribal Areas in the North and West until October 2004.

#### **Sri Lanka fact-finding mission, June in Pesalai, Mannar (June 2006)**

This came on the heels of the fighting between members of the Liberation Tigers of Tamil Eelam (LTTE) and the Sri Lankan navy, off the seas of Pesalai, a fishing village in Mannar, north of Colombo. After this fighting, members of the Sri Lankan navy had opened fire in a church, killing one woman and wounding several others who had congregated there out of fear over the fighting between the rebels and the navy. They also executed five fishermen who had disembarked from their fishing boats, and set fire to fishing huts, boats and other fishing accessories.

#### **India fact-finding mission, Tihar jail – June 2006**

In order to study the human rights standards adhered to in Indian prisons, a fact-finding mission was undertaken to visit women prisoners in Tihar Jail in June. The Tihar jail was chosen in order to study its pioneering application of correctional and rehabilitation programmes. A three-member team comprising Prof. Anuradha M. Chenoy (Professor in the School of International Studies, Jawaharlal Nehru University), Mr Sanjay Parikh (senior advocate with the Supreme Court of India), and Ms Yamini Jaiswal, SAHR national coordinator (India) undertook the mission to Tihar jail where they met with women prisoners, prison officials, government officers, civil society working with prisoners and also former male inmates of Tihar.

#### **Bangladesh fact-finding mission on militancy – June 2006**

This mission attempted to traced the incidence of bombs, grenades and other forms of violence perpetrated by extremist militants in Bangladesh, and to identify the forces that may have instigated these acts of violence. The report also records the response of the government, political parties, law enforcement agencies and citizens to the emerging threats from extremist militants.

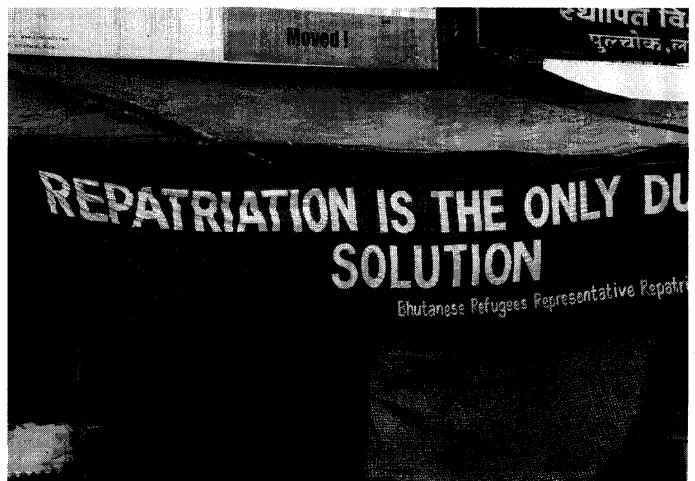
#### **Media mission meets Bhutanese refugees in Nepal (December 2006)**

On 11-14 December 2006, a three-member mission visited Nepal to meet with Bhutanese refugees and community leaders, the media in Nepal and other stakeholders in the Bhutanese refugee issue. The mission comprised Ms Pamela Philipose, associate editor, The Indian Express, Mr Kuldip Nayar, human rights defender and senior journalist whose columns appears in various newspapers in India and abroad, and Ms Jacqueline Lyman, Communications Coordinator of SAHR.

The purpose of the Mission was to obtain an update of the Bhutanese refugee situation in Nepal and to attempt to focus the interest of the Indian media on the issue, not least because of the role that India can play in bringing about a solution to this protracted problem.



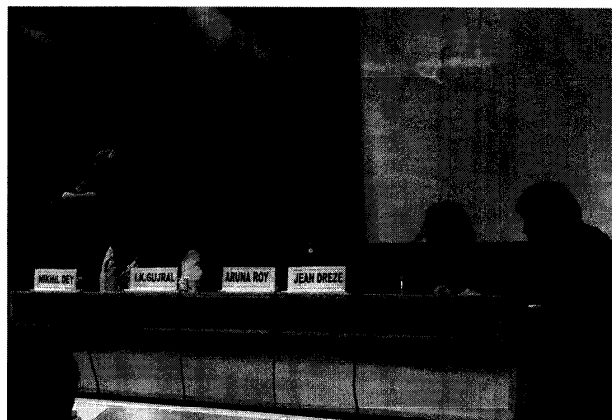
***Above:** Talking with Bhutanese refugees protesting outside United Nations House in Kathmandu*  
***Below:** Repatriation is the only durable solution, say the protesting refugees*





#### **Public lecture on right to information – December 2006**

On 10 December, World Human Rights Day, SAHR organised a public lecture on the topic of transparent governance from the viewpoint of right to information. The panellists included I K Gujral, SAHR Chairperson, Mr Jean Dreze, Mr Nikhil Dey and Ms Aruna Roy. Ms Kamla Bhasin, India-based bureau member performed the introductions. The lecture was attended by more than 80 persons from the media, academia, NGOs and civil society.



*The public lecture*

#### **Establishing regional capacities to address human rights**

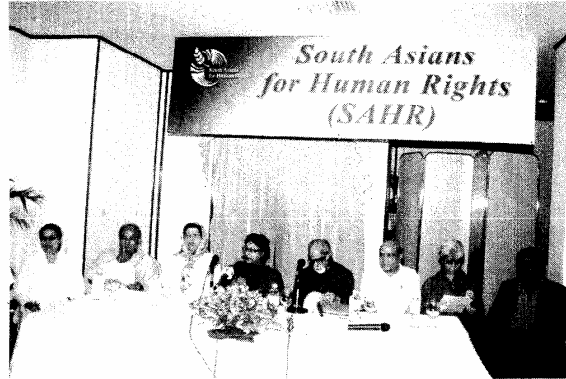
On the invitation of the SAHR Bureau an Afghan national committee of SAHR was held in Kabul, Afghanistan on 30<sup>th</sup> November 2006. Mr. Abdul Rahman Hotaki was elected as a SAHR bureau member at this meeting.

SAHR is also building relations with Maldives in order to include the country into its network and thus complete the regional nature of the organisation.

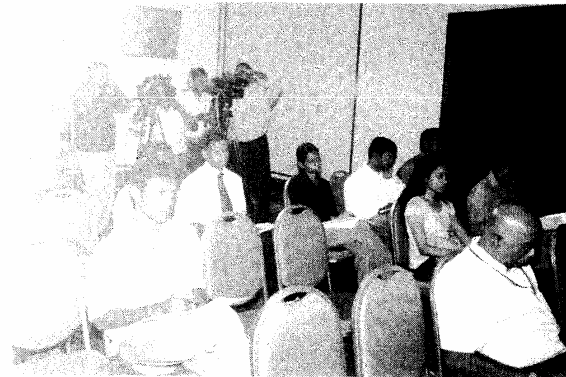
#### **Visibility actions**

A press conference was organised in March by the SAHR Secretariat which helped provide visibility to SAHR and the work it is currently engaged in, in the field of human rights – including minority rights -- and democracy.

The participation of SAHR Chair I K Gujral attracted quite a number from both local and international media including Reuters, the Hindu and AFP.



*SAHR bureau members taking questions from reporters at a press conference organized in Colombo, March 2006*



*The press (local and international media)*

A press statement was distributed on the basis of which several questions were posed chiefly to Mr Gujral and to Ms Asma Jahangir, SAHR Co-Chair. Questions on minority rights in Sri Lanka were also raised.

Mr Gujral was also interviewed by Lanka Monthly Digest LMD/Benchmark, a business forum which was broadcast on one of the leading English TV channels in Sri Lanka on 19 March.

### Meeting with Minister of Disaster Management and Human Rights

SAHR members gathered in Colombo in March met with Hon. Mahinda Samarasinghe, Minister of Disaster Management and Human Rights, who provided an overview of the human rights situation in Sri Lanka, and in turn was informed about the work of SAHR as well as that of SAPCROM.



*Mr I K Gujral talking with Hon. Mahinda Samarasinghe*

### PUBLICATIONS

- The Reform Process and the State of Human Rights in the Maldives
- Refugees in Exile – Case of Bhutan
- Losing more than Liberty - Women prisoners in Tihar
- Bomb and Grenade Explosions and Other Forms of Violence by Religious Militants in Bangladesh
- Report on the Death Penalty in Pakistan
- Fact finding mission to Pesalai (Mannar), Sri Lanka
- Reports on the fact finding mission to Nepal
- Including the Excluded – Rights of Minorities in South Asia

<b>FUNDING</b>
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The **Open Society Institute** approved part-funding of a three-year programme (August 2006-July 2009) submitted by the South Asians for Human Rights (SAHR) titled Strengthening Human Rights and Deepening Democracy.

The **Ford Foundation** provided three-year programme funding for the Fact-Finding and Advocacy component of SAHR's "Regional Democratisation through Strengthening of Democracy" programme. The funding expires in December 2006.

The project on the Maldives was made possible through funding from the **Open Society Institute**.

Annex 1 -- List of Bureau Members

**BANGLADESH**

**Dr. Hameeda Hossain**

Leading women's rights activist and Founder member of Ain o Salish Kendra (ASK).

**Mr. Mahfuz Anam**

Editor, Daily Star – a leading English newspaper in Bangladesh.

**Ms. Sigma Huda**

President, Bangladesh Women Lawyers' Association and a human rights activist.

**Ms. Sara Zaker**

Leading theatre activist and founder member of the Liberation War Museum

**Mr. Subrata Chowdury**

Advocate, Supreme Court of Bangladesh.

**INDIA**

**Mr. I. K. Gujral (Chairperson, SAHR)**

Former Prime Minister and Former Foreign Minister of India; human rights activist; presently Chancellor of the Maulana Azad National Urdu University, Hyderabad.

**Mr. Kuldip Nayyar**

Renowned journalist/columnist and human rights activist.

**Ms. Nirmala Deshpande**

Parliamentarian and Gandhian; she has been in the forefront of peace initiatives between India and Pakistan.

**Ms. Kamla Bhasin**

Women's rights activist, and member and supporter of many citizen's/people's initiatives striving for sustainable livelihoods, justice, gender equality and peace.

**NEPAL**

**Dr. Devendra Raj Panday**

Former Finance Secretary and former Finance Minister of Nepal; a well-known figure in Nepal's developmental and democratisation process; Chairperson of Rural Self-Reliance Development Centre (RSDC).

**Mr. Keshab Mathema**

Human Rights Activist.

**Ms. Mohammedi Siddiqui**

Social and human rights activist; she has worked with women at the grassroots level and has made significant contribution in empowering women belonging to the minority groups, including the establishment of the Fatima Foundation – Nepal for Muslim women's empowerment.

**PAKISTAN**

**Ms. Asma Jahangir (Co-Chairperson, SAHR)**

Advocate, Supreme Court of Pakistan; advocate, High Court of Pakistan; United Nations Special Rapporteur on Freedom of Religion or Belief; Formerly United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.

**Mr. I. A. Rehman**

Director, Human Rights Commission of Pakistan and senior journalist.

**Mr Fakhruddin G. Ebrahim**

Retired Judge of the Supreme Court of Pakistan and former Law Minister and Governor of Sindh; was awarded the Hilal-e-Imtiaz for meritorious services for advancing the cause of human rights in Pakistan.

**Ms. Sairah Irshad Khan**

Sub-editor of Newslite, a monthly magazine which provides political analysis.

**SRI LANKA**

**Ms. Damaris Wickremesekera**

Executive Director of Law and Society Trust (LST) Colombo; has made significant contribution to the development of human rights norms.

**Mr. J. C. Weliamuna**

Advocate, Supreme Court of Sri Lanka and a leading human rights lawyer, Executive Director, Transparency International, Sri Lanka.

**Mr. Sathivale Balakrishnan**

Human rights activist who has done pioneering work in post-conflict situations.

**Ms. Sithie Tiruchelvam**

Human rights activist.