

Regional Convention on the Role of Civil Society in Addressing Human Rights

Date- 9th-10th March 2013

Venue-ETC, Bhawanipatna, Kalahandi

Participants - Antodaya, Rare, Ahwan, Satarka, Vastav, CSFHR

Objectives of the Convention

- Instil in the Participants a sense of the Value of Human Rights and the values that come from a respect for human rights
- Establish Cooperation and Unity among each other to promote and protect Human Rights and prevent any Human Rights Violation.
- Defending Human Rights in Non –Professional Context.
- Collecting and Disseminating information on violations
- Supporting the Victims of Human Rights Violations by investigation, Fact-finding, Documentation and lodging complaints with the respective authorities.
- Taking collective action to secure accountability and to end impunity at local, regional and national level.
- To develop the necessary knowledge and skills among the participants to promote and protect Human Rights, that a will be crucial to building momentum in the society.
- Deliver information of the Different Human Rights Commissions and their Role in Protection of Human rights

Day One

The Regional convention was inaugurated by Dr.Sanjit Kumar Swain, Director ETC and Mr.Jagannath Mund, Secretary of Bar Council.

Dr.Swain emphasized on the need of socioeconomic development in his speech. He briefly quoted the various Govt schemes meant foe empowering the citizens socially and economically. Addressing the Convention he said that following the right track and taking the help of existing laws and policies one can progress.

This was followed by words of advocates – Mr.R.N Mahakud, Mr.Sudhanshu Nanda, Mr.Divyaranjan Bohidhar who for a short time explained the participants on Legal aid, Legal Service Authority and the issues related to law and Human rights. They together put importance on coordination on Human rights Defenders.

Advocate Chandranath Dani

He gave an introduction of CSFHR: its aims and objectives to the participants and the need for a collective platform to promote and protect Human Rights. He clarified that this convention is not a training programme but a preface to understand Human rights values and promote it.He requested the participant to give a brief introduction, share their experiences in working on Human rights issues and their expectations from the Convention.

It was found that many of the participants have experience in filing complaints with the respective commissions. They were more interested in knowing the proper method /technique to file a complaint so that it does not get rejected. While speaking on working on Human rights many showed concern about the fear of being labelled as anti social elements, atrocities of police on local citizens. Some even shared their struggle and harassment to fight for the rights of the citizens.

Expectations of the participants from the Convention

- 1 What is CSFHR: its aims and Objectives?
2. How to defend and extend the support to the Human rights defenders?
3. How to know whether a particular incident comes under the purview of Human rights Violation or not?
4. What is the mechanism to be used when the State becomes Human Rights violator?
5. Role and functions of district vigilance Committee?
7. What are the Rights of SC/ST so that it will be helpful to control their Human Right violation?

6. Expect support and guidance from CSFHR to fight for Human Rights in Kalahandi district, especially on the issue of displacement.

With the learnings in the convention they will make aware the common citizens about Human rights and filing complaints. Everybody agreed that a Central Pressure Group is required and is utmost necessary to pressurise the system and to carry forward the message of promoting and protecting Human rights in Odisha.

With this Mr. Chandranatha Dani thanked all the participants for sharing their experiences and expectations. Addressing them he said although we have a full fledged, functional Judiciary system to attain justice, we have some Quasi judicial Bodies about which we are mostly unaware of. So we should approach and make use of the provisions of the State in the form of these quasi-judicial bodies like NHRC, NCW, NCPDR, Minority Commissions, ST/SC Commission etc to attain justice in case of any Human Rights violation, in an effective way. He shared with the participants the history of formation of UDHR –Universal Declaration of Human Rights by United Nations, which is comprised of a) Civil and Political Rights b) Social and Economic Rights. Then he shared knowledge about the various laws in Indian constitution-The Indian Penal Code, CRPC, Protection of Human rights act 1993. The Parliament of India enacted the PHRA in 1993 for the following purposes.

1. To provide for the constitution of a National Human Rights Commissions
2. To provide for the constitution of a state Human Rights Commissions in States and
3. To provide for the Constitution of Human Rights Courts for better protection of Human Rights and for matters connected therewith.

He further stated that violations were earlier done by so called only criminals but now it has become much complex with the involvement of violent, Communal, Corporate, Political Parties and sometimes Police involved in it.

Any violation of –Right to Life, Right to Dignity, Right to Equality, Right to Liberty guaranteed by the Indian Constitution is termed as Human Right Violation.

Answering to a question of a participant to fight for Human rights when Police is not registering the complaint he said in such case one can approach the higher authorities with the entire evidences. The letter or the application can be sent through registered post with appropriate reason and claim for justice. He requested all to visit the various websites of the commissions to get an idea of its functions and procedure.

Then he informed that there is an appointment of UN Special Rapporteur for the protection of Human Rights defender. NHRC has special cell under the chairmanship of Mr. Anil Kumar Parashar, for the protection of Defenders. (Kept vigilant 24 hours; email- hrd@nhrc.in)

DAY TWO

The second day began with Recapitulation by Mr. Abhisekh Kumar Dash.

Then Mr. Satya Mahar, an eminent social Activist on Displacement briefed us with the Vedanta Movement. Speaking on the various Human Rights Violations of Tribals in Odisha he said although the 5th and 6th schedule of the Constitution do provide some Rights to the Adivashis on land yet these rights are violated by the State. Those who fight for their Rights are being labelled as Anti social elements by the Police. In the name of Development thousands of acres of land are grabbed from the poor adivashis and the protestors are unfortunately arrested and tortured. Speaking further he added that the Adivashis are not against Development but at the same time they should be provided with some livelihood alternatives which the State never provides.

Although huge funds are being sanctioned for Tribal development, but yet we see no development. We can hear news everyday that tribals in Langigarh are falsely arrested and many false cases are filed against them. Though Kalahandi is rich in resources the tribals residing there not even get a single penny out of that.

Mr.Chandranath Dani

Mr. Dani started with the introducing the participants about the special cell in NHRC for the protection of Human rights defenders.He emphasised on the need for the Human right defenders to ensure solidarity ,to update the advocacy skills by the use of technology ,observe and identify the possible means to prevent any human right violation. He pointed out that defenders inability to file complaints with the respective Human rights commissions needs to be given serious concern. Sometimes the defenders even lack clarity even to understand which case can be termed as a Human Right violation. Clarifying this point he said that any violation related to LIFE, LIBERTY, and EQUALITY AND DIGNITY comes under the purview of Human Right Violation.

He requested participants to go through D.K Basu Guidelines.With this he described the proper format to write both Individual and Collective complaints chronologically .When one writes a complaint to SC/ST Commission ,one should mark a copy to the District Vigilance Committee. He emphasised on the point that while writing the complaint make sure that the victim is not put under trouble anyhow by the fact-finding or investigation. With this the participants were taught about the proper way to fact-finding investigation and document the Fact finding Report.

Then he moved to describing about the formation and functioning of other Commissions like NCW, OSCW, NCPCR and OCPCR.

Decisions Taken by the NGOs for Future Action

1. Collectively decided the formation of a District level Forum on Human rights which will act as a pressure Group to the State.
2. Seek guidance and support from CSFHR at regular intervals for smooth functioning of the Forum.
3. Emphasised the need of proper coordination, networking between the partners.
4. Emphasised on the need for learning technical skills to futher promote the cause of Human Rights.
5. Vowed defending other Human Rights Defenders in the District collectively.

Provisionally Mr. Shankar Panigrahi and Mr. Abhisekh Kumar Dash were made the President and Convener of the Forum respectively. The participants decided to organise the first meeting of the Forum on 1st April 2013 at Bolangir.

The participants also gave their word to file at least two complaints per month with the Human Rights Commission.