

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

Date- : 20th - 21st February, 2013
Organisers- : Search, Harmony, Baipariguda Khetra Samiti (BKS) and Centre for Sustainable Use of Social and Natural Resources (CSNR)
Venue- : Centre for Development Research and Training (CDRT) Koraput.
Participants : 30 Participants

Objective of the Convention

- ✚ The primary objective of the Regional Convention was to instil in the participants a sense of the Value of Human Rights and the values that come from promoting human rights such as
- ✚ 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 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

- ✚ Deliver information on Human Rights in historical context and its value and significance in the Indian Constitution.
- ✚ Instil in the Participants a sense of the Value of Human Rights and the values that come from a respect for human rights such as

- ✚ Promote Cooperation and Unity among each other to promote and protect Human Rights and prevent any Human Rights Violation.

Day 1

The session began with welcome speeches by the organisers.

Muralidhar Barad-

Welcoming the Guests and participants, Mr. Muralidhar Barad from BKS, Baipariguda stressed on the importance of Human Rights and the increase in violations of Human rights in the recent years. Voices have been raised since ages against any form of Human rights violation by Freedom fighters. There is a strong need to fight and demand for the rights in the current situation looking into the atrocities. He welcomed everybody with a hope that the two day workshop will benefit the participants.

Dhirendra Panda

Human Rights are an emerging issue and debated worldwide. Awareness is needed for its protection and promotion. The purpose of the workshop is to generate awareness among common citizens of the state and demand for their rights. He further highlighted 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. So it has become a great challenge for Human Rights defenders to fight for the cause.

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. Speaking about CSFHR he said that CSFHR is an Odisha state level platform of Organisations and Activists committed to the rights inherent to all human beings. He emphasized that each individual is responsible for promoting Human Rights. The need is to build a broad cadre of defenders and to develop skills and knowledge and take active actions in the areas of advocacy, awareness building. The basic idea is to build and instil leadership abilities among the participants.

Chandranath Dani

Warmly welcomed the participants and requested for a formal Introduction. The goal of this first small introduction phase was to assess participant understanding (personal and professional) of Human Rights and what the concept means to them. Whether they have filed any Human rights Violation complaint and approached any of the commissions and to know about their expectations from the Workshop.

The participants introduced themselves and the organisations they are associated with. The participants highlighted the great work that they all are involved in and what they did. They stated their expectations for the workshop. Participants were eager to learn about the basics of Human Rights and expressed an interest in strengthening their own ability to share human rights principles with other youth and members of their communities. Some of the main expectations from the participants that came forward-

- What is the right forum to address Human rights Issues
- How to file a complaint and what is the proper format
- Role and functioning of the Commissions and the way to approach them during any Human Right violation.
- The challenges a Human rights activist faces and the way to combat them.
- To know about Women and Child related rights.
- How to advocate and lobby for accessing Rights and entitlements under various Government schemes.

What are Human Rights – Fundamental rights and Protection of Human Rights Act

By Adv. Chandranath Dani

Mr. Chandranath Dani, Human Rights defender, active in the protection and fulfilment of human rights in the State briefed the participants on the Agenda and the issues to be covered in the two days.

He started the session with 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.

This was followed by detailed description of -

- Composition, Role and Functioning with a special focus on Complaint handling mechanism of National Human rights Commission.
- Composition, Role and Functioning of Odisha Human Rights Commission.
- Both these Commissions are separate bodies.
- Human Rights Court at the district level under the eyes of High Court (yet to be functional, though notification has been issued for its formation in Dec 2012 recently)

Since many participants were interested to know about the format of the complaint Filing o to the NHRC on any Human Right Violation, Adv. Dani elaborated the participants the proper and systematic way to write the application to NHRC. Sample copies of Complaint filing Format was also provided to the participants.

In the next phase of the session Mr. Dani delivered information about the Women Commission (both at national and state level), ST/SC Commission, Disability Commission in brief.

The overall, participation in discussions was high with a few participants taking on a stronger role. The Facilitators Mr. Dharendra Panda and adv. Chandranatha Dani gave people time to speak and members of the audience showed patience and respect at all times. The facilitators during the sessions lay emphasis on the point that most of the participants need continued work in basic Human Rights concepts and definitions, as well as practice in articulating and identifying how they can effectively incorporate the norms in case of any Human Rights violation in their community.

Human Rights Defenders – Identity, Role & Responsibilities

By Adv. Chandranath Dani

The issue of discussion in the post lunch session was-Human Rights Defenders –Identity, Role and Responsibilities.

1. Human Rights Defender is a term used to describe people who individually or with others, act to
 - Promote Human rights
 - Protect Human Rights
 - Prevent Human rights violation.

There is no specific definition of who is or can be a human Rights Defender. He can be any person or group of persons working to promote Human rights .It is not essential for a person to be known as a “human Rights activist” or to work for an organization that includes ‘human Rights’ in its name in order to be a human Rights defender. No qualification is required to become a defender. Many people act as human rights defenders outside any professional or employment context.

2. 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)

With this each participant was given a home assignment to at least try to file any complaint with the NHRC in the given format provided to them.

Day 2

The second day started with recapitulation by the participants and the facilitators.

Fact-Finding, Documentation & Complaint Filing

By Adv. Chandranath Dani

The major points of the session were-

- **Fact finding:** The goal of fact-finding efforts is to incorporate as much reliable information as possible into the dispute resolution process and publish a report.
- **Sources:** Generally the human rights violation news comes from two different sources primary and secondary. Primary source is the information which comes from the Community, Co-Villagers, Family member, Neighbor etc. Secondary source is the news that we receive from Media (Print or Electronic).
- **Authenticity:** To look out for the authenticity of the news he/she had received either from the primary or secondary source. This is only possible by examining details in to the matter neutrally. Help from the co-villagers, local media person, local or concerned lawyers, family members and witness can be taken.
- **Planning to examine the authenticity.**
- **While interacting with the victim and the family members empathy should be the basic tool.**
- **Gathering of reliable evidence will depend on identifying and collecting information from various sources. Information collected for purpose of clarifying HOW, WHY, WHEN, WHERE & WHO is called evidence.**
- **Recording the statement of the victim, witnesses and chronologically arranging them in the report.**
 - **Compiling the entire report in a systematic way mentioning the**
 1. **Date of incident**
 2. **Date of Fact-finding**
 3. **Team members**
 4. **Prior Event**
 5. **Present Case**
 6. **Present status of the case**
 7. **Signatures of the Team**
 - **Use of visual maps and tables to make it more clear and potent.**
 - **Attachments of Evidences such as pictures, Doctors report, FIR copy etc**
 - **Fact-finding report can be annexed with the Complaint lodged with NHRC or any other commission as required.**
 - **Fact finding report will be helpful to affect media release; can be circulated through electronic media to persons who feel and work for human rights.**
 - **D.K Basu Guidelines should be known to all the Defenders.**

The participants found the entire session interesting. An important question that arose was how to secure security of defenders. To tackle the situation they together acknowledged that Defenders in Koraput region must have an understanding of legal frameworks, both national and international, knowledge of human rights issues and international standards, and the ability to communicate these complex issues to the public in an informed way.

Dhirendra Panda

Quoting a poem of Odia Poet Birakishore Rai, He said that a Human Rights defender should be sensitive like a poet, passionate to work and clever to handle any situation without being hopeless. But passion and sensitiveness should have limitations else they may get diverted from their main goal. The need is to work in Unity and collaboration, learn to use various Human Rights Mechanism and attain knowledge.

The participants agreed to contribute to the cause of Human rights and offered their solidarity. To move the initiative further they decided to form an active Committee. Mr. Panda too promised to provide support and assistance to the region in the form of training and guidance emphasizing on the motto to work together and collectively.

Representatives in the Committee

- Mr. Murlidhara Barad-Convener
- Baijayanti Karan-Koraput
- Bhudeva Mahanandia-Malkangiri
- Other representatives from Nabrangapur and Rayagada to be selected later.

The workshop ended with vote of thanks by Mr. Muralidhara Barad.

