

Workshop on Economic Social Cultural Rights

13th – 19th November 2011

BACE Training Center, Sonargaon, Narayanganj

Bangladesh

Summary Report

Organized

by

Asian Institute for Human Rights (AIHR)

And

Ain o Salish Kendra (ASK)

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The Asian Institute for Human Rights, based in Bangkok, strives to strengthen the theory and practice of human rights activism, facilitate linkages between academics and activists and contribute to a continuous process of action and reflection. The Institute functions as a resource organization for human rights activism in the Asian region and also strives to bring in experiences from other regions of the world.

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Ain o Saalish Kendra (ASK) is a national legal aid and human rights organization, established in 1986. Initially focused on providing free legal services to the disenfranchised in Dhaka City, its aims and activities have developed over twenty years to encompass investigation, advocacy, media campaigning, documentation, training and action research in addition to its core activities of legal services (including legal aid, mediation and public interest litigation).

Supported by:

Taiwan Foundation for Democracy
Fredskorpset Norway Exchange Program

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Preface

In 2010 Asian Institute for Human Rights (AIHR) co-organized the 1st Human Rights Study Session in Bangladesh. The study session was attended by activists from civil society organizations working on different issues in Bangladesh and graduate and post-graduate students from different universities. At the end of the study session the participants requested for capacity building workshops focusing on economic social cultural rights. In response to this need, AIHR and Ain o Salish Kendra (ASK), organized a consultation in February 2011 with civil society groups working on economic social cultural (ESC) rights issues in Bangladesh. The objective of the consultation was to have a discussion on the nature of ESC rights work in Bangladesh, the strategies adopted by the groups and the programs implemented by them. An assessment of the capacity building needs of the groups was also made.

Based on the response of the different groups the present learning program on economic social cultural rights was designed. The learning program was divided in two parts: 1) a workshop to enhance understanding of the normative content of ESC rights and facilitate analysis of national policies pertaining to ESC rights from a rights perspective, and 2) a conference to share strategies used by civil society groups for promoting and protecting ESC rights.

The workshop on ESC rights was held from the 13th – 19th November 2011 at the BACE Training Center in Sonargaon, Narayanganj, Bangladesh. It was attended by fourteen participants from different civil society organizations in Bangladesh, government programs and the National Human Rights Commission of Bangladesh.

It was an invigorating program in which the participants identified issues, reviewed concepts, norms and standards and applied them to their life and work experiences, analyzed national policies and undertook field work to assess the enjoyment of ESC rights. The design of the program encouraged as well as ensured the active engagement of the participants. The present document is a summary report of the workshop.

We thank Advocate Sultana Kamal for her inputs in planning and organizing the workshop. We acknowledge the Taiwan Foundation for Democracy for the financial support granted by them. We also acknowledge the Fredskorpset Exchange Program which created the opportunity for exploring the idea of organizing such a learning program in Bangladesh. And last, but not the least, we thank all the participants for their active participation in the program.

Organizing Team
AIHR and ASK

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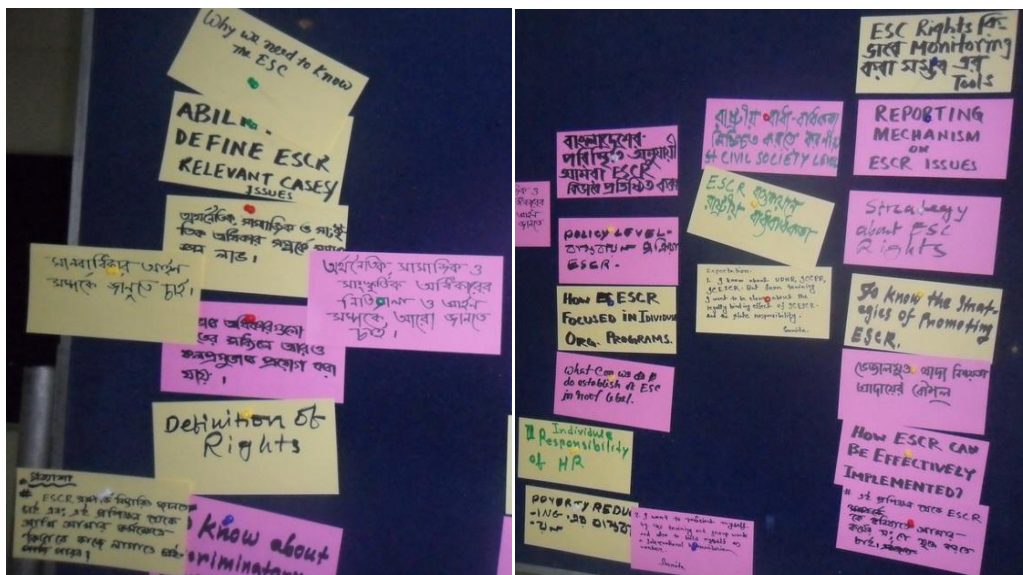
Objectives

The objectives of the workshop on economic social and cultural rights were to enable the participants to:

- Identify the normative content of ESC rights, particularly the right to food, housing, education and health.
- Identify the existing laws, policies and programs pertaining to ESC rights in Bangladesh.
- Apply the human rights framework to issues of ESC rights concern in Bangladesh.
- Identify the violations of ESC rights.
- Review different strategies for promoting and protecting ESC rights.
- Identify existing mechanisms at national and international level for promoting and protecting ESC rights
- Develop action plans for campaign/advocacy on ESC rights.

Participants

The workshop was attended by 15 participants. The participants were drawn from civil society organizations working on different issues, government programs and the national human rights commission.



Starting with Participants' Perception of Issues

After the introductory session, the participants reviewed a collection of newspaper clippings on slums in Bangladesh. Working in groups they identified the issues faced by the people living in the slum communities.

The common issues identified were threats of eviction, eviction of slum dwellers without rehabilitation, health and sanitation problems faced by the residents especially women, children and elderly people, high rate of school drop outs in slums, insecurity of life and liberty, etc.



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Reviewing the Fundamental Principles of Human Rights

The participants presented their perceptions of the issues faced by the people living in slums. Next, they discussed the basic rights that human beings have in order to enable them to live a life of dignity and realize all their capabilities. The rights identified by the participants were divided into two categories of civil political rights and economic social cultural rights and there was a discussion on the interdependence of rights.

Advocate Sultana Kamal, gave a talk on the basic principles of human rights, duties and responsibilities. The talk was followed by study circles on the basic principles of human rights.



Understanding Content of the Rights

The objective of this session was to enable the participants understand the content and the scope of the ESC rights guaranteed in the Constitution and the international human rights treaties. The participants worked in groups and identified the different standards recognized under national and international human rights treaties and general comments with respect to right to food, education, health and housing.

During the presentation of the group work, the participants not only presented the content of the rights, but also connected the different standards to their understanding and experience of issues related to food, education, health and housing in Bangladesh.

The group work and presentation of the participants was followed by a discussion on the difference between the nature of fundamental rights and fundamental principles of state policy as guaranteed in the Constitution of Bangladesh and the issue of justiciability of ESC rights. There was also a presentation on the value added by international human rights law standards.



Reviewing the Nature of State Obligations

The objective of the session was to enable the participants understand the nature of state obligations with respect to ESC rights. There were study circles on 'State Obligations' followed by sharing and discussion amongst all the participants in one group.

After reviewing the nature of state obligations the participants worked in groups and analyzed case-studies to identify the specific nature of state obligations.



Reflecting on Development Theories and Schools of Thought

The objective of the session was to facilitate reflection on the nature of development policies in Bangladesh from a political economy perspective. Prof. M. M. Akash gave a talk on the qualitative and quantitative understanding of development, the main theories of development including human development and discussed their characteristics.

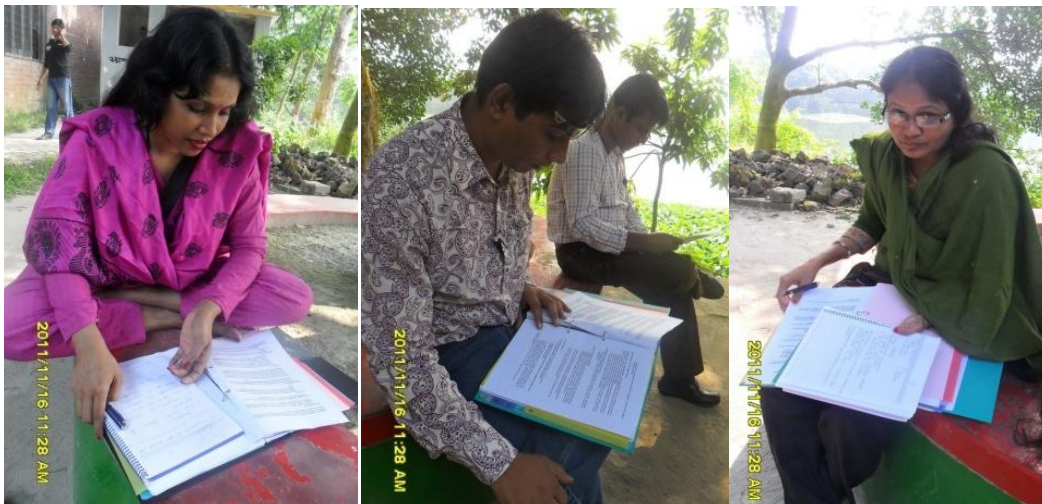


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Understanding the Notion of Indicators and Benchmarks

The participants through study circles and discussions reviewed the different forms and categories of indicators and their role in assessing economic social cultural rights. There was also a discussion on the concept of benchmarks



Presenting the Policies Related to ESCR issues in Bangladesh

Prior the workshop, participants with some experience of working on related issues were requested to prepare presentations on the national policies related to food, education, housing, health, vulnerable children in need such as street children, indigenous groups in Bangladesh and women with economic insecurities. Each presentation made by the participant was followed by a discussion amongst the group.

The session helped to enhance understanding about the existing national policies in Bangladesh.



Reviewing Basic Principles of Fact-Finding and Reporting

The objective of this session was to reflect on the importance of fact finding and reporting in monitoring ESC rights and to review the basic principles of fact finding and reporting.



Fact-Finding Mission to Dhaulpur Slum Area, Presentation of Reports before Dr. Mizanur Rahman, Chairman, National Human Rights Commission, Bangladesh and Special Lecture by Dr. Rahman

The objective of the field work was to give the participants a practical experience of ESCR work. The participants were divided into three groups and each group was assigned one right amongst the right to education, housing and health. The participants were required to find information related to the right to education, housing and health as enjoyed by the people living in the slum and present their findings in the form of a report.

The participants presented their group reports before Dr. Mizanur Rahman, Chairman, National Human Rights Commission of Bangladesh. Dr. Rahman also gave a lecture on human rights work in Bangladesh and the need for the human rights community to focus on economic social cultural rights issues.

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Understanding the Scope and Role of Human Rights Mechanisms at National and International Level

The objective of the session was to familiarize the participants with mechanisms existing at the national and international level for promoting and protecting human rights. Mr. Sayeed Ahmed, National Human Rights Commission – Capacity Development Project conducted the session.

This was the last substantive session of the workshop.



Evaluation, Action Plans and Follow up

Evaluation

At the end of the workshop the participants filled up an evaluation form. An oral evaluation was also held. The responses received from the written and oral evaluation have been summarised and presented as Annexure 1.

Action Plans

Second fact-finding mission to Dhaulpur slum

The participants felt that they had not been able to gather full facts during their visit to the Dhaulpur slum since it had been scheduled on a holiday and many government and non-government offices were closed. Thus they agreed to organize a second fact-finding mission to the slum and collect additional facts. ASK agreed to coordinate amongst the participants and provide them with guidance. After collecting the facts they would revise their reports and share it with the organizers by the end of December 2011.

Plans at individual and Organizational levels

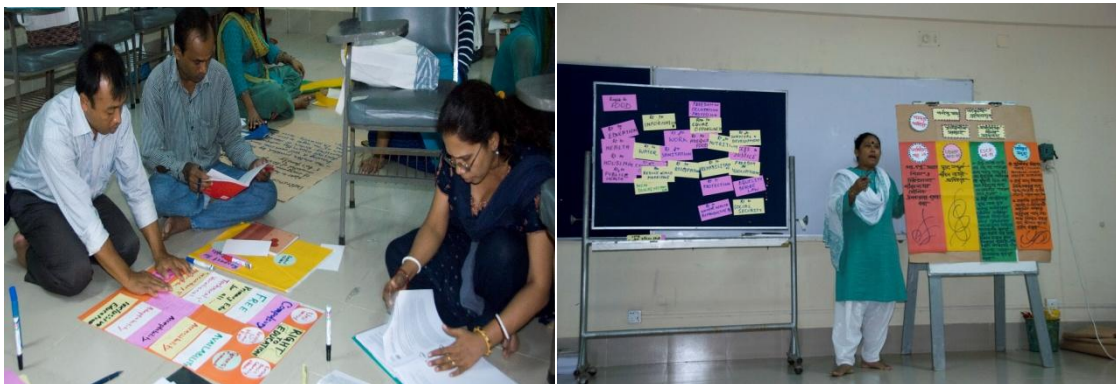
At the end of the workshop there was a discussion on how the participants could use the learnings from the workshop in strengthening their work. The responses of the participants were:

- ▶ Share the learning with their colleagues and organization so that they could brainstorm together on how to integrate it in their work.
- ▶ Integrate components of ESCR framework into their existing trainings, awareness raising, campaign and advocacy work. The organizations though working on related issues did not focus on the ESCR framework before.
- ▶ Prepare education and awareness materials in local language on ESCR issues.
- ▶ Integrate ESCR into the gender trainings done by the organizations.
- ▶ Assess the enjoyment of ESC rights in the village, focusing on the right to food, health, housing and education.



Follow-up Support Requested from the Organizers

- ▶ Provide inputs on education materials on ESCR prepared by the participants.
- ▶ Provide resource materials on ESCR framework in easy language.
- ▶ Help in creating a network with other organizations working on ESCR issues in Bangladesh.
- ▶ Organize more workshops, trainings, seminars on:
 - International human rights norms and standards.
 - Report writing.
 - How to strategically work with UN human rights mechanisms and experience sharing of organizations in other countries who have achieved success from engaging with the international mechanisms.
 - Strategies for monitoring and assessing ESC rights.
 - Advocacy strategies on ESCR issues.



Annexure 1: Contact Details of Participants, Resource Persons and Organizers

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Annexure 2: Evaluation

The participants assessed the different sessions on a scale of 1 (bad) to 5 (good). The guiding question was whether the session was able to satisfy their learning objectives. The responses were tabulated and are presented below. The table shows the number of participants who gave the different ratings.

	1 (-)	2	3	4	5 (+)
Reviewing the fundamentals of human rights			2	3	7
Understanding the Rights				3	9
Reviewing State Obligations			2	4	6
Development Policies in Bangladesh		1	2	5	4
Use of Indicators and Benchmarks			2	3	7
Reviewing Policies – food, health, housing, education			2	6	4
Fact Finding and Reporting		1	3	3	5
Field Work			5	3	4
Mechanisms for measuring rights			2	6	4

Did the workshop fulfill the expectations of the participants?

- Not fully
- Moderate/mostly (2)
- Yes (5)
- Enriched more than expectation
- Some content in the workshop needs more time to understand
- Expectations were fulfilled, but for better understanding more study at the individual level is needed.

Suggestions for improving the program:

- Time schedule should be increased (2).
- Include screenings of films on human rights issues.
- Need more preparation time before participants go for the fact-finding mission.
- Need more session on report writing.
- Need more sessions on indicators and benchmarks.
- Need more sessions on how to strategically work with UN human rights mechanisms.
- Need more sessions on advocacy.

What is your overall assessment of the work of the facilitating team? What were the strengths and weaknesses of the team?

- No weakness founded (10)
- Strengths:
 - Facilitation skills (3)
 - Illustrating with examples, good knowledge of the subject (3)
 - Participatory, positive team approach, friendly.

What do you think of the organizational aspects (advance information, documentation, materials, etc.)?

- Everything is ok (2)
- Moderate
- Very admirable, useful and update (3)
- Very much informative and it will be helpful for organization (2)
- Very effective and adaptable
- Materials will helpful to incorporate ESCR into our existing program

What do you think of the local arrangements (accommodation, meals, computer facilities, etc.)?

- Good (5)
- Excellent (2)
- Very good. (2)
- It will be better if the venue would be change in the second phase
- Accommodation and meals are alright
- Computer facilities are not adequate (3)
- Very fine and well decorated

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Other comments and suggestions

- Effective training
- Good organizer
- Skilled facilitators
- 'Excellent team, you know how to involve groups to session, please go ahead'.
- Follow up action and regular communication needed to amongst the facilitators and participants
- I want to work with economic social and cultural rights, so this training will help me to do the work

