



NEWSLETTER

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CSHR CAPACITY BUILDING PROGRAMME



VISION

To create a nation with a rights consciousness in which the dignity and rights of all people are respected

MISSION

To be a centre of excellence for human rights education and research using a multidisciplinary approach

The Centre for the Study of Human Rights (CSHR) held a successful two-day residential workshop on “Capacity Building” for its staff in April at Hotel Laya Beach, Wadduwa, funded by the Asia Pacific Masters in Human Rights and Democratisation.

The workshop was

facilitated by Ms Georgina Wheadon, Project Manager, International Projects, The University of Sydney. Ms Wheadon has significant experience in programme management and she currently coordinates two international projects (education and research) for The University of

Sydney with five partner universities in the Asia Pacific region.

The workshop covered programme management, programme evaluation, concept note and funding proposal development, donor reporting and budgeting using latest techniques and models.

All human beings are born free and equal in dignity and rights.



Events



CSHR Team with facilitator



Group activities



Role play

Guest Lecture delivered by H.E. David Daly, Ambassador and Head of Delegation, Delegation of the European Union to Sri Lanka and the Maldives "GSP+: A Tale of Three Cities".



"The Human Rights Dimension of the European Union's GSP+ Instrument"

The Centre for the Study of Human Rights (CSHR) organised a guest lecture in collaboration with the MHRD programme on 28th May at the, Faculty of Law, University of Colombo. The guest lecture was delivered by H.E David Daly, Ambassador and Head of Delegation of the European Union to Sri Lanka and the Maldives.

"With full apologies to Charles Dickens, I think it is useful to think of the GSP+ issue as A Tale of Three Cities - Geneva, Colombo and Brussels.

I do not say that "It was the best of times, it was the worst of times..." However, it is true to say that because of the position of the new Government under President Sirisena and his commitment to improving the human rights situation here in Sri Lanka, that the time is perhaps more propitious than it used to be to start a conversation with the EU on the GSP+ issue.

GENEVA - The Generalised System of Preferences is an international trade mechanism. As such it must be defended before the WTO in Geneva which regulates international trade rules. As you know, the basic rule of the WTO is that all member countries should treat all others equally - all are, in principle, entitled to "Most

Favoured Nation" treatment.

The GSP is an exception to this fundamental principle; obviously it is allowed under international trade rules but it must be justified to the WTO. Among the justifications of the GSP are factors such as it increases trade generally and it helps countries which are in a particularly difficult or vulnerable position.

Measures taken under the GSP must be taken for objective reasons and not just because we want to help a country for political reasons.

So, what is the GSP and what is the GSP+?

The GSP grants a tariff reduction on around 66% of the products imported into the EU. Currently 34 countries benefit from this reduction, including Sri Lanka. In the clothing sector, for example, the average import duty (MFN) into the EU is around 12% and the GSP gives a reduction of 3% making the effective rate 9%

for Sri Lanka.

The GSP+, or, to give it its formal title the "Special Incentive Arrangement for Sustainable Development and Good Governance", gives zero duty rates for roughly the same products. This is for vulnerable developing countries which ratify and effectively implement core international human rights, labour rights and other sustainable development and good governance Conventions. Currently there are 13 countries benefitting - Armenia, Bolivia, Cape Verde, Costa Rica, El Salvador, Georgia, Guatemala, Mongolia, Pakistan, Panama, Paraguay, Peru and the Philippines.

Among the criteria used to determine a country's eligibility is that it must be a lower income, or lower-middle income developing country. This is effectively determined by the annual World Bank classification.

Obviously the GSP+ is

designed to give an incentive to countries to improve their performances under these international conventions: to stick with my earlier example, as a clothing exporter I would rather face zero duty rather than pay 9% duty.

The GSP also has a component which is for the poorest least developed countries called "Everything but Arms" - zero duties and quota free access to the EU market for the worst off countries.

In justifying a GSP+ measure it is important to remember that when the UN establishes a new International Convention it gives the responsibility for monitoring compliance with that convention to a specific body e.g. A Labour Convention would be monitored by the ILO, or another Convention would have a Special Rapporteur, assigned to do this. The reports of these international monitoring bodies are important for reasons I will explain in a few minutes.

To sum up: the importance of Geneva is to understand that the EU cannot just do whatever it likes on granting extra trade preferences; we must abide by the international trade rules which we have agreed to in the WTO.

COLOMBO/SRI LANKA

The most important part of the GSP+ story is played out in Sri Lanka for the very obvious reason that it is through compliance with the 27 International Conventions that merits the granting, or not, of the GSP+.

The various Conventions include the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture and the Convention on the Rights of the Child, the Kyoto Protocol on Climate Change, the UN Convention Against Corruption, the Convention on Biodiversity.

You can see the range of the challenges involved for a country embarking on the GSP+ road. Many people want to discuss GSP+ with me but what they have in mind is a discussion about t-shirts or other export products; my idea of a discussion about GSP+ is one about torture or freedom of the media, or about the PTA, or other issues flowing from the 27 Conventions.

Compliance with these Conventions is about concrete situations on the ground; it is not only about sincere commitments from the Government. That is why it is neither easy nor quick.

I repeat: what happens here in Sri Lanka is the most important part of the GSP+ story.

BRUSSELS

When a country formally applies for the GSP+ the European Commission must give its assessment of the application within 6 months. It sends this assessment to the Council of the EU where the 28 member state governments sit, and also to the European Parliament; if the Commission's assessment is positive then it becomes a legislative proposal to grant the GSP+. The Council and the European Parliament both have to agree and normally they do this within 2 months.

The European Commission in making its own assessment must take into account the most recent reports of the monitoring bodies responsible for the 27 international conventions. This is to help to justify the measure at the WTO, to show that the EU decides the case objectively on its merits. For example, if the latest report of the UN on Sri Lanka's compliance with the

ICCPR were very negative, then obviously things would have to improve before the Commission could justify granting the GSP+.

The EU adopted a new GSP regime from last year. Under this new GSP there is an important ongoing monitoring of commitments and compliance after the GSP+ is granted to a country. Every year the European Commission produces a scorecard on compliance and every two years it does a formal report on the country. This work is not done in a vacuum; instead we establish an EU GSP+ monitoring mechanism to ensure a continuous dialogue on all GSP matters; the onus is on the beneficiary country to show a positive record in implementing the conventions.

One of my esteemed Trade colleagues, a key expert on GSP+, put the new monitoring mechanism in the following way: "Before a country gets the GSP+ they love to see me coming to visit; after the country gets the GSP+ they seem to like me coming to visit a lot less."

The work on GSP+ has already started. A few weeks ago we had high level trade talks here in Colombo with EU trade officials. We

started a process which may lead to the granting of the GSP+ over time. At the EU-Sri Lanka Joint Commission last month, also in Colombo, we established a new Working Group on Governance, Rule of Law and Human Rights. This new forum shows our commitment to having a regular high level discussion on those sensitive, important issues. This forum will also be vital for our GSP+ discussions.

We could not have started this conversation on GSP+ without the strong commitments made by President Sirisena and his government in terms of improving governance, rule of law and human rights. Over the past few months a number of good measures have been taken and we hope that this continues over the coming months and years.

Some people ask me "Can we rise to this challenge?"

For me the answer is clear; Sri Lanka can certainly do it, but only if it wants to and if it brings about important change.

Even if it is a Tale of three Cities, the most important one is here – Colombo and across Sri Lanka. Thank you"



Freedom is not worth having if it does not connote freedom to err. It passes my comprehension how human beings, be they ever so experienced and able, can delight in depriving other human beings of that precious right.

(Mahatma Gandhi)

Guest Lecture delivered by Mr. Rohan Edrisinha “Nepal's Post Peace Agreement Constitution Making Project: Challenges of Process and Substance”



“Nepal's Post Peace Agreement Constitution Making Project: Challenges of Process and Substance”

The Centre for the Study of Human Rights (CSHR) organised a guest lecture in collaboration with the MHRD programme on 30th April at the Faculty of Law, University of Colombo. The guest lecture was delivered by Mr. Rohan Edrisinha, LL.B (Hons.) Colombo and LL.M (Berkeley).

CSHR PROJECTS

Five day residential training programme on “Protecting Women’s Economic, Social and Cultural Rights (ESC Rights) in a Post-conflict Context”



CSHR organised a 5 day residential training programme on “Protecting Women’s Economic, Social and Cultural Rights (ESC Rights) in a Post-conflict Context” which was conducted in both Sinhala and Tamil languages from 10th -14th June at Golden Star Beach Hotel, Negombo. The aim of this training programme was to provide the target group the knowledge and skills on women’s ESC Rights, gender relations and

related issues so that the target group may be better equipped to work towards uplifting the economic, social and cultural life of women in general and conflict affected women in particular.

The participants for this

programme were those who have followed the Advanced Training Programme (ATP) on “Women and Peace-building” in 2012 and 2013, conducted in Jaffna, Batticaloa, Anuradhapura, Puttlam and Ampara districts.

Participants comprised persons working at community level with conflict-affected women including public officers such as Women Development Officers and Grama Niladharis; members from CBOs and

local NGOs and women's rights activists in Anuradhapura and Puttlam districts. In addition to sessions by resource persons, this five day residential camp

consisted of group activities, presentations, role plays and other methods of presentation by participants.

Through this five-day

programme participants gained further knowledge on Economic, Social and Cultural Rights (ESC), which will enable them to apply this knowledge to their work with conflict

affected women, and, where they can be instrumental in ensuring that these women's Economic, Social and Cultural (ESC) Rights are protected and promoted.



Sessions



Group activities



Role play events



Certificate awarding and group photo

CSHR STAFF NEWS

Public lecture and discussion on Enhancing Human Rights Protections in the Security Sector in the Asia Pacific Region (EHRP Project) by Vidura Prabath Munasinghe



On 23rd May 2015, CSHR Project Coordinator Vidura Prabath Munasinghe delivered a lecture at Crawford School of Public Policy, Australian National University (ANU), Australia on the findings and experience of the Enhancing Human Rights Protections in the Security Sector in the Asia Pacific Region (EHRP Project) designed and implemented in collaboration with The University of Sydney, CSHR and Kathmandu School of Law, Nepal. The EHRP project was designed with the aim

of discovering and testing new and effective strategies for preventing torture and the improper use of force in police and military contexts. During the first phase of this three year project a team consisting of internationally renowned academics headed by Prof. Danielle Celermajer, Project Manager (Academic Director of Human Rights, University of Sydney) who conducted a study on the existing approaches adopted to ensure the protection of human rights and to prevent torture within police and military organisations sought to

understand the different factors that cause or sustain the use of torture. Findings of this study were tested within military and law enforcement agencies in Sri Lanka and Nepal by two project teams in the respective countries. During the final stage of the project in depth ethnographical research was conducted in Wanathavilluwa, Sri Lanka on the social, cultural and political factors that cause, normalise or legitimate the use of violence by the police. Vidura Prabath Munasinghe was the senior researcher of the Sri Lankan project team (CSHR).

Creativity Unleashed- Human Rights Speech

By **Kat112**, Campbell, NY



What does it mean to have human rights? Over the centuries people of all origins and cultures have persevered to create lives supported by equality. Often feelings of ethnocentrism and racism have prevented the accomplishment of this long sought goal. Many wars and treacherous hindrances, encircling life, continue to deter us from our ultimate desire, to live peacefully. But, there are still those that resist the tempting selfishness of their pride and strive to help develop a world deprived of iniquity and enveloped in absolute fairness and equality.

Conflicts including the Holocaust, the Civil War, and genocide in Darfur are proof of the contrasting opinions involved with the debate of human rights. Must violence be the only solution to these disagreements? We aim for a better and truthful world and to make this happen the first question of Rotary International's Four Way Test is mandatory. When referring to the question of truth, peoples' words are often taken for granted. How can we strive for equality when truth is often fabricated for others' gain? In order to

attain and ensure complete equality as human beings, ethical conduct is a necessity and, therefore, the truth must be held in the utmost importance.

The great American social activist, Robert Ingersoll, once said "Give to every human being every right that you claim for yourself." Thus, leading to the second question of fairness, in the Rotary's Four Way Test. Do the lives of people today really demonstrate thorough fairness? Around the world the basic human rights that we possess are violated regularly. In Pakistan, Vietnam, and several other countries, over 200 million children are forced to give up their education and work to sustain their deprived families. Each year 22,000 children die from accidents involving their work. In most cases they are beaten and forced to work twelve hours a day in dangerous conditions. Is it fair for these children to suffer such a fate and continue to have their rights violated, without the knowledge that they may even possess such rights? And what of the owners who beat them? Such lack of ethical character is one of the numerous causes of conflict within this world.

Our rights and the rights of others are meant to be appreciated and respected. When one lacks ethical conduct, those around

them are most certainly impacted. What authority do people have that enables them to declare dominance over fellow human beings? In the words of the profound political reformer, Horace Greeley, "I am the inferior of any man whose rights I trample underfoot." Therefore, the third part of the Four Way Test, questioning goodwill and better friendships, comes into light. By mistreating others we only degrade ourselves in the process. How may we encourage feelings of goodwill and build better friendships, when people insist in performing their acts of hypocrisy and contradictions? The continuing encouragement of ethical conduct will conjure increasing awareness of human rights violations.

What becomes of those with unethical character? These persons are the beings in which conflict is aroused. They contribute to the source of turmoil and insecurity within ourselves. In the words of Rotary's fourth question of the Four Way Test, will these persons prove beneficial in their actions to the world and those around them? Many people desire the creation of a better world, but they are insistent in waiting for others to step forth and pave the way. These people are just as guilty as those who conjure unrest. As the great speaker,

Martin Luther King Jr. once said, "He who passively accepts evil is as much involved in it as he who helps to perpetrate it. He who accepts evil without protesting against it is really cooperating with it." If no one takes a stand and works to ensure that the rights of others and themselves are upheld, then who will? We cannot sit idly as time passes by. Nothing will be accomplished.

I desire a world where all children attend school. Where war is only recorded in history books and an era of peace and generosity may preside over all lands. A world where my children will not have to face the cruelty of judgment. Where corruption is unheard of and the rights of all people are upheld everywhere. We must not wait for someone else. Together we must become leaders ourselves and work to improve our own person for the sake of others. To make the right choices and avoid passing judgment whether it be different race, gender, or religion. Tolerance is the key to this bright, new future, and I will strive each day to up hold the ideals of the Four Way Test to attain this future. What will you do to reach it?

(provided by Sandra Withana, CSHR, taken from the Internet)

EDUCATIONAL PROGRAMMES

Advanced Training Programmes (ATPs):*Human Rights and Fundamental Rights**The Law and the Citizen**Human Rights and International Humanitarian Law*

- ATPs aim to enhance skills and capacity building of the people who are working in the private and public sectors as well as university students.
- This year, ATPs on *Human Rights and International Humanitarian Law (HR & IHL)* is introduced to provide a basic knowledge on the subject area and to develop a system of appreciation of human beings, their individual dignity, rights and means of defending them and to motivate the study of human rights.
- All ATPs will commence after an inauguration in July 2015

More info: http://cshr.cmb.ac.lk/?page_id=1561

Distance Learning Diploma in Human Rights and Democracy (DLD HRD)

- The DLDHRD is designed for people who are working at grassroots level, human rights activists and those who are interested in making a positive impact on the protection and promotion of Human Rights and Democracy in the wider society.
- The DLDHRD is offered in both Sinhala and Tamil medium. The Diploma will commence in July.
- The final examinations for the batch of 2013/14 for the Distance Learning Diploma in Human Rights and Democracy and the repeat batch of the Distance Learning Diploma in Human Rights and Peace Studies were held on 16th May.

More info: http://cshr.cmb.ac.lk/?page_id=1103

Advanced Certificate in Human Rights Approach to Prison Administration

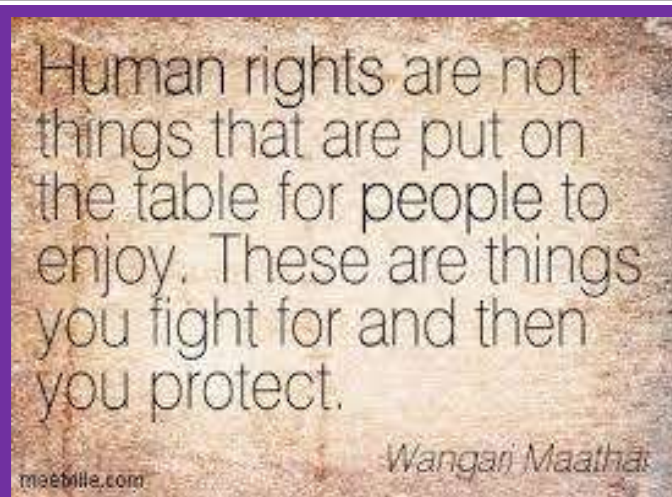
This course was conducted for the second consecutive year in 2014 with 29 Prison Officers completing the course successfully. The awards ceremony was held on 15 December 2014. The third batch for this course is expected to commence shortly.

E- Diploma in Human Rights

The results of the batch of E Diploma 2013/14 were released in June.

The next online Diploma will commence in July after an inauguration along with an orientation which introduces the learning environment to the students.

More info: http://cshr.cmb.ac.lk/?page_id=994



Human Rights Lecture for the Prison Officers

Ms Wasantha Seneviratne, Acting Deputy Director of CSHR was invited by the Prisons Department to deliver a lecture on Human Rights for prison officers. The lecture was conducted on 1st April at the Department of Prisons.



Master of Human Rights and Democratisation(MHRD) – International and Local

The Asia Pacific (Regional) Master of Human Rights and Democratisation is conducted in collaboration with The University of Sydney. In addition, CSHR conducts a local masters programme in Human Rights and Democratisation. The 1st batch commenced their study in August 2014 with 15 local students enrolling for the programme. These students completed their second semester together with six foreign students of the Asia Pacific (Regional) MHRD. The sixth batch for this programme is expected to commence shortly.

More info: http://cshr.cmb.ac.lk/?page_id=2600

Right to Work and to Join Trade Unions



Right to a Social Order that allows this Document



Right to Marriage and Family



Right to Participate in Free Elections



INFORMATION

RESOURCE CENTRE

Located at CSHR premises, Faculty of Law
University of Colombo

Open: Monday to Friday

8.30 am - 4.00 pm

Saturday: 9.00 am -12.30 pm

(Closed on Sundays and Public Holidays)

A Reference Facility with:

- ❖ Approximately 2975 books in Sinhala, Tamil and English (175 new books)
- ❖ 30 titles of journals, pamphlets, bulletins and newsletters
- ❖ UN, Amnesty International, ICRC and other reports
- ❖ Photocopy service available
- ❖ Database available online
- ❖ Donations
 - ✓ Books, Acts and past papers were donated by Law Faculty Students Union in 2012/13
 - ✓ 30 Books donated by Asia Foundation in 2015

More info: http://cshr.cmb.ac.lk/?page_id=519

Please contact us if you require further information relating to the CSHR E-newsletter. Your comments and feedback will be greatly appreciated.

If you are interested in receiving the CSHR Newsletter
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COURSES CONDUCTED BY CSHR

- Master of Human Rights and Democratisation (Local Programme) ([conducted in English](#))
- Asia Pacific Masters Degree in Human Rights and Democratisation (in collaboration with the University of Sydney) ([conducted in English](#))
- Distance Learning Diploma in Human Rights and Democracy ([conducted in Sinhala and Tamil languages](#))
- E-Diploma in Human Rights ([conducted in English](#))
- Distance Learning Advanced Certificate in Human Rights Approach to Prison Administration ([conducted in Sinhala](#))
- Advanced Training Programme in Human Rights and Fundamental Rights ([conducted in Sinhala and Tamil languages](#))
- Advanced Training Programme in The Law and the Citizen ([conducted in Sinhala and Tamil languages](#))
- Advanced Training Programme in Human Rights and International Humanitarian Law ([conducted in English](#))

