

Human Rights and Human Security
Convener Comments and Discussion

[Md. Shanawez Hossain presents his paper]

Dr. Yasushi Katsuma:

“Thank you very much [Shanawez] Hossain for your very good presentation. To animate the discussion, let me start my comments in addition to my two questions to which you can respond.

The first comment is that I think we often talk about human rights but implicitly we are talking about the global regime. Now it’s not human rights in each country but rather international human rights particularly after World War II. The UN was established based upon our reflection that the World War was created, was started because of the violation of human rights. The UN Charter has a respect for international human rights; we now have Universal Declaration of Human Rights; Covenant on Economic, Cultural, Social Rights; Covenant on Civil and Political Rights and all the instruments to come after including the Convention of the Rights of a Child, for example. It has been signed and ratified by all the countries except two, Somalia and the United States of America. So if you think about these human rights instruments, I think almost all within going global. In that sense I think it’s difficult to hear some government leaders saying that we don’t believe in human rights because they have signed and ratified international human rights instruments. That’s my first comment.

The second comment is that we’re living in Asia where there is no regional human rights regime. If you go to Africa, it has its own regional human rights regime. If you go to Latin America, you have a regional human rights regime. If you go to Europe, they have something quite incredible [laughs]—it’s not a monitoring mechanism but they have some enforcement mechanisms. So living in Asia, we are the only region where there is no regional human rights regime. That’s my second comment.

My third comment is that human rights, or international human rights, are norms, international norms, and of course we need to monitor the human rights situation. We have a global monitoring mechanism, most of them in Geneva, but again in Asia there is no regional monitoring mechanism. Now ASEAN is talking about it—there has been a discussion that they may want to include that idea in the ASEAN charter. Of course we’ll have to see. When we talk about enforcement mechanisms, we don’t have any world government or regional government except Europe. So there is no real enforcement mechanism when we talk about international human rights. So these are my three comments and now I’ll go to the questions.

Related to my first and second points, you were talking about Asian values and the proponents of Asian values – are they denying the idea of human rights all together? One, or, number two, are they just denying civil political rights, c.p. rights only, and defending economic, social, and cultural rights because in many developing countries the right to development has been repeatedly discussed. Or, number three, in the international legal discussion we often talk about the progressive realization of human rights. C.P. rights are something you can achieve overnight; C.P. rights are basically saying: ‘please do not interfere in my family affairs or my personal beliefs’. So C.P. rights are something you can achieve by asking the government not to interfere. But economic, social, cultural

rights – this is something you need to achieve progressively. If you're talking about the rights to education, you need to have a ministry of education, you need to have schools, you need to have textbooks, and you have to create a situation where students are allowed to go to school. This is my first question.

Number two, linked to my third point, how does the concept of human security help us introduce monitoring or implementation mechanisms for human rights in Asia? We talked about the ASEAN Charter but what value does the concept of human security add to the discussion of human rights, the friction between the universalism and cultural relativism?"

Md. Shanawez Hossain:

[Response fractured/inaudible beyond comprehension]

Unidentified speaker:

"Good afternoon my name is [inaudible] and I come from the Asian Institute of Technology under the field of Gender and Development. I would like to ask one question for the presenter. In your paper, you mentioned Asian values. How do you define 'Asian values'? I don't think that we have Asian values because each country is so rich in culture that we cannot define Asian values. When we mention African values, for example, we can also use the word [inaudible] and use it to describe that."

Md. Shanawez Hossain:

"Thank you very much. Actually this is the main problem when addressing the problem of Asian values. If we couldn't define some specific values for human rights, it would be better for us to go with that one. But as I've said the proponents of Asian values have said that these should be included and these are the exceptional [inaudible] Asian values. And our human rights should go according to these things. But they cannot decide or identify which groups would do better. Similarly they cannot say that 'these are the values'. So when one country is saying that these are Asian values, another country is denying somehow that one..."[Tape ends]

Md. Shanawez Hossain [Continued from previous tape]:

"...some country that these are exceptional values of Asian countries so these are Asian values but still it is not clearly defined, at least in my understanding. Or if it is defined then they're setting the way for a common platform for these things."

Dr. Mike Hayes:

"Mine is more of a commentary because I think you're giving half the story about the Asian values argument because when you're talking about this period of 1991 to 1993 this was just before the Vienna World Conference of Human Rights in which case lots of countries decided to push the agenda regarding what they wanted human rights to be; it was the end of the Cold War and the end of the Soviet Union and so you had various countries saying 'we want to unify human rights into a universal idea'. Then there were other countries, particularly Singapore and Malaysia and China saying 'we want to make

sure human rights is suppressed and lowered and more specific in terms of human rights values'. But then at the Conference in Vienna in 1993 the Declaration came out and it said that human rights are universal and every country signed it, every country recognized that human rights were universal. Singapore signed it, Malaysia signed it, and they said that's the end of the Asian values argument. Since that time Asian values hasn't really been part of the human rights argument. Here you get people arguing about it but you still get people arguing that the Earth is still flat; Asian values is a kind of thing off on the side. So we're looking at one particular aspect of human rights which isn't really what the main argument of human rights is nowadays."

Laura:

"Hi my name is Laura and I'm about to start the MAIDS program here and previously I was working for UNHCR in Malaysia. So my question is even if the new ASEAN Charter addresses human rights how much do you think will actually contribute towards human rights attitudes within the region when each country, as you pointed out yourself, is still guilty of human rights violations to some extent. For example, as recently as a few months ago in Malaysia, there was big news about a young political activist being detained without trial or a proper warrant of arrest because he had printed some news stories on his blog. When I was in Malaysia, the general population I find doesn't have that much interest in human rights. How much do you think that will hinder the propagation of human rights within the region when the population doesn't place such a huge emphasis on the importance of human rights.

Md. Shanawez Hossain:

[Response fractured/inaudible beyond comprehension]

Unidentified speaker:

"Okay my name is [name inaudible]. I would like to ask one question. Do you agree with those who advocate for Asian values or the cultural relativism regime? In any case, during the [inaudible], they provocatively advocated a kind of cultural relativism. This included the [inaudible] and the government and bureaucrats. But now after the [inaudible], there is no discussion about Asian values or cultural relativism in human rights?"

Md. Shanawez Hossain:

[Response fractured/inaudible beyond comprehension]

[Dhani Ram Sapkota presents paper]

Dr. Yasushi Katsuma:

"Thank you very much for your [Dhani Ram Sapkota] report from Nepal and I can understand your enthusiasm because I used to work in Afghanistan from 2000 to 2002 as a staff member for the UN. I can therefore imagine what happened in Nepal to some extent. I have two comments that maybe can be linked to some questions. First you

were saying that legal provisions are not enough if there is no political will you cannot realize human rights in Nepal. And of course..." [Tape ends]

Dr. Yasushi Katsuma [Continued from previous tape]:

"The RTP, or the responsibility to protect, promoted by Canada, Norway, and some other European countries, is not very popular among Asian leaders. So I think the basic premise of this perception is international politics. We still believe in no interference in domestic affairs. Something is happening in Nepal but that's under the jurisdiction of the government of Nepal. So we, foreign countries, don't have much to say about it. I think that's the basic premise. So how would you go about promoting the RTP in this region, what strategy would you take to do that?"

Dhani Ram Sapkota:

"Thank you very much Dr. Katsuma for your question. Again there are various discussions about RTP. I am very privileged to have Professor Buddhadeb here so he can make some things clear – I want to make a very clear example that talking about responsibility to protect [inaudible]. For the last eighteen years, more than one hundred thousand Bhutanese refugees came to Nepal. We don't share the common boundary in between Bhutan and Nepal, and the old Bhutanese who come to Nepal, cross India. That is the situation inside Bhutan. What is the responsibility to protect? Since 1971, it is India who had the responsibility to protect against West Pakistan's brutality against East Pakistan. My friend is from Bangladesh knows better than me. This is the largest democratic country in the world and more than one hundred thousand Bhutanese are [inaudible] in refugee camps. So whose responsibility is it? That's the practical element. Why didn't the international community intervene immediately? Why didn't they intervene in Kosovo? But as you say these are my observations. There must be a common understanding in principle, then we can implement otherwise. Why is there greater interest in Congo, in East Timor? There should be an international moral consensus on fundamental principles about these RTP..."[response continues incoherently].

Unidentified speaker:

"First of all to the last commenter I just wanted to throw in do you really want a Blackwater private security army in Nepal intervening to protect the rights of people? I don't know. Anyways, going to forced disappearances, it is actually a phenomena that happens all over Asia and so far the perception has been that it is a Latin American and South American phenomena but it's actually Asia where most of the disappearances are reported every year. Now Sri Lanka is topping the list but before Nepal was on top of the list. What's missing from the story is that people have taken initiatives to address this problem. There has been so much civil society involvement on this issue and Nepal, even though it's such a repressive system, is actually going to be the country that to pass a law on disappearances in the region. That matter is being discussed right now in the Parliament. Advocacy from big organizations in the country has pushed for that law and I think that's a great accomplishment – for people to take human security in their own hands and push for their own rights. I just wanted to highlight that part of the story because that was kind of missing."

Unidentified speaker:

“I have been visiting Nepal since 1993. So far, I’ve visited probably thirty or forty times. So with some authority I can talk about Nepal actually. I have been a journalist and interviewed your Prime Minister when there was a communist-run government. In 1999, I was an election observer in Nepal. And I was in the peace mission in 2004 when the king abused his power by dissolving the parliament even though it was a constitutional parliament. Anyway, the way you portrayed the situation in Nepal I think gives the wrong message to people that the [inaudible] are equally involved in criminal activities like the state. So that’s my first observation. I think there are many more forced disappearances in Nepal that you have not mentioned – that is, every year more than ten thousand girls are trafficked to India and sold on the Indian flesh market. And in Nepal this is a political fight – until 1990 there was constitutional democracy. So the Maoist insurgency is actually a response to that pattern of regimes. We have to think in that way. The people killed by the Maoist, how many of them are army people and how many of them are innocent civilians? Because real people are at war, they kill each other, sometimes deliberately, sometimes for their own protection. When I was fighting in 1971, many of my friends were killed, we killed many enemies. We were called insurgents, terrorists, miscreants, evil propagators by the enemy. That was the usual language. Militants they are very much [inaudible] than foreign fighters in Iraq. They are not foreigners there. We have to be very practical and human rights are not very [inaudible] from which [inaudible] is very important. These days we need to find a line between what are human rights and what are citizen rights? During the worst time of disturbances in Nepal, it was the only country where any citizen from any state can be granted a visa upon arrival. I have never seen or heard of any case of abduction of a tourist by the Maoists in Nepal. So there are many aspects of that also. I think it would be better if we would just keep a holistic view of the situation. Thank you.”

Unidentified speaker:

“To my mind, one needs to understand the socio-economic context of Nepal. You can see that twenty families control 85% of the resources of the country. Definitely it means that a large section of the population is landless – deprived and exploited. Secondly, regarding the intervention of India, to my mind it depends on the bilateral relation of the two countries. I know the situation in [inaudible], how the Nepal refugees from Bhutan are staying, the nature of the suffering regarding health problems. They don’t even have facilities. But the problem again depends a lot on the relationship between India and Bhutan. Because of certain reasons, India is not going to disturb Bhutan or create a situation that would displease Bhutan. One will have to understand the broad socio-economic and political contexts as well.”

Dhani Ram Sapkota:

“Thank you, professor. Actually the facilities Bhutanese people are getting from India [inaudible]. But we are talking about human rights principles, about human security, so we should make up our minds which provisions to set, what type of relations are failing human rights and what type of direction, improvement, can better state civility? That’s what the whole discussion should be about. That’s the [inaudible]

relations between India and Nepal in Southasia. That's a different part. I heard about a law passing on missing people in parliament – yes thank you for your update and I'm very happy. The issue is still – there is a provision granting total amnesty so NGOs and civil society are opposing. There must not be blanket amnesty to the perpetrators. That's the thing and it is not yet passed, it is still under consideration. Everyone is giving their inputs and it is still under consideration. The more important question is that it is already eighteen months past restoration of democracy. The enforced disappearances started in 1998. How long, if my son is being lost, my daughter, my wife, my brother, how long I do I have to wait under a democratic government to know the truth? That's the question. How long and when will they deliver? They are awaiting the fate, to know the fate, but nothing has happened. Only the continual power struggle. Now both opposition parties, those who fought in the past are in the government. And it is mentioned in the [inaudible]. [Remaining response inaudible/incoherent].”

[Buddhadeb Chauduri present paper]

Dr. Yasushi Katsuma:

“Thank you [Buddhadeb Chauduri] very much I think you covered a wide range of issues but let me focus on one specific point. Towards the end your discussion concerned the exploitation of natural resources promoted by the process of globalization, which is threatening the indigenous groups who may have to be relocated. But on that point, what are the international human rights instruments that can be used to protect the rights of the indigenous people? Why do you think the concept of human security should be introduced into this kind of discussion? And is there any value added when we use the concept of human security?”

Buddhadeb Chauduri:

“Well to my mind, because of many of the changes particularly in reference to the indigenous people, say, if you take the case of the forest environment situation, there are few securities affected – health security is affected, more so than in the past. Then naturally the well-being of the people are all affected. So when we're thinking about security we should think about it in a broader context cooperating with some of these issues. Of course the human rights instruments are there. But if we can cover all of these issues, or even some of these issues, then it puts it in a much better perspective. Thank you.”

Unidentified speaker:

“So you discuss indigenous people and human security right? And as we already know there are many issues about indigenous people so I would like to ask you which aspect of indigenous people is the most important with respect to human security?”

Unidentified speaker:

“Mine is somewhat related to his comments – in many regions we can see that the conflict between indigenous people and the state comes from political interest, but in

some cases, economic deprivation is the main point. Which one is more important when we are talking about human security – should we focus on human rights issues, or economic issues, or political issues? Which one should get priority to secure the security of indigenous people?”

Buddhadeb Chauduri:

“I think indigenous people provide a very interesting case because all of these are related. Let me give you one example. Say access to a forest is affected. It affects people’s economic interest and, at the same time, creates health problems. It is also creating socio-cultural problems. For them, the forest is not just where you get the trees or the animals to hunt – it is a total biosphere. Survival of many indigenous communities – this is also related to it.”

Unidentified speaker:

“But how are you going to relate the political view because most of the indigenous groups are fighting from the ground on political things.”

Buddhadeb Chauduri:

“No, to my mind they start with this and this may be one of the reasons why in many places now...Let me give you one example. I know someone doing a study on the forest situation in [name inaudible] in India. There is a movement by the tribes, it started in the mid ‘50’s, demanding some of the tribal rights. But basically it started with three issues: their access and autonomy over land, water, and the forest. Now in connection with one of the studies, I was interviewing a leader of a socialist party and he admitted that it was true when I asked him: ‘now it has become almost like a political movement— why aren’t there basic issues coming in the picture, why aren’t you raising the issue of tribal suffering because of forest policies and tribal suffering because of the construction of dams, why aren’t you raising the health problems, the land rights?’. He admitted that this may be one reason why the present movement is not in a position to attract the younger generation. These are some of the basic issues of course and now it has become a political movement in many places, essentially a political movement. The economic issues are in that – they all start with some economic issue and gradually transform into a political movement. The problem is if all the emphasis is given to an election or to capture power at the state level or how to influence the government. In this case, there is a problem that they may not get that type of support they used to get in the past. This has happened in many places.”

Unidentified speaker:

“I think in India, and elsewhere, the main issue is actually [inaudible]. We see this majority chauvinism and they want to forcibly assimilate minority ethnic communities into the so-called mainstream and here lies the problem actually. At the academic level, you can make differences what is the human rights movement, what is the political movement, what is economic movement but from the grass root perspective you cannot do it – it is their life and situation. The issue is whether they are given any options or choices. What is happening in India is that [inaudible]. By 2020, they want to be part of Europe, India and China. So the Indian state doesn’t bother with all these minority ethnic

communities. One-third of the Indian army – and India has the second largest army in the world, only next to China in terms of number of personnel – one-third of them are posted in the Kashmir border and another third is in northeast India, which is actually the habitat of most of these indigenous communities. So it is a military state in that sense though it claims itself to be the largest democracy in the world. But [inaudible] there is no Indian army, there would be no army at all, or maybe there'd be fifteen Indians. That's the reality. The issue is actually from the grassroots perspective. And I don't see any problem of indigenous communities getting access to the modern amenities of life. But the choice should lie with them. If I want to pursue a certain lifestyle I should be allowed to do that. But that is being undermined in India in the name of growth-oriented development. Unfortunately the whole South Asia region is now ruled by the international financial institutions. Indian Prime Minister was a former employee of the IMF and still getting a pension. The head of the government in Bangladesh was a former employee of the World Bank and is still getting a pension from them. The Prime Minister of Pakistan is still an employee of Citibank. He didn't resign. If he resigns he won't get enough termination benefits. So the entire Southeast Asia region is under the control of these global power brokers and they have one thing in common – to push for capital growth.

Unidentified speaker:

“I am [inaudible] from Sri Lanka and I want to say another point. India is a stratified caste system. It is a very successfully, evolved system of policy in which the [inaudible] people and the [inaudible] people have access to education and other aspects of social development. So why has India failed in advanced policy to bring caste people into the system?”

Buddhadeb Chauduri:

“Regarding indigenous people there is a policy, a definite policy, and just like the caste they are entitled to get special facilities, reservations of seats, reservations in education facilities, reservations in posts, and the same thing is applied to the indigenous population. To my mind, there is another issue which one cannot ignore – the indigenous people as a whole are a rather homogenous group. Now we will find some of the indigenous groups or some of the tribal families who have enjoyed some of these rights. The main problem is that after getting those facilities, one group has become rich. But they are not bringing the other families of their own communities or helping others in many cases. Now there is a section of the population who have benefited out of these facilities but the whole problem is that the percolation of the facilities is not there. I think I've made that point clear. Regarding that point, you said policy is dead. I'm not suggesting that the situation in India is very good. But let me tell you one thing - there are considerable variations regarding the economic conditions, regarding the educational achievements, regarding jobs and other employment opportunities, among the indigenous people. You see the most literate state in India, but the second most literate state in India is one where tribe people make up 94% of the population. Once I did a study on behalf of UNICEF in some of the states. The ownership of color T.V.s and VCRs to man ratio is the highest in that state. So the tribal people are quite affluent in that sense. But again, there are very poor tribal people you can find too - I'm going to one of those areas on

Sunday. This area is 45 km from [inaudible]. There was a railroad line connecting that place and the closest city in 1888, a hundred and twenty years back. But the first passenger train was introduced three or four years back. Then what was it used to do? To bring natural resources and mineral resources to other parts of the country. This is the type of situation.”

Dr. Yasushi Katsuma:

“Okay thank you very much. I’d like to move the discussion from more general issues to specific questions. The first question is how do human rights promote human security in Asia? The second question is how does human security promote human rights in Asia? Any thoughts? Would you like to say something?”

Unidentified speaker:

“Actually this is very tough question for me because I have been rather skeptical about the concept of human security for some time. I had several discussions with Japanese officers from the Ministry of Foreign Affairs who were promoting the concept of human security. They were very successful in presenting the concept in Japanese society, especially amongst academics. But the concept of human security is very important and very popular. At the same time if you look carefully into the document produced by the UN, human security, the concept, still has a very low profile. I remember that two years ago the UN summit that was following up the NBG adopted a resolution referring to human security but only first the concept of human security should be discussed further in the general assembly. That was all. The so-called UN Coalition for Human Security is actually sponsored by the Ministry of Foreign Affairs in Japan and there’s less support from the UN resolution in setting up that coalition. I’m kind of feeling that the concept of human security being treated in this conference, and many other places, is meaningful in everyday life and seems to be a little bit different. But there are some advantages of this concept. [inaudible] from this morning put it in a much more friendly manner...”[Tape ends]

Unidentified speaker [Continued from previous tape]:

“...in the Philippines which has a shortened name of Human Security Act. Maybe somebody knows about that. It’s actually an anti-terrorist act which is called the Human Security Act. So this is the range of the area this concept may cover. It might cover the issue of indigenous people. But it also might cover anti-terrorist action by the government. So we have to be very careful – that is the first point. Human rights standards can be a very good tool to use to evaluate how human security concepts are being used because again, as Vitit Muntharbhorn raised this morning, human rights has a very specific form in treaties. It is a collection of individual rights codified in various international treaties. So that is much more specific than the human security concept. We can use human rights standards to monitor how human security is being used. Then how can human security contribute to human rights? The issue was expressed by the last speaker – human security can be a broader concept. It can bring attention to some areas that human rights cannot focus on like protection from the downside risks. That is actually the Japanese government’s favorite term but there is some truth in it. We have to

admit that. I think that's if human security was broader, it might help us focus on future change, on the downside risks. That's all I can say on the subject."

Unidentified speaker:

"My name is [name inaudible], I am from Pakistan and I work for [name inaudible] foundation. This is a very small comment relating to all points. As you have asked us the question, I think that human rights and human securities are a vice versa concept. If we are completely able to get one thing we are completely able to get the other. This is my concept. The thing is we first have to think about the security of whom, from whom and security threats are with whom – for example the Taliban is a big threat for America but I think that America is a big threat to Afghanistan. Sorry to mention it but it's a vice versa concept. Whose security is being threatened and whose security is there? This is my concept. First we need to emphasis on what are the human rights in Asia and if we are able to achieve human rights then we will be able to seek human security."

Unidentified speaker:

"I think by looking at ASEAN, there have been long debates, like in Indonesia there is total security and total defense. In Singapore and Malaysia, they have another term on security. And if you look at ASEAN, it mentions human security and other things which, under the rubric, people can talk about or ministers can talk about human rights. I think talking about security can promote the meaning of human rights and how human rights can be discussed on that level because there are a lot of allergic reactions towards human rights in ASEAN. I'm not sure whether human rights can promote human security. Because of the broad indicators of human security, it gives a lot of flexibility for countries without standards unlike human rights. Even though economic development rights have been progressively achieved for the states, there are certain elements to be achieved by the state, not like human security. It depends on the state to what degree human security can be achieved in certain countries. That gives a lot of flexibility to a state – for a good state, but for a failed state it's a different issue. I think there's a lot of room for human rights to be discussed under human security in a new paradigm rather than vice versa."

Md. Shanawez Hossain:

"Thank you. Another question again came up which actually should come first, the one regarding the distinction between human rights or human security. In my understanding, I like to go with Professor [inaudible]. As he mentioned, human rights should be promoted in line with human security. Why? In my understanding, to promote human security we need three things: prevention, protection and promotion. That means to prevent it from insecurity. We have to secure them by giving protection. We have to give them a guarantee, some monitoring tools. Here comes the point of human rights – it should come as a guarantee, a legalized guarantee by the international community to make them aware and to seek security for them. That is my understanding. Thank you.

Dhani Ram Sapkota:

“For my understanding human rights and human security seem very similar. But human rights are abstract and human security may be a more idealized form of human rights. We talk about the right to life and then we talk about it abstractly – what are the requirements to fulfill the right to life? And if human security comes automatically within it. My understanding of human security is – yes, my friend presented the paper on Asian values and the role of human security to protect. How can we enable it? How can we provide real ownership to the globalized world in all societies? They should understand that human security is our primary concern. This is the challenge. We should bring human rights forth and make human security really universal.

Buddhadeb Chauduri:

“Well I’ve already explained my position here but I’m repeating that human rights and human security are very related issues. But human rights are more concrete, human security is more abstract. If we can achieve human rights then human security will be provided. It includes other issues too – there are social rights, economic rights, cultural rights, these are also there in human rights. But we have to examine the issue of human security in a broader context. Some may have legal support while some may not. But that includes human security.”

Dr. Yasushi Katsuma:

“Thank you very much. Of course there are no correct answers to these questions. But I feel a little bit responsible in raising these two questions and I’d like to make a few comments. As a graduate in the field of international law, I naturally like human rights instruments because they are very clear. We have certain monitoring mechanisms. If you go Latin America or Europe, you see regional systems working very well. Regarding human security, there seems to be confusion surrounding this concept. What I like about human security is that we can talk about it in ASEAN, we can talk about it in some countries, and if you look at the recent developments – okay Myanmar, China, they don’t agree on human rights probably, but on specific issues like trafficking, six countries signed a document of understanding. This is the very first regional agreement to combat the trafficking of persons in the region. So we’re not talking about human rights, we’re not calling it human rights, there can be some departure here. Because when they’re told about human rights they immediately think about C.P. rights and civil political rights. So that’s why they have this allergic reaction, at least from some governments.

Another feature I like about the concept of human security is that you can link human rights with sustainable development, you can link human rights with peace issues, peace and security, you can link it with the environment. So you can have a multidisciplinary lens to talk about the common issues with other experts. When you are in the discipline of human rights, you never talk to economists or sociologists for example. But I think it gives us some common language to communicate with each other.

Lastly, let me try to make a few comments in response to the three points Professor Chantana raised some of these at the beginning of the conference. Of course it’s difficult, if not impossible, to summarize the rich discussion we’ve had in this room for the last two hours. The first point—I often like to talk about the three A’s: assessment, analysis, and action. First A, assessment. I think we agree that the threats we face are

complex. First we see so many transnational issues. We had some discussion on trafficked persons from Nepal to India. We had some discussion on infectious diseases. And again we see terrorism as a new threat. So in the process of globalization we see more transnational issues. Secondly, we have discussed internal domestic conflicts. There were rich reports from Nepal and India on indigenous people. Particularly, at the end of the Cold War, we see more internal conflicts within countries. There has been friction in countries but we didn't see them clearly. But now I think they are more highlighted. In the assessment, I think we see the new threats to which we face. And I think, at the same time, in addition to the human rights perspective we see not only C.P. rights but also economic, social, cultural rights highlighted in this process.

The second A, analysis. Now I think we're looking at a new phenomenon. We agree that we need new analytical tools, new concepts, and I think that's why the human security concept has been introduced. It's a challenge to national security or the state-centric view of security issues. But, I think the question is, do we seriously challenge the sovereignty of the state? I think that's the controversy we have in this region. In my view, international human rights are a very good starting point to talk about challenging the principle of no-intervention in domestic affairs. Because in human rights we have already agreed that human rights are universal, transnational, and that their violations are subject to the concern of the international community. On this particular issue I think we have agreement – signed, ratified, and, well lots of promises with regards to this. In this view, human rights are a good starting point to talk about challenging the sovereignty of the state.

Action. If we want to mainstream human security in Asia, what should we do? Do we want to incorporate R.T.P in this discussion or should we stick to East Asia's version of the security discourse. Looking at what's happening in Burma right now, I think there's a growing concern in this region. I think ASEAN has been not so aggressive about what's going on in Myanmar. But if you see what's going on in Japan – I mean a Japanese journalist killed by Burmese major personnel in short distance. The photos and films are shown all the time in Japan. As a result, Japanese policy makers are taking a tougher position. So I think R.T.P can be in the discussion and I think Nepal gave us a good example of what has happened in the past. By the way Japan has been a big donor to Nepal, Sri Lanka, Indonesia and Myanmar. I think the rationale for supporting those governments is to make the governments accountable for the management of developing countries. But I think there is a big question mark here. Has Japan done okay in supporting the governments in those countries? Were human security considerations taken into account when Japan gave support to these governments? I think Professor Viti Muntarhorn has been working on ASEAN, human rights and regional monitoring mechanisms. This is something that this group can recommend to the plenary. We probably want a regional human rights regime in this region. Of course R.T.P is something to talk about later but at least, for the general discussion, I think we can talk about the regional regime for human rights. In response, any additional comments, criticisms, anything we can recommend to the plenary?"

Unidentified speaker:

"I forgot to mention one thing about the contribution of the human rights concept to human security. One of the most important points about human rights is that it is a duty

bearer on its own. And human security doesn't clearly distinguish or improve the result because it doesn't focus on who is in charge, who is responsible to achieve human security and who has the entitlement to demand results. That should be one contribution from the human rights perspective."

Dr. Yasushi Katsuma:

"So human right then would give us the concept of duty bearers, primarily the governments. They have to be accountable."

Unidentified speaker:

"You mentioned a regional human rights regime. By that you mean Asian?"

Dr. Yasushi Katsuma:

"Yes, in an Asian context, yes."

Unidentified speaker:

"...so far my knowledge is anti-developmental because Japan's government is funding many unnecessary or harmful projects directly through ODA."

Unidentified speaker:

"In response to the Professor, my comment is that there is a lot of debate about the relation between Japanese ODA and where should ODA go, especially in developing countries. But the initial intention of the Japanese ODA is somehow related to the development of the countries. There are some misinterpretations or misuses which bear consequences. But the initial intention of this is development. But Japan, of course, gives a lot of controversial ODA. And now Japanese people are getting more and more concerned about these things. Where is the money from their taxes going? So I think in the future these things are going to be clearer.

Dr. Yasushi Katsuma:

"I believe that yes some projects are better than others. But as far as we know there isn't enough consideration given to human rights when providing developmental assistance. It's basically request based, and when the government of Myanmar or Sri Lanka ask for it, basically after their appraisal, they have our support for a specific purpose. The intention is not bad, but sometimes it creates gaps within the country. For example, if you support the government of Sri Lanka, you may not support the regions controlled by the Tamil Tigers. So I think the disparity in a country may be widened as a result. The same goes for Nepal. The concept of human security allows us to see the link between development and human rights. In the past, development was development; economists were the ones to look at it while human rights were totally separate. But now we are increasingly beginning to see the links between human rights and development.

Okay, thanks for your patience! I think we had a very fruitful discussion and I thank you for your cooperation. I hope we can take our talk to the plenary for further discussion. Thank you very much."