## Call for Papers

**South Asian Regional Conference on**

**Economic, Social and Cultural Rights - Justiciability and Accessibility Issues in South-Asia**

***TowardsICESCR and domestic legal framework effectiveness for state accountability***

*Organized by International Law Association Nepal/ The Sankalpa Foundation with support from VLIR-UOS*

*5-7 September 2014* Kathmandu, Nepal

**I. Overall Theme**

The title of this South Asian conference is **Economic, Social and Cultural Rights - Justiciability and Accessibility Issues in South-Asia; *TowardsICESCR and domestic legal framework effectiveness for state accountability***

The Conference aims to provide an academic forum for scholars, practitioners, and policy-makers to examine Economic, Social and Cultural (ESC) rights justiciability issues, and challenges faced in their implementation, in the South Asia region. The conference will examine core issues surrounding the implementation of Economic, Social and Cultural rights and State Accountability. It will reflect on how effective human rights treaty monitoring has been regionally, and aspires to bring together experts and stakeholders from the region with international experts who can bring their regional and international experiences to bear on developing better rights implementation. .

**II. Background**

**Why Focus on State Accountability?**

Human rights as a set of basic rights and freedoms representing agreed legal and moral standards against which development strategies, processes and results must be measured. Poverty is not God-given or natural. It is man-made and is often a product of state policies. Most human rights violations result from political, legal, and economic decisions of states which lead to increased impoverishment with the resultant repression. Such policies are in contravention of the international human rights commitments that states have made and states should be held accountable for the non-realization of human rights. Lack of accountability and abuse of state power are structural causes of multi-dimensional poverty in developing and the least developed countries and major stumbling blocks for rule of law, good governance and overall development. For a regime of human rights accountability to be effective, a comprehensive legal system of accountability is required.

The states that have committed to international human rights treaties have an obligation to respect, protect and fulfil these rights. The accountability structures of these frameworks are both opportunities and challenges for human rights advocates. International legal frameworks around Economic, Social and Cultural rights and compliance built into domestic legal systems are expected to be the tools for ensuring good governance and realization of these rights.

In spite of commitments to various international treaty obligations across the region, any satisfactory advance seems to have come to a standstill. The efforts spread over the region until now can best be described as sporadic and random. Concerted regional efforts at analysing where we stand and what we need for a way forward are long overdue.

While it cannot be denied that ESC rights advocacy is taking place across different sectors, a coherence of efforts is lacking. There have been and still are ongoing social movements, activism from NGOs, and considerable judicial activism in many South Asian states. Millennium Development Goals as a campaign tool has met with both considerable success and dismal failure. All the South Asian states have a variety of experiences to share on how effective the ICESCR and domestic legislative mechanisms have been in holding states accountable. However, the assumption is that the provisions and the mechanism outlined in the International Covenant of Economic, Social and Cultural Rights as well as other international human rights treaty instruments have not generally been effective in holding states accountable for violations of ESC rights in South Asia.

Holding states accountable does not and should not negate the links between the acts and policies of states that perpetuate violations and the role of non-state, interstate and private actors.Rather this assessment of state accountability focuses attention on one actor while and designating responsibilities to all actors who contribute directly or indirectly to human rights violations.

**III. Thematic Area**

Academics, ILA members, actors from civil society are invited to submit papers to present findings from completed research or on-going work that raises methodological or conceptual issues. Proposals are also invited that present findings from policy and field research as well as those that demonstrate sustainable strategies for a more effective realisation of economic, social and cultural rights within existing international and domestic frameworks.

The organizing committee especially welcomes proposals on international law from academics and experts of South Asia or papers with a focus on or relevance for South Asia in the following thematic areas:

1. International human rights law framework – realization mechanism and practice of the states
2. International economic law in development, trends in world trading systems and contemporary global governance endangering ESC rights
3. Gross National Happiness Index and ICESCR framework
4. Right to food in South Asia
5. Role of the judiciary in meeting implementation challenges
6. Human rights aspects of election governance and its impact on democracy
7. Role of non-state actors and civil society in meeting implementation challenges
8. Other relevant themes

(All the papers are required to converge on justiciability and implementation challenges with a compulsory recommendations section) These themes are not exclusive. Country specific studies are also solicited.

An abstract of no more than 500 words should be submitted with the author’s name, a bio and short CV with full contact information in a separate Word document. The organizing committee welcomes abstract submissions and conference attendance from both ILA members and non-members.

**IV. Abstracts, Papers and Publications**

***Paper abstracts/concepts must be submitted electronically by 30 June 2014 to Dr Cailin Mackenzie (***[***info@mimat.org***](mailto:info@mimat.org)***).***

The Scientific Committee will select abstracts and authors shall be notified of the outcome by email.

The selected papers will be made available online as working paper soliciting comments and criticism. The conference proceedings will be be edited and published by the ILA Nepal/The Sankalpa Foundation *Yearbook of International Law*.

Selected papers may be published in a special edition of the Asian Yearbook of International Law if three conditions are met: (1) the papers are reviewed in the light of the discussion at the conference and comments/criticism received while the working paper is available online; (2) the papers have to meet the normal requirements of the journal, including peer-review; and (3) a sufficient number of high-quality papers is available to organise a special issue.

**V. Other information and deadlines to remember**

While the number of participants is limited and registration well in advance is necessary, participation is free.

Call for papers and abstracts will be published on ILA Nepal website and the information will be widely circulated by 1May 2014. The abstracts must be submitted by 30 June 2014. Digital copies of full drafts of the shortlisted unpublished papers, inclusive of footnotes, must be submitted by 15 August 2014.

Registration details will be announced on 15July2014on the ILA Nepal website. Inquiries can be directed to Ila Sharma, co-ordinator of the Conference (isharma@election.gov.np) or Dr Cailin Mackenzie, Conference Secretary ([info@mimat.org](mailto:info@mimat.org)). Please mention the name of the Conference in the subject line.

The host institution of the Conference is the ILA Nepal, http://ilanepal.org/ which was founded in 2011 with the purpose of promoting research, studies and clarifications on international law and The Sankalpa Foundation, a policy advocacy forum based in Kathmandu. The ILA Nepal is a branch of the International Law Association founded in Brussels in 1873. Its objectives are “the study, clarification and development of international law, both public and private, and the furtherance of international understanding and respect for international law.” The ILA has consultative status, as an international non-governmental organization, with a number of United Nations specialised agencies.

This conference receives financial support from VLIR UOS (<http://www.vliruos.be>), the University of Westminster - School of Law (<http://www.westminster.ac.uk/about-us/faculties/law>), and has received further support from UNDP Nepal, the Embassy of Denmark and some other institutions working on human rights. Details will be published on the ILA Nepal website.

**Tentative programme schedule**

**4 September 2014, 6pm – 9pm**

**Evening Reception & Welcome Dinner**

**5 September 2014, 8.30am – 6pm**

**8.30-9.00 Registration**

**9.15-9.30 Welcome Address (incl. conference objectives)**

**Ila Sharma**

**9.30-9.50 Inaugural Speech**

**H.E. Sushil Koirala, Prime Minister of Nepal**

**9.50-10.10 Nepal and Economic, Social and Cultural Human Rights**

**H.E. Narahari Acharya, Minister of Law, Justice and Parliamentary Affairs**

**10.10-10.40 Academic Keynote Address**

**Professor Surya P. Subedi**

**10.40-11.00 Concepts, People, Law & Rights**

**Professor Kim Van der Borght**

**11.00-11.15 Remarks by the Chief Guest**

**The Right Honourable Ram Baran Yadav,**

**President of Nepal**

**11.15-11.45 Formal Inauguration by the Chief Guest**

**The Right Honourable Ram Baran Yadav,**

**President of Nepal**

**11.45-12.00 Vote of thanks**

**President of ILA Nepal**

**12.00-1.00 Lunch**

**1.00–2.30 Panel I**

????, Moderator

1.00–1.20 Presentation of Paper

1.30–2.15 Comments and Plenary Discussion

2.15-2.30 Summary Remarks

**2.30-4.00 Panel II**

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2.30–2.50 Presentation of Paper

2.50–3.45 Comments and Plenary Discussion

3.45-4.00 Summary Remarks

**4.00-4.30 Tea Break**

**4.30-6.00 Panel III**

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4.30–4.50 Presentation of Paper

4.50–5.45 Comments and Plenary Discussion

5.45-6.00 Summary Remarks

**6 September 2014, 8.30am – 6pm**

**8.30-9.00 Morning Tea**

**9.00-10.30 Panel IV**

????, Moderator

9.00-9.20 Presentation of Paper

9.20-10.15 Comments and Plenary Discussion

10.15-10.30 Summary Comments

**10.30-12.00 Panel V**

????, Moderator

10.30-10.50 Presentation of Paper

10.50-11.45 Comments and Plenary Discussion

11.45-12.00 Summary Comments

**12.00-1.00 Lunch**

**1.00-2.30 Panel VI**

????, Moderator

1.00-1.20 Presentation of Paper

1.20-2.15 Comments and Plenary Discussion

2.15-3.00 Summary Comments

**2.30-4.00 Panel VII**

????, Moderator

2.30–2.50 Presentation of Paper

2.50–3.45 Comments and Plenary Discussion

3.45-4.00 Summary Remarks

**4.00-4.30 Tea Break**

**4.30-6.00 Panel VIII**

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4.30–4.50 Presentation of Paper

4.50–5.45 Comments and Plenary Discussion

5.45-6.00 Summary Remarks

**7 September 2014, 8.30am – 6pm**

**8.30-9.00 Morning Tea**

**9.00-10.30 Panel IX**

????, Moderator

9.00-9.20 Presentation of Paper

9.20-10.15 Comments and Plenary Discussion

10.15-10.30 Summary Comments

**10.30-12.00 Panel X**

????, Moderator

10.30-10.50 Presentation of Paper

10.50-11.45 Comments and Plenary Discussion

11.45-12.00 Summary Comments

**12.00-1.00 Lunch**

**1.00-2.30 Plenary Session: Policy Recommendations**

**2.30-3.00 Closing Address**

**3.00-3.30 Closing Ceremony**

**3.30-4.30 Afternoon Tea and Press Briefing**