



**South Asia Initiative to End Violence Against Children [SAIEVAC]**

**SAARC Apex Body**

**“In Solidarity with the Children of SAARC”**

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**Report  
on  
The Trilateral Review of the MCA Products**



**In Partnership Plan International**

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## **The Trilateral Review of the MCA Products**

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### **1. Introduction of the Project**

Missing Child Alert (MCA) is a trilateral project, led by Plan International with the Regional Secretariat of the South Asia Initiative to End Violence Against Children (SRS) as a key partner. The project aims at developing regional cooperation and technological breakthrough to prevent and protect children from losing their contact with safe environment and to trace those who have unfortunately become victims of trafficking.

It is believed that organized response through an engagement of multiple stakeholders with use of advanced technology will facilitate creating mass awareness on the issue of missing children, aid in the tracing and interception of children that have gone missing before they end up being exploited, facilitate rescue and expedite the process of repatriation of victims, reforms and regional cooperation among Member States of SAARC. The MCA is an important step to ensure that children of South Asia are safe and well protected through regional cooperation.

Being a new and ambitious concept within the region, MCA 1<sup>st</sup> Phase I is regarded as a Pilot Project. The project was commenced in January 2012. The project has a long-term framework which is divided into three phases: (i) Pilot Phase (Jan. 2012 – Dec. 2015), (ii) Rollout Phase (Jan 2016 – Dec. 2017) and, (iii) Scaling up Phase (Jan 2017 onwards).

### **2. The Continuum of Trafficking**

The MCA Project aims at developing technology-based responses to the issue of missing children and cross border trafficking in all the segments, particularly in the following areas:

- Prevention from trafficking and keeping children in safe and legitimate environment
- Interception of victims and perpetrators during illegitimate transit movement
- Rescue, rehabilitation, repatriation and reintegration of those who have met undesired fate
- Policy and legal reforms to develop regional cooperation in regard to application of an integrated technology-based approach.

### **3. Decision of the 6<sup>th</sup> Governing Board Meeting (GBM)**

During the 6<sup>th</sup> SAIEVAC Governing Board Meeting held in Colombo on 16-17 March 2016, the members were briefed on the different products under MCA. The SRS developed a synopsis of the different MCA products in a document - “MCA Overview” (The report is annexed-1) and was circulated for the attention of the 6<sup>th</sup> GBM. The document captured the essence and content of each product for Governing Board (GB) consideration. The GBM raised significant concern that despite periodic review and guidance the MCA Project had ignored them entirely and out questioned the DG SRS how such gaps were allowed to occur.

The GBM pointed out that since the MCA project and the Plan International should have shared and discussed and kept the SRS fully apprised of the scope and progress of the studies including in selecting/finalizing the consultants.

The GBM said that since Plan/MCA Project pursued SAIEVAC as equal partners therefore the nature of such collaboration called for a transparent process. If that process was not followed Plan should not expect SAIEVAC to make this impromptu request for clearance of the products. The GB wanted to know the interest of SRS in defending the MCA products when it had not even taken the three Governments on board. MCA as a trilateral project should have kept the Governments in loop for all the products that the project was to deliver.

The GBM after an intense discussion on rationale and justification provided by the DG SRS, despite the numerous procedural and compliance defaults, decided to take cognizance of the fact that a huge investment of time and resource has gone into developing and delivering the product and therefore it would be worth an effort to assess the products in terms of its value and use.

The GBM directed the SRS to form a Trilateral Review Team and immediately take up the review with the aim to present its recommendations to the 7<sup>th</sup> GBM as follows:

*Considering the briefing on the Missing Child Alert (MCA) Project and the proposed way forward that includes the formation of a Trilateral Review Team for the MCA Phase I products (Annex...), the GBM while reinforcing the decisions of the 5th GBM on the importance of the MCA, after protracted deliberations on the gaps and challenges experienced in the project phase endorses that:*

- *A Review Team be constituted with the three Coordinators, NACG Chairs and independent Expert/s;*
- *The SRS to develop a clear Terms of Reference and finalize it in consultation with the SAIEVAC Coordinators;*
- *The 1st Meeting of the Review Team be held on the sidelines of the proposed 4th Ministerial Meeting in Delhi or earlier, during which time a clear process for the review be developed and endorsed; and*
- *The Review Team table a clear way forward and recommendations for the MCA to the next GB Meeting.*

Based on the recommendation from the 6<sup>th</sup> GB, the SRS formed the Trilateral Review Team (TRT) which included the SAIEVAC Coordinators, NACG Chairs, Expert/s from Bangladesh, India and Nepal and the DG SRS.

#### **4. Formation of Trilateral Review Team**

As per the instruction of the 6<sup>th</sup> GB meeting the first TRM was supposed to be held on the sidelines of the 4<sup>th</sup> SAIEVAC Ministerial Meeting in May 2016 but due to logistical and time challenges the meeting could not be held in Delhi. Therefore the SRS rescheduled the 1<sup>st</sup> Meeting of the TRM in Bhutan following the SDG 8.7 Alliance Regional Consultation.

## 5. The Overall Objectives of the Trilateral Review Meeting were:

The SRS with support from PLAN will take forward the review of all the MCA Phase I deliverables come up with a set of recommendations to the 7<sup>th</sup> GBM for further use and application if relevant. For this, a review team as directed by the 6<sup>th</sup> GBM will be formed to carry out the following tasks:

- Determine clear and agreed roles and responsibilities for the Review Team;
- Develop a clear process including methodology and time line for the review work and present it in the next TRT meeting in Delhi;
- Develop a work plan/calendar of operation;
- Review all the existing documents/products developed under the MCA Phase I project;
- Come up with a report on MCA Phase I Products with set of recommendations and
- Submit the review and way forward/recommendations to the SAIEVAC Regional Secretariat.

## 6. 1<sup>st</sup> Trilateral Review Meeting (TRM)

The 1<sup>st</sup> TRM was held on 23-24 July 2016 in Bhutan. During the meeting the review team was provided an in-depth briefing on the different MCA products/ deliverables and the TRM-TOR was shared.

The main objective of the 1<sup>st</sup> TRM were to:

- Review the TOR of the Trilateral Review Team
- Clarify roles and responsibilities of the team
- Define methodology for the review
- Develop clear work plan and timeline for the review
- Inspect all the MCA products/deliverables as a team for review

As per the GBM instruction the review team consisted of SAIEVAC coordinator and NACG chair. The team also included an expert. Though SAIEVAC Coordinator from India was not able to attend the meeting in Bhutan, he was briefed on the proceedings and shared the TRM-TOR and the products to be reviewed.

The participants for the 1<sup>st</sup> TRM were:

S.N	Members	Category
1	Dr. Aminul Islam, Bangladesh	SAIEVAC Coordinator
2	Dr. Kiran Rupakhetee, Nepal	
3	Mr. A.K.M Masud Ali, Bangladesh	NACG Chairs
4	Dr. Chiranjeeb Kakoty, India	
5	Mr. Kumar Bhattarai, Nepal	
6	Mr. Vipin Bhatt	Expert (SAARCLAW)
7	Dr. Rinchen Chopel	SAIEVAC Director General
	<b>Secretarial and Coordination</b>	<b>SAIEVAC Regional Secretariat</b>

8	Ms. SulakshanaRana	MCA Coordinator
9	Ms. Alisha Tuladhar	Finance Officer

The TRM went through the TOR and the MCA products/deliverables for review produced by four different MCA partners.

As per the MCA project approach, all different products/deliverables were expected to complement each other and work towards making the project holistic. The TRM was informed that the different assignments were commissioned as planned in the project document by the MCA Project Management/Plan.

The Trilateral Team was tasked with the review of the following products

<b>S. NO</b>	<b>TITLE OF THE ASSIGNMENT</b>	<b>Agency</b>
1	'Disclosure' by Survivors: Qualitative Research	Change Mantra
2	Regional Mapping of legal instruments and analysis	SAIEVAC
3	a) Part I: Development of Minimum Standard of Service Delivery for Victims of Trafficking, Mapping and Assessment of Service Providers- Service Providers Mapping Report b) Part II: Development of Minimum Standards of Service Delivery for Victims of Trafficking, Mapping and Assessment of Service c) Providers (ISG) Part III: Resource Directory of Standard and Services to Survivors of Trafficking	ISG
4	a) System Requirement Need Assessment Study (SRNAS) b) Integrated Uniform Case Management System (UCMS) c) MCA Website, Project Collaboration Tool and Short Film	D.Net

The TRM finalized the TOR before going into the MCA products/deliverables. They discussed the scope of the work they were tasked with. Based on the deliverables the Team outlined the methodology, divided roles and responsibilities, developed a work plan and defined a timeline for the next meeting as a part of the TOR (The TOR Annexed-2).

The TRT was provided with a copy of "MCA Overview" which has a synopsis of all MCA products. The Team decided to go through the TOR that was given to the consultants/partners at the time of commissioning the task, in order to understand the scope of each assignment. The Team was informed that though the TOR for different products may serve as reference, they needed to understand that the TORs went through certain amendments over a period of time with addition of different components and ideas. The TORs were used as reference and the Team briefly went through all the products to get an understanding of what it comprised.

The Team after elaborate discussions and also to ensure that proper review could be done decided that each country group would review the products before the 2<sup>nd</sup> TRM that was scheduled for August and provide feedback/comments that can be compiled along with their recommendations.

The TRM suggested that since DNET's work is highly technical it would be good to have someone from the organization to present the work in detail, so that better clarity can be obtained.

## 7. 2<sup>nd</sup> Trilateral Review Meeting

The second TRM was held in Delhi from 29 August to 2 September. As agreed in the finalized TRT-TOR, the team from each country came with their comments on the products.

The objective of the 2<sup>nd</sup> TRM were to:

- Share the comments/feedback of the MCA products to be reviewed
- Further deliberation on the products based on the comments
- Compile comments from different countries
- Provide recommendations based on the review

The group shared the comments, rigorously discussed over the products and came up with the recommendations. The group said they will send further comments if necessary by end of October.

The participants for the 2<sup>nd</sup> TRM were:

<b>S.N</b>	<b>Members</b>	<b>Category</b>
1	Dr. Aminul Islam, Bangladesh	SAIEVAC Coordinator
2	Mr. Prakash Anand, India	
3	Dr. Kiran Rupakhetee, Nepal	
4	Mr. A.K.M. Masud Ali, Bangladesh	NACG Chairs
5	Dr. Chiranjeeb Kakoty, India	
6	Mr. Krishna Chandra Acharya, Nepal	
7	Ms. Razia Ismail, India	Experts
8	Dr. Shikha Sinha, India	
9	Ms. Shama Parveen Khan, India	
10	Dr. Rinchen Chopel	SAIEVAC Director General
	<b>Secretarial/Coordination support</b>	<b>SAIEVAC Regional Secretariat</b>
11	Ms. Sulakshana Rana	MCA Coordinator
12	Ms. Alisha Tuladhar	Finance Officer

## **8. Review of the products - Key findings and Recommendations of the TRM**

*(Please find the complete TRM review in Annex 3)*

### **a. Comments on the Disclosure Report**

#### **Common Findings**

- Inadequate sample size (cannot represent national or regional)
- Inappropriate methodology
- Age consideration – violated at the time of interviewing and in experiencing trafficking large proportion was not children
- Talking only about cross border- uni-dimensional/unilateral, we did not talk about trafficking of children, exclusion of boys- only trafficking from Nepal and Bangladesh to India mentioned
- Accounts of trafficking not necessarily child trafficking
- Missing and trafficked seen as synonymous
- Confined to flesh trade- regional realities
- Does not take into account government institutions/ agencies/ child protection system
- It gives qualitative dimension
- A training tool to highlight psychosocial dimension
- Missing children perspective hijacked by the border trafficking issue
- Ethical consideration were not taken into account

#### **Overall Recommendations**

- This report provides interesting insights into the psychosocial dimensions on trafficking although it does not reflect adequate regional dimension/realities. Nevertheless with adequate attention to the findings tabled above the report could be utilized as information related to the psycho social journey of the survivors

### **b. Comments on ISG Products**

#### **Common Findings**

- Inadequate Methodology- Sample Size (Proportionate representation of service providers across the countries missing)/ Tools and indicators, it is interesting they have 17 domains but this too needs to be reviewed- selection criteria for domains is not provided
- The indicators further needs to be reviewed with the existing indicators/domains
- Executive summary missing
- Study should have been conducted in consultation with regional agencies who have understanding of the context and the regional realities
- In order to reduce the poor response rate tools could have been pilot tested and made user friendly
- Debatable conclusion on the performance of service providers in all domains (not a representative sample)



- No factual basis given for the conclusion drawn on the service providers
- Exclusion of Government service providers
- The tools they came up with is the ultimate finding instead of the report *per se*
- The kind of service directory evolved is not of the kind and quality required – its incomplete
- The three reports are interlinked and need to be compiled into one document
- The tools is not user friendly and the scoring is not appropriate to the context

### **Overall Recommendations**

- The reports in their present form cannot be used. However by addressing the above observations the standards and the tools can contribute in developing a mapping, assessment of services and directory.

#### **c. Comments on SAIEVAC-SARCLAW Research**

##### **Common Findings**

- Identified the legal base for setting up responses and the standards of services on intervention
- Opened up opportunities for cooperation/ interaction with SAARCLAW
- There is a need to check the nomenclature and editing of language before publication.

##### **Recommendations**

- Information update required
- Information to be provided by TRT members by first week October
- SRS and SAARCLAW to incorporate updated information before publication.
- There can be periodic update of the report

#### **d. Comments on D-Net Deliverables**

##### **Common Findings (Few Decision of FUM TRI to be added)**

- Decisions taken in FUM is still relevant and updated information to be provided to the Technical Review Team for further action
- How does the technology developed contribute to the regional platform- how can the product have harmony with what is already in India (Track Child & Khoya Paya)
- What has DNET done for developing similar tools for Bangladesh and Nepal

#### **9. Decision/ Recommendations from the TRT on different MCA Products**

- The TRM raised serious concerns that the principle of partnership was violated and consultative approach with the key stakeholders was literally ignored.

- There was also consensus that while the project was considered trilateral and national, the project and therefore the products were limited to local project sites and there is no knowledge and learning that can contribute to strengthening regional collaboration. There is also a very obvious negligence, if not deliberate of not involving government institutions and services in their research.
- However the Team following intense discussions based on the review findings on the scope of each product, their use and relevance and scope of moving the products forward agreed that despite many limitations, some fundamental, the products do provide valuable insights into the subject matter of missing children and trafficking;
- The TRM conceded that there was ample opportunity for broadening the scope of the research products, including more geographic areas and organizations, and conducting comprehensive research.
- While there is no scope for endorsement as it is, nevertheless the products could be considered for academic purpose and reference, and could be used as a foundation to take forward/build the next MCA phase.
- The TRM emphasized the critical need for better coordination and cooperation among different partners under MCA for the next phase. They commented that MCA project managed to evolve itself as a visionary project but the success of Phase I would have been more commendable if there were transparency, sharing and coordination within and among MCA partners.

During the course of the meeting several futile attempts were made to connect with DNET for a briefing about their work. The TRM particularly the Indian Team showed interest in acquainting themselves with DNET's work and seeking clarity on how DNET's work will contribute in setting the Regional platform and how their work could be integrated into the existing applications.

In the absence of such a briefing the *TRT asked the SRS to seek clarification from DNET on the following queries:*

- Decisions taken in Follow Up Meeting of the Trilateral Convening on the MCA on the digital technology/DNET is still relevant and updated information to be provided to the Technical Review Team for further action
- How does the technology developed contribute to the regional platform- how can the product align with what is already in place in India (Track Child & Khoya Paya)
- What DNET done for developing similar tools for Bangladesh and Nepal as agreed

10. Annex

*Annex 1. MCA Overview*



**South Asia Initiative to End Violence Against Children [SAIEVAC]**

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**BRIEFING OVERVIEW  
OF  
MISSING CHILD ALERT INITIATIVE AND PRODUCTS  
OF  
PILOT PHASE**



**In Partnership Plan International**

**“EVERY MISSING CHILD COULD BE A LIVING STORY  
OF  
MODERN SLAVERY**

## MISSING CHILD ALERT (MCA)

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### A. Introduction:

Missing Child Alert (MCA) is a multilateral project, jointly led by Plan International, SAIEVAC and other Partners. The project aims at developing regional cooperation and technological breakthrough to prevent and protect children from losing their contact with safe environment and to trace those who have unfortunately become victims of trafficking.

It is believed that organized response through an engagement of multiple stakeholders with use of advanced technology will facilitate creating mass awareness on the issue of missing children, aid in the tracing and interception of children that have gone missing before they end up being exploited, facilitate rescue and expedite the process of repatriation of victims, reforms and regional cooperation among member states of SAARC. The MCA is an important step to ensure that children of South Asia are safe and well protected through regional cooperation.

Being a new and ambitious concept within the region, MCA is regarded as a pilot project. The project was commenced in January 2012. The project has a long term framework which is divided into three phases:

- i) Pilot Phase (Jan. 2012 – Dec. 2015),
- ii) Rollout Phase (Jan 2016 – Dec. 2017) and,
- iii) Scaling up Phase (Jan 2017 onwards).

Plan International partnered with various organizations to carry out research on different components of trafficking. The research “Strengthening Responses on Missing Children-Legal Review (Victim Protection for Child Survivors of Cross Border Trafficking: Bangladesh, India and Nepal)” was carried out by SAIEVAC in collaboration with SAARCLAW.

Change Mantras, another research partner conducted research on “Qualitative Research on Survivors of Cross Border Trafficking in India, Bangladesh and Nepal (July 2013-December 2014)-Disclosure- Working Title”.

Similarly International Solutions Group (ISG) conducted three consecutive studies to under “Mapping of Service Providers – Minimum Standards of post rescue care and mapping of service providers”

MCA is a technologically enabled program and in order to develop a systemic technological approach to address trafficking Plan International has partnered with DENT

## **B. Products:**

### **1. Strengthening Responses on Missing Children- Legal Review on Victim Protection for Child Survivors of Cross Border Trafficking: Bangladesh, India and Nepal - SAIEVAC-SAARCLAW/ Mapping of Legal Instruments in South Asia (to be used as an annex to the main report)**

The current report has been conceptualized in partnership with the South Asia Initiative to End Violence against Children (SAIEVAC) and aims at addressing legal reforms and supporting regional actions for protecting the rights of missing children. This review aimed to using a lens of victim protection and standards of care giving and repatriation for child survivors of cross border trafficking in the three MCA program countries, namely Bangladesh, India and Nepal. In this regard data collection focused on the existing legal provisions and policies relating to missing and trafficked children in Bangladesh, India and Nepal with a focus on provisions related to standards of care and protection through the rescue, repatriation and rehabilitation process.

### **2) Qualitative Research on Survivors of Cross Border Trafficking in India, Bangladesh and Nepal (July 2013-Decemeber 2014) : Disclosure- Working Title (Change Mantras)**

The overall objective of the research is to explore the journey of survivors from cross-border trafficking from Nepal and Bangladesh to India in order to better understand protective and damaging mechanisms inherent to trafficking, rescue and rehabilitation.

The main objectives are:

- i) To identify points of intervention to support girls whose vulnerabilities place them at a higher risk of being trafficked;
  - ii) To prevent child trafficking by identifying risk inducing processes within families dealing with their vulnerabilities;
  - iii) To develop knowledge that can sensitise vulnerable girls and girls in transit to be aware of risk of being trafficked, in order to enable them to seek help while being transported;
  - iv) To understand the nature of exploitation in order to identify protective factors within an exploitative system and indicators that can help shape rehabilitation post-rescue; and
  - v) To understand a survivor's construction of 'normal life' post-rescue
- ### **3) Development of Minimum Standard of Service Delivery for Victims of Trafficking, Mapping and Assessment of Service Providers- Service Providers Mapping Report (ISG)**

The Service Provider Mapping Report provides findings from 68 interviews with different non-governmental service providers in Bangladesh, India and Nepal. If possible, this study should be read in conjunction with the “Report on Minimum, Standards, Tools and Analysis” for a better understanding of how the questionnaire that was used to collect data was developed. The process involved identification and mapping of the existing quantity and quality of services and service providers available to support victims of trafficking across the project area through onsite visits to selected agencies in each of the three countries.

The “Report on Minimum, Standards, Tools and Analysis” proposed a typology for, and tentative definitions of, minimum standards related to the provision of a range of vital services to survivors of child trafficking (hereafter called child survivors) in South Asia. It was based on a range of national and international best practices and key resources in the area of child trafficking, primarily from the South and Southeast Asian regions, but also globally where appropriate. It provided a reflection and analysis in the development of a range of standards and indicators related to these services, and presents a range of minimum standards in the provision of services to the survivors of child trafficking to facilitate a comparison of the services offered by providers in this area. The domains and indicators are intended to promote and further the consistency of monitoring efforts, and to ultimately support improvement of service delivery.

#### **4) Service Providers Minimum Standard, Survey Tool and Analysis Plan (Prepared by: International Solutions Group ISG)**

The review constitutes the primary output of Phase 1 of the Development of Minimum Standards of Service Delivery for Survivors of Trafficking, Mapping and Assessment of Service Providers project. The development of the Minimum Standards by International Solutions Group (ISG) is a key element of the Missing Child Alert (MCA), an initiative from Plan International, and will combine with a range of other sub-projects that will contribute to the MCA’s successful development and implementation. A regional initiative involving Bangladesh, India and Nepal, the overall aim of the MCA is to develop a technologically-enabled system that can facilitate tracking, tracing and repatriation of children vulnerable to or survivors of cross-border trafficking. The MCA is currently in its pilot phase and will be implemented in selected locations of each of the three countries. This review summarizes comprehensive summative and formative research, and proposes a typology for, and tentative definitions of, minimum standards related to the provision of a range of vital services to survivors of child trafficking in South Asia. It is based on a range of national and international best practices and key resources in the area of child trafficking, primarily from the South/Southeast Asian region, but also globally where appropriate. It provides a reflection and analysis in the development of a range of standards and indicators related to these services, and presents

a range of minimum standards in the provision of services to the survivors of child trafficking to facilitate a comparison of the services offered by providers in this area.

## **5) Development of Minimum Standards of Service Delivery for Victims of Trafficking, Mapping and Assessment of Service Providers.**

### **Part III: Resource Directory of Standard and Services to Survivors of Trafficking (ISG)**

This study constitutes the primary output of Phase 2 (here after called the Service Provider Mapping Report) of the *Development of Minimum Standards of Service Delivery for Survivors of Trafficking, Mapping and Assessment of Service Providers* project. The development of the Minimum Standards by International Solutions Group (ISG) is a key element of the Missing Child Alert (MCA), an initiative from Plan International, and is being implemented as one of a range of other sub-projects that contributes to the MCA's development and implementation.

The Service Provider Mapping Report provides findings from 68 interviews with different non-governmental service providers in Bangladesh, India and Nepal. If possible, this study should be read in conjunction with the "Report on Minimum, Standards, Tools and Analysis" for a better understanding of how the questionnaire (Annex 1) that was used to collect data was developed. The process involved identification and mapping of the existing quantity and quality of services and service providers available to support victims of trafficking across the project area through onsite visits to selected agencies in each of the three countries.

The "Report on Minimum, Standards, Tools and Analysis" proposed a typology for, and tentative definitions of, minimum standards related to the provision of a range of vital services to survivors of child trafficking (hereafter called child survivors) in South Asia. It was based on a range of national and international best practices and key resources in the area of child trafficking, primarily from the South and Southeast Asian regions, but also globally where appropriate. It provided a reflection and analysis in the development of a range of standards and indicators related to these services, and presents a range of minimum standards in the provision of services to the survivors of child trafficking to facilitate a comparison of the services offered by providers in this area. The domains and indicators are intended to promote and further the consistency of monitoring efforts, and to ultimately support improvement of service delivery.

## **6) DNET as a System Integrator**

DNET is tasked with conducting structured studies into the existing eco-system of trafficking and designing interventions using technology as a catalyst.

**Approach in building technology solutions:** -It is agreed that building a comprehensive technology solution set covering all aspects of the anti-trafficking continuum, is time consuming. It requires engagement of both state and non-state actors in all three

countries. Since the inception of the project, there are consistent and systematic efforts in building the MCA ecosystem engaging all actors. It has been clear that engaging non-state actors is faster. Thus, a two-prong approach has been agreed upon:

- a) **Track1:** the comprehensive approach, where a detailed technology blue print will be prepared for all segments of anti-trafficking activities, where specific technology solutions will be offered based on study of the processes followed by both state and non-state actors.
- b) **Track 2:** A fast-track approach, where a quick technology solution will be developed and deployed engaging primarily non-state actors focusing on specific segment of anti-trafficking activities.

### **Track 2 and Uniform Case Management System (UCMS)**

Findings and learning's from the exploratory phase of the project and the assessment studies carried out so far brings to the forefront the complex process and long delays in the repatriation of the victims of trafficking, rescued in India to their home countries of Bangladesh and Nepal.

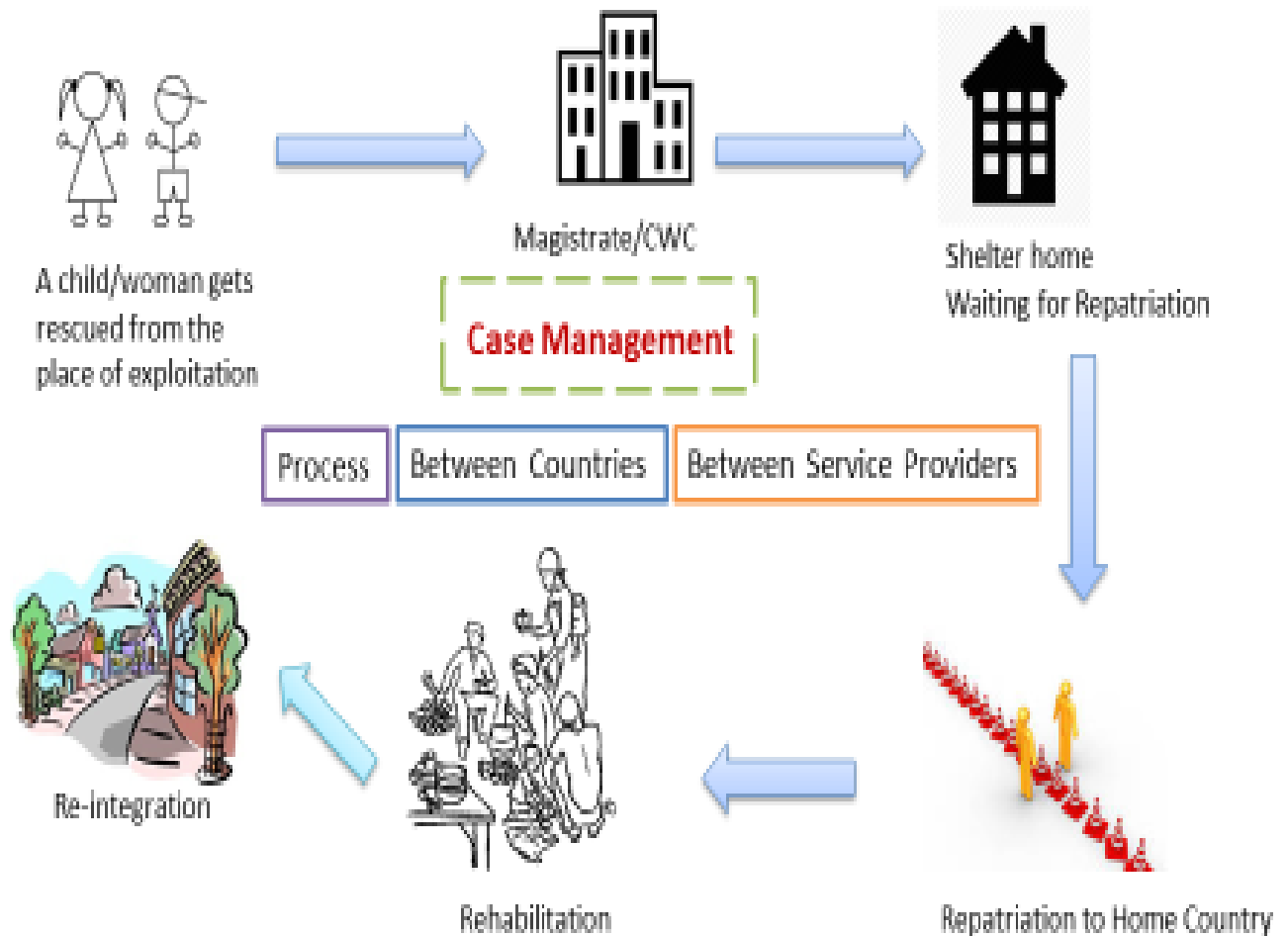
The journey of a trafficking victim from the point of rescue to reintegration is fraught with delays and impacts their rehabilitation and ultimate re-integration.

Considering it as a most important segment in the whole anti-trafficking continuum, it is agreed that an intervention focusing on the repatriation, rehabilitation and re-integrations segment of trafficking will be worthwhile to proceed with. DNET under the MCA Project is in the process of designing an intervention titled "Uniform Case Management System (UCMS)" The proposed UCMS is to be fashioned as a web based tool accessible by the actors in different geographical locations to enable them to track the progress of a case from rescue to repatriation to re-integration and facilitating improved communication and co-ordination between the stakeholders. The UCMS proposes to address the segment of trafficking as depicted by the diagram below.





# A Case and the Journey (point of rescue to re-integration)



*Annex 2. TOR FOR Trilateral Review Team*



**South Asia Initiative to End Violence Against Children [SAIEVAC]**

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**“In Solidarity with the Children of SAARC”**



**TOR of Trilateral Review Team  
for  
Review of all the Products developed under MCA Phase I**

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**Background**

Missing children is a serious problem in South Asian countries. Children go missing for numerous reasons including trafficking. Human Trafficking is one of the critical areas in South Asia that needs to be addressed in a more holistic manner. This is an area of great concern for nations like Bangladesh, Nepal and India as both source and recipient country.

The collective movement of these three countries in the region to address the problem cannot be ignored and the Government as well as civil society is putting in their best effort to tackle the problem both at the national as well as regional level. The Governments of Bangladesh, India and Nepal are making headway towards combating human trafficking nationally while requiring greater regional coordination.

A regional pilot initiative of SAIEVAC and Plan International, with financial support from Post Code Loterij of the Netherlands, The Missing Child Alert (MCA), responds to the grave issue of child trafficking and its close link with intrinsic issue of missing children in South Asia. The program commenced in July 2012 and is being implemented in three countries viz. Bangladesh, India and Nepal.

MCA intends to enhance collective responses to the issue of missing children and its potential linkages with cross border trafficking. The program has adopted a multi-pronged approach in addressing the problem and intends to improve response mechanism that address the needs of children/youth who are vulnerable to or are victims of neglect, abuse, exploitation and cross border trafficking by strengthening coordination and management of services provided to them. The program aims to institutionalize the available regional technological mechanisms and systems that can be used to prevent, rescue and repatriate who are vulnerable to or are trafficked;

introduce technology as a catalyst to strengthen and accelerate multiple processes. The program focuses on strengthening regional cooperation through advocacy, network and complementing Governments efforts in combating the problem of missing child and trafficking. Therefore, MCA aims to strengthen regional instruments and policies.

### **The products of MCA Phase I**

MCA identifies research as one of the key components of the Program and carried out the number of mapping/studies during the first implementation phase. Below is the list of documents/products developed under the MCA Phase I:

- i) Qualitative Research on Survivors of Cross Border Trafficking in India, Bangladesh and Nepal (July 2013-Decemeber 2014) Disclosure- Working Title (Change Mantras)
- ii) Part I: Development of Minimum Standard of Service Delivery for Victims of Trafficking, Mapping and Assessment of Service Providers- Service Providers Mapping Report (ISG)
- iii) Part II: Development of Minimum Standards of Service Delivery for Victims of Trafficking, Mapping and Assessment of Service Providers (ISG).
- iv) Part III: Resource Directory of Standard and Services to Survivors of Trafficking (ISG)
- v) Service Providers Minimum Standard, Survey Tool and Analysis Plan (ISG) Mapping of Legal Instruments and Legal Review on Strengthening Responses on Trafficked and Missing Children – in Bangladesh, India and Nepal (SAIEVAC)
- vi) DNET:
  - a) System Requirement Need Assessment Study (SRNAS)
  - b) Integrated Uniform Case Management System (UCMS)
  - c) Integrated Uniform Case Management System (UCMS)

The 6th Governing Board Meeting (GBM) held in Sri Lanka in March, 2016 put forth the need for carrying out review of all the products/documents developed so far under the MCA Phase I while reinforcing the decision of the 5th GBM on the importance of the MCA. Further, based on the protracted deliberations on the gaps and challenges experienced in the project phase, the GBM endorsed the following way forward:

- Constitute a Trilateral Review Team comprising of the three Coordinators, NACG Chairs and independent Expert/s;
- The SRS to develop a clear Terms of Reference and finalize it in consultation with the SAIEVAC Coordinators;

- The 1st Meeting of the Review Team be held on the sidelines of the proposed 4th Ministerial Meeting in Delhi or earlier, during which time a clear process for the review be developed and endorsed; and
- The Review Team table a clear way forward and recommendations for the MCA to the next GBM.

### **Objectives of the Assignment:**

SAIEVAC with support from PLAN, aims to undertake a review of all the MCA Phase I Products as mentioned above and come up with key set of recommendations and way forward with clear guidelines for further endorsement from the 7th GBM and mainstreaming into the state mechanisms of the implementing countries of the MCA Program. For this, a review team as suggested by the 6th GBM will be formed to carry out the following tasks:

- Determine clear and agreed roles and responsibilities for the Review Team;
- Develop a clear process including methodology and time line for the review work and present it in the next TRT meeting in Delhi;
- Develop a work plan/calendar of operation ;
- Review all the existing documents/products developed under the MCA Phase I project;
- Come up with a report on MCA Phase I Products with set of recommendations and
- Submit the review and way forward/recommendations to the SAIEVAC Regional Secretariat.

### **Deliverables**

The deliverables under the Assignment are:

1. Report submitted to SRS

### **Role and Responsibilities of Trilateral Review Team**

1. To achieve the objectives of TOR of Trilateral Review Team, which are:
  - i. Develop a clear process including methodology and time line for the review work and present it in the first technical review team meeting in Delhi;
  - ii. Develop a work plan/calendar of operation;
  - iii. Review all the existing documents/products developed under the MCA Phase I project;
  - iv. Come up with a report on MCA Phase I Products with set of recommendations and
  - v. Submit the review and way forward/recommendations to the SAIEVAC Regional Secretariat.
2. The team comprises of:
  - i. National Coordinators and NACG Chairs of India, Bangladesh and Nepal

- ii. DG SRS
  - iii. Independent Expert/s
3. Each country will have a Team comprising of the National Coordinator and NACG Chair/Co-Chair. If needed, a country team may include additional members.
  4. The overall assignment will be shared among three country teams.
  5. Independent expert/s contributes in the overall review process.
  6. SRS will work as the Secretariat of the Trilateral Review Team

**Methodology of working of Trilateral Review Team**

- a) All the country Teams have to go through all the products

Country	Products to be primarily reviewed
Bangladesh	<ul style="list-style-type: none"> <li>• Disclosure (Bangladesh Part)</li> <li>• Mapping of Legal Instruments (Bangladesh Part)</li> <li>• DNET:               <ul style="list-style-type: none"> <li>a) System Requirement Need Assessment Study (SRNAS)</li> <li>b) Integrated Uniform Case Management System (UCMS)</li> <li>c) Integrated Uniform Case Management System (UCMS)</li> </ul> </li> <li>• Mapping of Service Providers</li> <li>• Development of Minimum Standard of Service Delivery Part III</li> </ul>
India	<ul style="list-style-type: none"> <li>• Disclosure (India Part)</li> <li>• Mapping of Legal Instruments (India Part)</li> <li>• Mapping of Service Providers</li> <li>• DNET:               <ul style="list-style-type: none"> <li>a) System Requirement Need Assessment Study (SRNAS)</li> <li>b) Integrated Uniform Case Management System (UCMS)</li> <li>c) Integrated Uniform Case Management System (UCMS)</li> </ul> </li> <li>• Development of Minimum Standard of Service Delivery Part III</li> </ul>
Nepal	<ul style="list-style-type: none"> <li>• Disclosure (Nepal Part)</li> <li>• Mapping of Legal Instruments (Nepal Part)</li> <li>• Development of Minimum Standard of Service Delivery Part III</li> <li>• DNET:               <ul style="list-style-type: none"> <li>a) System Requirement Need Assessment Study (SRNAS)</li> <li>b) Integrated Uniform Case Management System (UCMS)</li> <li>c) Integrated Uniform Case Management System (UCMS)</li> </ul> </li> <li>• Mapping of Service Providers</li> </ul>

- b) After the initial review each of the country team will meet with their feedback and collectively finalize the policy judgment/direction on MCA
- c) The country team will do their initial review during 25th July -24 August 2016 and finalization of the policy judgment/direction on MCA will take place at Second Trilateral Review Group meeting in Delhi, India during August 25 to August 30, 2016.

*Annex 3. Outcome of the TRM Review*

**OUTCOME OF THE TRM**

The outcome of the TRM highlights key deliberations which include opinions, suggestions and recommendations from the team.

**I. Comments on the Disclosure Report**

**Ia. Draft Comments presented by Bangladesh:**

**Context:** The indication is that existing services are falling short of curbing this phenomenon, which means that there is scope for improving, changing and developing technologies and methodologies to tackle this issue. <sup>1</sup>

Expectations <sup>2</sup>	Review-Comments		Recommendations
	Methodology	Content	
1. What kind of solutions would be more appropriate to help communities address their vulnerabilities? 2. What kind of solutions may actually be useful for families and communities from where children may go missing? 3. What kind of solutions can enable	(Related to expectation 4 of Plan) 1. Partially achieved as it involved the cases of the survivors but the sample size was limited which did not enable to capture the entire canvas of the process and its outcomes. <sup>3</sup> 2. The limited dimensions of the context captured in the sample also	1. The experience of trafficking did not capture trafficking in children (Rahini was trafficked at the age of 20 <sup>5</sup> and settled down in India from where her 11 year old daughter went missing; Jamila of Bangladesh was trafficked at the age of 30, Pori at about 20 years of age and Ranu at 19 years <sup>6</sup> ). That is 4	1. The methodology on paper differs from the applied methodology which took away a great value with respect to the experience of child trafficking and participation of children. But the report

<sup>1</sup>Page-7

<sup>2</sup>Page-7

<sup>3</sup> Page-30 and 44

<sup>5</sup> Page-46

<sup>6</sup>Page-46-53

<p>the state to respond with help for such children, families and communities?</p> <p>4. The voices of survivors have been passive in this endeavour of seeking solutions. Therefore Plan wanted to know through an in depth qualitative study on vulnerability and impact of trafficking</p>	<p>limited the option of reflecting on the probable solutions.</p> <p>3. The research questions did not explicitly capture their aspirations (on solutions).</p> <p>4. Not all were not children but the methodology claimed, “Mustbe18years while participating in there search as per the design”<sup>4</sup></p> <p>5. Excluded largely the boys.</p> <p>6. Key Informants could have been added to expand the scope of experience.</p>	<p>out of 5 were not trafficked as children nor were children at the time of interviewing. These did not let experience of child trafficking be adequately reflected in the disclosure report.</p> <p>2. Partial reflection of national and regional context.</p> <p>3. Missed the complex source-destination-origin mapping.</p>	<p>captures critical psychosocial insights with respect to trafficking. This can be transformed into training materials and also a guide line for intervention planning and assessment (but not specifically on child trafficking).</p> <p>2. For MCA next phase, a different study will be required to meet the contextual gaps identified by Plan.</p>
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**Ib. Draft Comments presented by India:**

1. The ToR of the original document is not available which makes it difficult to interpret whether the study conducted was as per its laid down objectives. The review has been done on the basis of the available product- Disclosure report...It should be reflected in the Minutes of the Meeting.
2. The sample data is very small and not representative. (Most of the cases comprised of adult females in the age range of 18-45 years. The study may have also focused on collecting data from children trafficked in order to understand their distress and experiences). The sample selection criteria seem to be vague as it covers only two states of India.
3. Study lacks documentation of cross country victims e.g. India to Nepal and vice-versa for other countries
4. As the Missing children includes both genders- males and females, the present study doesn't take into consider male child: Partial study
5. The study must have focused on government initiative schemes for child protection across the countries eg. ujjawala for trafficked women, Swadhar for women in distress. A pragmatic approach has been to suggest further improvements with regards to shortcomings noticed.

<sup>4</sup> Page-30

6. It appears from the study that the team didn't take into account the government views and perspective while conducting the study in terms of visit to the CICs. It doesn't give a complete picture of rehabilitation and re-integration.
7. Methodology stated in the report is not clear especially in reference to the sample size, ethical considerations, locale selection, inclusion criteria, selection of NGOs, study tools (validity and reliability), pilot testing
8. Recommendations clearly point out deficiencies in the government systems especially the protection system and recovery measures without taking in account the government institutes/agencies. The study should have pointed out suggestions after taking into consideration of the government institutes also.

### **Ic. Draft Comments presented by India (NACG):**

**Disclosure:** for this review, has been seen as a product and not how it fits in to the overall MCA project vision – the project document and the ToR for this study could not be accessed

- Is this a Change Mantra Product given its visibility in all pages?
- Why were the objectives of the study framed as such? There are a lot of intra country trafficking – there have been indications that the proportion of intracountry trafficking is much more than inter country trafficking. This does not find an appropriate positioning both at the planning and (therefore) execution portion of the study mentioned in the study. The objective (ii) seems to be wrongly constructed (in the Executive Summary and in the page numbered 22)
- Why was the Govt. of India (and the other two governments) not involved in any way in the research so that a subsequent ownership and engagement of the Government would have been easier/ ensured ?
- This part in the page numbered 4 of the product needs reflection from the Government as well as SAIEVAC *While the aim of this research is to inform the Missing Child Alert Programme that is designed and implemented by Plan International in collaboration with SAIEVAC, the governments and NGOs across Bangladesh, India and Nepal, and many other collaborators.....*
- Page 14 of the document mentions of the greater difficulty of identifying boys who were trafficked particularly for sexual exploitation – this needs to be highlighted as a limitation of the study and / or the title itself clearly mention that this study is limited to girl/ woman survivor of trafficking for sexual exploitation
- In the page numbered 25 of the document *this is a qualitative study of women who were trafficked as children....* seems to be contradicting the essence of the project. However, while going through the case studies we get a range of 17 – 45 years. Where maximum number were between 20 and 23 years
- The methodology part in the page numbered 26 makes a mention of taking the opinion of the respondent/ participant in order to test the feasibility of the methodology. Different respondents / participants may have different opinion on the methodology – how were these accommodated? How did this may an influence in the overall document?
- In pages numbered 28 and 29, the entire participatory process was held at Kolkata. Why was this place chosen? Further trafficking destination may not necessarily be Kolkata or Mumbai, there are many more destinations- were these two sites taken as prototypes on some assumption?



- What was so sacrosanct of the number ‘12’ as the sample size? ( page numbered 28)
- The inclusion criteria mentioned in page numbered 30, makes the study a study of adult survivors of children who were trafficked. And not children survivors per se. With passage of time there is great likelihood that situation at the source, route, destination and the available services and legal provisions change
- Though a number of objectives were mentioned in various pages of the document, the page numbered 33, mentions *this was a psychosocial study of trafficked survivors, who had been trafficked for sexual exploitation as children.....*

### **Final impression:**

In spite of its various flaws, the document does give an insight in to the lives of trafficked individuals – from their past to the present and their hopes for the future. This document with suitable modifications , some of the queries/ observations mentioned above, will help readers have an idea of the nuances of the issue of trafficking and the lives of survivors and what may be the possible system changes required or what systems need strengthening – primarily in terms of cross border trafficking in to India. However, we feel the issue of inter country trafficking cannot be projected from this research. This process followed for the product appears to have not taken in to consideration the various protocols set by the SAIEVAC mechanism so it has not met the various requirements set therein.

### **Id. Draft Comments presented by Nepal:**

- Only women respondents were taken as respondents for research
- The respondents are only 12 in number
- Fairly good analysis of different dimension of human trafficking and missing of children
- The research objectives that have been set is very relevant capturing social, economic and psychological aspect of victims
- One of the best document from qualitative perspective
- Has gone into depth of various dimensions of HT and different causes behind it
- It is not found necessary to include the “feedback of the participants” section
- Inferences and recommendations are really useful while moving forward to next phase

### **(I) Draft Comments after Consensus from Three Countries**

#### **Common Findings**

- Inadequate sample size (cannot represent national or regional)
- Inappropriate methodology
- Age consideration – violated at the time of interviewing and in experiencing trafficking large proportion was not children
- Talking only about cross border- uni-dimensional/unilateral , we did not talk about trafficking of children, exclusion of boys- only trafficking from Nepal and Bangladesh to India mentioned
- Accounts of trafficking not necessarily child trafficking
- Missing and trafficked seen as synonymous

- Confined to flesh trade- regional realities
- Does not take into account government institutions/ agencies/ child protection system
- It gives qualitative dimension
- A training tool to highlight psychosocial dimension
- Missing children perspective hijacked by the border trafficking issue
- Ethical consideration were not taken into account

## Overall Recommendations

- This report provides interesting insights into the psychosocial dimensions on trafficking although it does not reflect adequate regional dimension/realities. Nevertheless with adequate attention to the findings tabled above the report could be utilized as information related to the psycho social journey of the survivors

## II. [Comments on ISG Products](#)

### II A. Draft Comments on Service Providers Mapping Report

#### ii a. Draft Comments presented by Bangladesh:

Expectations	Review Comments		Recommendations
	Methodology	Content	
The process involved identification and mapping of the existing quantity and quality of services and service providers available to support victims of trafficking across the project area through onsite visits to selected agencies in each of the three countries.	In Bangladesh, eight of the 15 service providers catered for men, women, boys and girls in the same establishment. Two catered for only females, whether they were women or girls. Two other service providers provided services to women, boys and girls, while a further two only serviced children,	<ul style="list-style-type: none"> <li>• Analysis for 17 service domains based on the responses of the service providers - which gives the comparative view over the situation of the service providers' status.</li> <li>• The quality of scoring approach is poor and unusable for effective planning (page-18).</li> <li>• The questionnaire led to poor responses- reflecting not being user friendly or not suited to context.</li> </ul>	<ul style="list-style-type: none"> <li>• The questionnaire is the critical output of the report- there is a need of reviewing the variables / indicators to see if they are adequate.</li> <li>• The soft version of the database and the software of data entry and analysis are three critical elements which can help to make the periodic update of the mapping with appropriate adjustments.</li> <li>• The scoring is not to be pursued in its present form.</li> <li>• The findings in different countries are questionable and cannot be cited for any comparison or planning.</li> <li>• The mapping reflects qualitative dimensions of indicators (excluding best practice identification capacities- pge-18) rather than</li> </ul>

(page-6)	whether they were boys or girls. - <b>This reflects project area-based sample which is a poor sampling for national conclusions leading to poor results and responses. Exclusion of GOs is a critical gap.</b>		reliable findings on such indicators. These indicators and tools can be further reviewed in the next phase for a periodic update with an annexed directory.
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**ii b. Draft Comments presented by India:**

1. The study doesn't show any consultation/involvement with the government in respect of all 17 domains stated in the study. An insight into the government existing CCI homes along with relevant NGOs could have provided a comprehensive picture of the current services provided by the service providers.
2. Executive Summary is missing in the document. Needs to be added.
3. The study may have been conducted in support with some South Asian agency rather than a US based agency for better conduct of the study
4. Since the response rate reflected under many domains was found to be poor, the results reflected may not present true picture of the services. (*Pg-18*)
5. A representative sampling (with reference to the total number of service providers in each country) across the countries would have presented a better view of the services provided by the service providers e.g. Nepal had only 10 service providers, 15 in Bangladesh while looking into the wide population of India, the sample of NGOs taken was only 43.
6. In respect of all domains, the position of India is not correctly reflected as the number of service providers doesn't appear to be in proportion to the population of the country.
7. The study may have highlighted data reflecting agencies covering different types of victims like- forced prostitution, child labour, domestic workers etc.
8. An insight from the victims would have added a value to the study in terms of services provided to them under all domains. This would also be helpful in understanding their needs.
9. The study doesn't highlight children trafficking from India to Nepal or Bangladesh or both and their re-integration and reunification with their families (*pg.57 of the document*)
10. The study should have included the existing guidelines on minimum services provided for children in terms of accommodation and other infrastructure

11. A comparative data on region wise/country-wise services provided by the service providers is not included in the study which would have provided us a comprehensive and comparative data on services across the countries
12. The study highlights poor response rate which could have been avoided, if the tools were pre-tested before actual administration and made user-friendly.

#### **ii c. Draft Comments presented by NACG India:**

**Minimum Standards for Care of Victims of Trafficking** (the 3 parts / phases of it) gives an idea of the minimum standards based on international best practices. There are various studies referred to in the documents, particularly part/ phase 1, which is useful for the reader. However, some of the issues may not be very relevant to the region – particularly in the countries where MCA has been implemented and some issues have not found due consideration. Furthermore, in India, there are many destination points besides the 5 which have been covered in these documents. There are various types of institutions run by the government and non government agencies in the country which are being used to provide various services to such individuals – trafficked children. The research could and should have included much more than what it did to have an overall national understanding. Certain domains looked in to by the research are not only NGO/ CSO executed – the role of the government departments are also important in quite a few of them. This aspect do not seem to have been appropriated captured, and therefore, commented up on in the research.

#### **Final impression:**

The process of sampling followed for the research was not fully understood. Given that the end geographical point of trafficking may not always be a foregone conclusion, it is necessary to have a data base and an assessment for all vulnerable / probable end geographic locations. The role and understanding of the various government agencies in the process of rescue, rehabilitation and repatriation (and restoration) seems to have been left un-captured. The process followed for the product does not seem to have taken in to consideration the various protocols set by the SAIEVAC mechanism so it has not met the various requirements set therein. Its acceptance as an inter-governmental document relevant to the SAIEVAC mechanism is, therefore, seems ambitious.

#### **ii d. Draft Comments presented by Nepal:**

1. This document has reminded us the need to work in close consultation with all the stakeholders. Came to know that even SAIEVAC was not consulted to commission this study to US based research agency. It would have been much better if South Asia based agencies or professionals carried out this work. PLAN has to reconsider this working modality- the modality of working in isolation without having consultation with direct stakeholders.
2. The name of the consulting company “International Solutions Group” is appeared in each page of the document. Such display is really unusual. Actually consulting firm should have been given thanks through acknowledgement without displaying it in each and every page.

3. There should have been executive summary in the front of the report.
4. The number of respondents in case of Nepal is only 10, which is too little in comparison to the number of organizations which have been providing different services to the victims of trafficking.
5. 17 Key service domains have been selected in such a way that they cover almost all areas/ issues related to delivery of services to the victims of violence against children and women in general and trafficking in particular.
6. Actually the report is very important in comprehending different nature of services that have been provided by the Service providers. However, it does not show whether service providers have been providing those services across the country or region. It implies that service coverage in terms of geography is unclear.
7. It is surprising to note that the quality of services being provided by the Indian Service providers is less qualitative and less competitive in comparison to that of Nepal and Bangladesh. However, this result cannot be generalized. India with a big population and also with the availability of modern health and other facilities must have been catering better services to the victims.
8. At the end of the report, there are certain important suggestions related to different services domain, which can be considered as building block for future project on MCA, if there is any.
9. In totality, this is an important product of MCA, which should be utilized for future interventions in this area.

## **II B. Service Provider Minimum Standards, Survey Tool and Analysis Plan**

### **a) . Draft Comments presented by Bangladesh:**

<b>Expectations</b>	<b>Review-Comments</b>		<b>Recommendations</b>	
	<b>Methodology</b>	<b>Content</b>		
This review summarises comprehensive summative and formative research, and proposes a typology for, and tentative definitions of, minimum standards related to the provision of a range of vital services to survivors of child	<ul style="list-style-type: none"> <li>• It is based on a range of national and international best practices and key resources in the area of child trafficking, primarily from the South/Southeast Asian region, but also globally where appropriate. It provides a reflection and analysis in the development of a range of standards and indicators</li> </ul>	<ul style="list-style-type: none"> <li>• Indicators for child protection system drawn based on review of documents- but these review excluded the existing reporting indicators (of existing NPAs and National Survey Indicators) as well as the indicators of national child protection system (either in placed or at designing phase).</li> <li>• The guiding principles</li> </ul>	<ul style="list-style-type: none"> <li>• The 17 domains identified in the report are to be further reviewed.</li> <li>• The standards and indicators should further be reviewed in relation to the existing national indicators.</li> <li>• The indicators and tools need to be reviewed based on the assessment of the Mapping Report.</li> </ul>	

<p>trafficking in South Asia. (Page-3)</p>	<p>related to these services, and presents a range of minimum standards in the provision of services to the survivors of child trafficking to facilitate a comparison of the services offered by providers in this area.</p> <ul style="list-style-type: none"> <li>• Additionally systems are explored for Nepal and India, Myanmar and Thailand, and Cambodia and Thailand.</li> </ul> <p>(Page-3)</p>	<p>are drawn from the UNICEF Bangladesh's documents. These are generic in nature and are in line with the UNCRC principles.</p>	
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**b) Draft Comments presented by India:**

1. The position of India has been reflected on the basis of the study conducted in 2008 and doesn't highlights current position for better appreciation of the facts. The language content in the report doesn't seem to be appropriate. (Pg 5)
2. Direct experience of the child trafficking survivors may have been included in the study as to gather information on their experiences on the quality of services available to them to have realistic information /inputs (Pg 8)
3. Guiding principle of the integration practice from UNICEF Bangladesh, 2007 has been included in the report- whether such guidelines have been prepared by the UNICEF office of the other countries, if so, these should have been reflected including existing government guidelines, if any(Pg 25)
4. There is no mention about the intra-country trafficking of children

**c) Draft Comments presented by Nepal:**

1. This document is very important and basic document for other two products of MCA being produced by International Solution Group.
2. Worth collecting document-contains good information and analysis of research tools as well.

**II C. Development of minimum standards of service delivery for victims of trafficking, mapping and assessment of service providers: Resource Directory of Standards and Services to Survivors of Trafficking**

**a) Draft Comments presented by Bangladesh:**

Expectations	Review Comments	Recommendations	
	Methodology	Content	
This Resource Directory provides detailed background data on the research conducted by ISG with 68 non-governmental service providers in Bangladesh, India and Nepal. (Located within the project areas of the MCA)	<p>The Minimum Standards developed by International Solutions Group (ISG) for MCA was applied to collect information on the service providers in selected localities.</p> <p>The government service organizations are not included.</p>	<ul style="list-style-type: none"> <li>• The service providers needs to be categorized by location and 17 (which needs review) domains of services. The details on contacts are not listed.</li> <li>• The scoring is not acceptable/ usable</li> </ul>	<ul style="list-style-type: none"> <li>• The software developed to sort the data on service providers needs to be collected and based on the review can be readjusted (if so is possible).</li> <li>• The scoring is not usable in its present form- should be disregarded.</li> <li>• The domains need to be further reviewed and the directory should link the service providers tied to actual service rather than domain along with locations (with contact points).</li> <li>• The data collection tools needs to be reviewed in line with the review of mapping reports.</li> </ul>

**b) Draft Comments presented by India:**

1. The resource directory should include a comprehensive listing of all the service providers (region-wise). Further, it should have also included government institutions
2. The directory highlights the individual service provider scores according to the domains which seems to be vague and projects
3. It may be a useful reference toolkit for the stakeholders but needs to be reflected in a more organized manner with information of the services provided both by the NGOs and government

4. There is no such integrated plan of Action- India: wrong information has been quoted (Pg 28)

**c) Draft Comments presented by Nepal:**

1. It is an important document. It contains detailed background data on the research conducted by ISG with 68 non-governmental service providers in Bangladesh, India and Nepal.
2. It is very rich in terms of referencing of literature related to missing of children and human trafficking. That publication is definitely useful for next phase of intervention.
3. This document is found as the basis for the MCA mapping report.

**(II) Draft Comments after Consensus from Three Countries on Mapping, tools and Resource Directory**

**Common Finding (ISG Products)**

- Inadequate Methodology- Sample Size (Proportionate representation of service providers across the countries missing)/ Tools and indicators, it is interesting they have 17 domains but this too needs to be reviewed- selection criteria for domains is not provided
- The indicators further needs to be reviewed with the existing indicators/domains
- Executive summary missing
- Study should have been conducted in consultation with regional agencies who have understanding of the context and the regional realities
- In order to reduce the poor response rate tools could have been pilot tested and made user friendly
- Debatable conclusion on the performance of service providers in all domains (not a representative sample)
- No factual basis given for the conclusion drawn on the service providers
- Exclusion of Government service providers
- The tools they came up with is the ultimate finding instead of the report *per se*
- The kind of service directory evolved is not of the kind and quality required – its incomplete
- The three reports are interlinked and need to be compiled into one document
- The tools is not user friendly and the scoring is not appropriate to the context

**Overall Recommendations**

- The reports in their present form cannot be used. However by addressing the above observations the standards and the tools can contribute in developing a mapping, assessment of services and directory.



### III. Comments on SAIEVAC-SARCLAW Research

#### a) Draft Comments presented by Bangladesh:

Expectations	Review Comments		Recommendations
	Methodology	Content	
To review legal structure on cross border child protection concerns.	Conducted through SAARC laws and governments were kept involved through SAIEVAC mechanism	Covers 8 countries of SAARC	<ul style="list-style-type: none"> <li>• Identifying the legal base of setting up responses and the standards of services on interventions.</li> <li>• Opened up opportunities of Integration with SAARC Law</li> <li>• There can be periodic update of the report in the next phase.</li> <li>• The study process can be taken as an example of working through SAIEVAC mechanism.</li> <li>• There is a need of checking the nomenclature of the legal tools and language editing before publishing. For the laws that are repealed or outdated there can be updates.</li> </ul>

#### b. Draft Comments presented by Nepal on:

##### 1. Strengthening Responses on Missing Children-Legal Review

- It is indeed a very important document comprising legal and policy provisions related to human trafficking and transportation of different countries. It is one of the best products of MCA.
- The MoU between India and Bangladesh with reference to repatriation of trafficking victim has shown positive result. It necessitates having similar type of MoU between India and Nepal.
- Actually the naming of some of the acts is not accurate. For example, human trafficking and transportation control act have been mentioned in a different way.
- The recommendations are very important. Compliance of those recommendations definitely helps implement next phase of project in true letter and spirit.
- It is very important to acknowledge the fact that this report has mentioned the need to include the issue of trafficking of males not only that of women.
- The report has suggested Nepal for ratifying PALERMO Protocol, which is very important.

- The document has tried to analyse existing legal and policy instruments to address human trafficking problem along with their pros and cons. The country specific availability and analysis of literature has given chance to know the current situation of the problem along with initiatives to address the problem from different quarters. The document is in fact is an excellent compilation of all relevant literature.
- Actually some of the recommendations do not stand valid, especially in case of Nepal. For example, “The Juvenile Justice Procedural Rules should be applicable to all children, and not only those who are in conflict with the law”.

## 2. **Mapping of Legal Instruments**

- This is undoubtedly a very important research. The research has covered all thematic areas of SAIEVAC except Corporal Punishment.
- Having coverage of all the countries of SAARC, the report becomes an important document for researchers, planners and policy makers.
- In case of Nepal, much information has already been changed. The nomenclature of acts and policies are found to be wrong.
- Minor editing is still needed to make best use of it while Missing Child Alert Project comes into next phase (If it is a case).
- The recommendations that have been presented at the end of each country case are not based on the explanations that have been given in each country case.
- In totality, the document is very useful.

### **(III) Draft Comments after Consensus from Three Countries**

#### **Common Findings**

- Identified the legal base for setting up responses and the standards of services on intervention
- Opened up opportunities for cooperation/ interaction with SAARCLAW
- There is a need to check the nomenclature and editing of language before publication.

#### **Recommendations**

- Information update required
- Information to be provided by TRT members by first week October
- SRS and SAARCLAW to incorporate updated information before publication.
- There can be periodic update of the report

### **IV. Comments on D-Net Deliverables**

#### **a. Draft Comments presented by Bangladesh:**

Expectations	Review-Comments		Recommendations
	Methodology	Content	
Building	Work through	The need	The product at this stage is

<p>national capacities with regional compatibility for tracking.</p>	<p>SAIEVAC to access and bring on board national governments and build bridges across the borders among the participating government.</p>	<p>assessment did not clearly address the concerns raised through the presence of “Track Child” in India and its implications in the systems of other countries so that regional integration is clearly met.</p>	<p>inadequate but holds great potentials (as national governments acknowledge the need of such a system and welcome external assistance in its initial development).</p> <ul style="list-style-type: none"> <li>- The system should be owned by the Ministry leading the issue of children while operated by the Ministry leading the action against trafficking. These will have to be recognized and an MoU will have to reflect these concerns.</li> <li>- It is important to develop systems and maintain systems within government’s own institution. So there is also a need of selecting the system hosting agency within government and build its capacities.</li> <li>- SAIEVAC has to be the critical agency of taking forward the advocacy on system development and integration within government structures.</li> <li>- The system needs to recognize the Track Child and its integration with Track Child while taking note of the national concerns.</li> </ul>
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**b. Draft Comments presented by India:**

- As decided during the meeting DNET will be asked regarding the latest position and will inform the issue of ownership of the MCA project, confidentiality of data, interactions on roles of different stakeholders and countries etc. along with other technicalities.

### **c. Draft Comments presented by Nepal:**

- The document is technical in nature. Somebody from DNET may be invited in TRM that is going to be held in Delhi from 29 August 2016.
- This product is very important as MCA is based on technologically enabled system. Since technology is the nerve of whole MCA system, this product is going to be vital for the next phase of MCA. Moreover, **System Requirement Need Assessment Study (SRNAS)** is also going to be an important document in this regard.

### **(IV) Draft Comments after Consensus from Three Countries**

#### **Common Findings (Few Decision of FUM TRI to be added)**

- Decisions taken in FUM is still relevant and updated information to be provided to the Technical Review Team for further action
- How does the technology developed contribute to the regional platform- how can the product have harmony with what is already in India (Track Child & Khoya Paya)
- What has DNET done for developing similar tools for Bangladesh and Nepal

(Due to DNET's inability to participate and TRM seeks this information so that adequate decision can be provided)

#### **1.1 Comments on six products of MCA from Nepal (both SAIEVAC National Mechanism and NACG Nepal)**

- By acknowledging the fact that there are certain shortcomings on the products either in the design of the research or interpretation of the results, they are important and can be best utilized to address the problem of missing children and human trafficking.
- The major problem of MCA was its failure to win the trust and confidence of the government. The role of the government was overlooked while framing up the project. That shortcoming needs to be addressed in next phase.
- Since India, Nepal and Bangladesh are in different stages of technological development, the focus of the project of another phase should be different in each country. Moreover, acknowledging the advanced stages of technological development, other two countries can secure advantage out of it.
- All the products are in final stage and we need to accept them despite the fact some of them do have serious problem in terms of data and information.
- In order to best utilize the investment in the first phase of MCA, it will be wise to move forward to the next phase by ensuring the ownership of the government.