REPORT

TO THE DONKEY SANCTUARY

FOR
THE THREE COUNTRY MISSION SUPPORT
(Bangladesh, India & Pakistan)

TO
CONTINUE TARGETED ADVOCACY

ON
THE POKHARA JOINT OUTCOME STATEMENT

Regional Secretariat
South Asia Initiative to End Violence against Children (SAIEVAC)
Kathmandu, Nepal
+977-1-4001685, 4001602
Saievac-sec@saievac.org
http://www.saievac.org
Post Pokhara Report including the three Country Missions

A. Background:

A High Level Regional Policy Conference on Environment, Human and Child Labour, and Animal Welfare in South Asia’s Brick Kilns: Tackling Challenges and Working Together to Change the Industry’, was organized by the SAIEVAC Regional Secretariat in collaboration with the Brooke Supported by the Donkey Sanctuary and the Climate and Clean Air Coalition and hosted by the Ministry of Women, Children and Social Welfare (MoWCSW) and The Ministry of Labour and Employment Government of Nepal, in Pokhara Nepal from the 26-27 January 2017.

The Conference acknowledge the manifold and complex challenges of the traditional brick making industry in South Asia. The thematic presentations and discussions during the Conference reinforced the critical importance of continuing this cross-sectoral collaboration to create convergence for the common agenda for needed change.

The participants endorsed that a number of actions must be prioritized and urgently addressed while at the same time a longer-term agenda for action needs to be developed as soon as possible at the national level.

To this effect, the participants committed to take the necessary actions around the following key priority areas:

1) Increase our understanding of the brick kiln industry across sectors in order to prioritise actions and to track progress through reinforced cross sectoral collaboration, by taking stock of the stock of the Brick by Brick Report and the outcomes of the discussions;

2) Collection, compilation and reporting of official, reliable and robust disaggregated data on the brick kilns across countries, including human and animal labour sourcing and the technologies used;

3) Foster coordination across all relevant government ministries and agencies and allocate an institutional anchor for the brick making industry in the respective countries. All relevant actors across the sectors must be part of efforts and be invited to help develop and implement an effective, goal focused agenda for action; and

4) Foster or strengthen regional and international cooperation, which is critical in moving the brick kiln agenda forward.

B. Post Pokhara Follow Up:

Immediately following the Pokhara Conference, the SAIEVAC Regional Secretariat initiated national level discourse/s to ensure that there is dedicated follow up to ground or mainstream the outcome of the Pokhara Conference in the relevant Member States.
The following is a summary of these discussions:

B.1 India:

a. **India Joint NGO Focus Consultation Children, Workers, Animals & the Earth: Safety and the Brick Industry – Challenges & Possibilities in India: 8th February, 2017**

The objectives of the focus consultation were:

- To promote and develop a forum to raise awareness and understanding of the three main areas of concern related to the brick kilns and brick making, and strengthen linkages among sectors and stakeholders;
- To stimulate discussions on addressing challenges, and identify opportunities for addressing the need for controls and standards of the industry across the environment, human labour, children’s security and animal welfare spheres;
- To build commitment and momentum amongst policy makers, administrators and implementers and secure clear priorities to drive action, and progressively to bring about needed reforms to policy, law and practice;
- To position these issues in the non-governmental monitoring and social audit of national attention and action in all related sectors; and
- To thereby position this issue as a matter of social and economic justice, and a public concern, with the rights and status of both people and animals recognized as ‘One Health, One Welfare, One Safety, One Dignity.’

Participants at the Focus Consultation shared state and national level experiences on issues related to the unregulated nature of the brick kiln industry that perpetuate bonded labour, the absence of workers’ rights, the violation of children’s rights and the lack of welfare and care for the animals engaged in the industry.

The sessions were moderated by Ms. Nina Nayak, Ms. Madhavi Samson (ABHAS), and Mr. Ranjan Mohanty. Key challenges that emerged from presentations by Ms. Razia Ismail (IACR), Prof Sheotaj Singh (Bandhua Mukti Morcha), Ganga Shekhar (ASI), Dr Ramesh Perumal (Donkey Sanctuary), Ms. Sirjana Nijjar (Brooke India).

B.2 Nepal

**1ST Prep Meeting - Nepal National Workshop Follow Up of the Pokhara Brick Kiln Conference: 17 April 2017**

The 1st Preparatory Meeting of the Nepal National Workshop as a follow up to the Pokhara Brick Kiln Conference was convened at the SAIEVAC Regional Secretariat. The Meeting was held with the follow objectives:

- Take stock of events post Pokhara Conference; and
- Discuss the scope and the steps necessary to convene the Nepal National Workshop
Participants:

1. Mr. Narayan P. Bhattarai – National Project Manager, ILO Nepal
2. Dr. Bidur Pakhrin – Executive Director, AHTCS
3. Dr. Nabin Paudel - Project Coordinator, AHTCS
5. Mr. Uttam Kafle – Executive Director, Animal Nepal
6. Mr. Rabin Nepal – Chair, NACG Nepal
7. Mr. Noor Jung Shah – Coordinator, NACG Nepal
8. Dr. Rinchen Chophel – Director General, SAIEVAC
9. Ms. Sulakshana Rana – Program Coordinator, SAIEVAC
10. Mr. Buddha Gurung, SAIEVAC Coordinator, Nepal (could not attend due to unavoidable circumstances)

Areas discussed:

- Events since Pokhara Conference, including the National Workshop in India (the record of the Meeting shared with the members present) and continued advocacy and dissemination of the Joint Outcome Statement in different regional Forums; Interest of Delphine Valette to also join the Nepal Workshop which would be strategic to discuss ongoing efforts as well process for the future.

- Lobbies to rope in key leaders/personalities such as Swami Agnivesh, Swami Atmapriyananda etc to champion the cause/platform; and the need to explore/identify similar such individuals in Nepal, with primary focus on those who dedicate their lives to the cause;

- Ongoing efforts to organize similar activities in Pakistan in early May and in Afghanistan in June before the Ramadan;

- Priority focus on identifying tangible action areas at the National level so that it would add value or reinforce the regional focus areas defined in the Joint Outcome Statement…and that can establish critical intervention areas within the framework of the proposed Regional Action Plan under consideration;

- The need to pool together resources to hold the meeting so that each stakeholder owns the process;

- Discussions on the participants and key agencies to be involved in organizing the National Workshop i.e the Ministry of labour, Ministry of Livestock and Ministry of Women and Children, the Brick Kiln Industry and key development partners (expand the inclusion of climate/environment agencies beyond ICIMOD);

- Consider the inclusion of few graduates or survivors of the Brick Kiln workforce to assess how different interventions in terms of education, life skills, employment opportunities has benefited them and if they are happy or resist those interventions;
• ILO could include this collective initiative into their annual calendar and provide space to drive this issue forward

Way Forward:

1. The date and venue - 24 May 2017 in Annapurna Hotel;

2. Number of participants to be limited about 50;

3. SAIEVAC regional Secretariat will put together the initial draft of the agenda that takes into consideration the Joint Outcome Statement as well as scope for bringing out Nepal centric approaches/priorities and circulate for views/comments and finalization;

4. The Coordination Team to consists of:
   i. Mr. Noor Jung Shah, NACG Nepal,
   ii. Mr. Uttam, Animal Nepal,
   iii. Mr. Narayan or Ms. Bina, ILO Nepal,
   iv. Ms. Sulakshana, SAIEVAC

5. SAIEVAC Regional Secretariat will make provision of a dedicated space in its website to update on the plans and progress on this Joint Platform;

6. A half day meeting with Brick Kiln owners to be held prior to the National Consultation meeting and initial interface will be made by colleagues from AHTC and Animal Nepal;

7. The Coordination Team to meet together to assess progress, face to face as well as online, to coordinate and prepare for the workshop

B.3 Core Group Meeting to move the process forward at Hotel Ashok, New Delhi: 20th July 2017

The meeting was invited by SAIEVAC to take stock of individual agency as well as joint efforts pertaining to the Brick Kiln Industry and to share a free and frank assessment of the challenges and opportunities. The meeting had a productive discourse and all agreed to mount a convergent effort in moving the common mission forward. The meeting after carefully considering different options agreed on the following actions to prepare for a more impactful long-term work.

- Plan for a smaller national level consultation that brings on board all representative stakeholders including the government and the industry; and

- A Coordination Group composed of the following officials to spearhead the planning and organisation of the consultation:
  - Dr. Ramesh - Donkey Sanctuary
  - Ms. Srijana - Brooke India
  - Mr. Sanjay Gupta - NACG EVAC India
  - Mr. Victor, NACG EVAC India Child Labour Thematic Lead/CAACL
- Ms. Razia Ismail, India Alliance for Child Rights (IACR)/Liaison for SRS
- Dr. Rinchen Chophel, DG SRS – Overall Coordination Lead

- It was also agreed that the Coordination Group will initiate discussions (immediate) on the following areas:
  - Finalise the date of the Consultation - before the season begins
  - Link with VV Giri Institute to explore their interest and support - Sanjay and Victor
  - Reach out to the Ministry of Labour/NHRC - Razia
  - Reach out to the Environment/Green Tech - Dr. Ramesh
  - Brick Industry - Srijana/Gen Sharma
  - Scope of the Consultation - DG SRS

B.4 Pakistan:

**a. National Policy Consultation on Environment, Human and Child Labour, and Animal Welfare in Pakistan’s brick kilns, Islamabad: 3rd May 2017**

The Conference was Organized by NACG Pakistan, ILO, Brooke Pakistan, Solidar and CRM and Jointly hosted by the Ministry of Human Rights (SAIEVAC National Mechanism, Pakistan) in collaboration with the Ministry of Climate Change-Pakistan Environmental Protection Agency with the following objectives and expected Outcomes:

**Consultation Objectives:**

1. To increase understanding of the three main sectors related to child labour in general and the brick kilns in Pakistan and strengthen linkages amongst stakeholders.
2. To stimulate discussions on addressing challenges and identify opportunities for tackling the industry’s challenges across the environment, human labour and animal welfare sectors.
3. To agree on a time-bound plan of action based on the commitments – in line with the Pokhara Joint Outcome Statement.

**Expected Outcomes**

1. Enhanced awareness and understanding of the 3 sectors and their intersection across all key constituencies of stakeholders.
2. Critical priority areas identified (e.g. research gap, stakeholders etc.)
3. Anchor/coordinator and set up to move agenda forward identified
4. Time-bound action plan with key deliverables agreed

The participants found an exciting opportunity to sit together to discuss the gaps and common challenges for three sectors (Child and Bounded Labour, Environment and Animal Welfare) that need to be addressed to improve the situation of brick kilns in Pakistan. They also identified opportunities and relevant stakeholders to make coordinated efforts to improve the situation of brick kilns to end child and bounded labour environment and animal welfare issues.
To accentuate the significance of why SAIEVAC is opting for cross sectorial approach a group exercise was conducted by dividing participants into **four groups including a child group**. The exercise identified joint forums, commonalities in sectors gaps and recommendations, which set the ground for inclusive approach.

The Consultation also came out with a detailed report on the outcome and what actions are to be taken as we move the process forward;

**C. Advocacy Missions supported by The Donkey Sanctuary:**

1. **Follow Up Mission to India: 8-13 September 2017**

A follow mission was undertaken by the Director General to India during which time he meet with number of key stakeholders to generate consensus to hold a National Consultation to not only draw attention to the Pokahara Joint Outcome Statement but also to find how India can take the national priorities forward by developing a common platform.

One of the major challenges was that the different aspects of the Policy Conference do not traditionally come together to put up a joint effort, and there is significant lack of understanding or in some quarters reluctance/hesitation to do so. The National Consultation and the Core Group Meeting as mentioned in the earlier section managed to create an interface for working towards a common agenda, and the objective of the follow up mission was made with this objective.

The following Organizations/Officials were met to further promote the mission objectives:

a) **SAARCLAW (Legal and Judicial Fraternity of SAARC – an Apex Body Like SAIEVAC) Regional Representatives and India Chapter:**

Meetings were held with Mr. Hemant Batra, Vice President SAARCLAW, Mr. Rakesh Munjal, Executive Chairman of SAARCLAW India to brief them about the Pokhara Outcome and the ongoing efforts to mobilise a common front.

SAARCLAW was hosting the 14th SAARCLAW Conference and the 11th SAARC Chief Justices Conference from the 27-29th October 2017 in Colombo, Srilanka and a request was made to provide me the opportunity to brief on the Pokhara Outcome Statement in the main plenary session so that the legal and judicial fraternity of SAARC Region will be informed about the issues, challenges and ongoing efforts around the Brick Kiln industry.

The discussions were positive and following in principle arguments were arrived at:

- SAIEVAC and SAARCLAW explore the possibility of a Joint Seminar on the legal and policy environment around the Brick Kiln Industry; and
- DG SAIEVAC to be given an opportunity to introduce the Pokhara Outcome Statement
b) SAIEVAC Government Mechanism/Ministry of Women and Child Development (MWCD):

Meeting was also held with Joint Secretary, Deputy Secretary AND Officials of the MWCD on progress related to joint SAIEVAC-Government of India activities. One of the main areas of discussion was on the Regional Action Plan on Ending Child Labour and the efforts to move strategic activities under the Brick Kiln Industry. The officials were also provided a clear understanding of the Pokhara Outcome Statement which is part of the set of recommendations of the 6th SAIEVAC Governing Board endorsed by the 4th SAIEVAC Ministerial Meeting hosted by the Government of India in May 2016.

The Ministry expressed their keen interest to support the process and requested SAIEVAC to take the planning process forward for a national Consultation.

c) NACG EVAC India (National Action and Coordination Group to End Violence Against Children – SAIEVAC CSO Mechanism):

The Director General and NACG has maintained regular discussion on how to move the process forward. The Chairperson of the NCAG EVAC India, the Focal Person for NACG Odisha and the Executive Member of NACG India who were in the meeting, agreed to:

- Undertake a national consultation by bringing together all the key stakeholders of affected States;
- Do a preliminary status report on the Brick Kiln Industry which could be the basis on which the national discourse could be held;
- Consider the possibility of the Odisha Government and NACG Odisha hosting the event in Bhubaneswar; and
- Consider the possibility of end February or early March 2018 for the Conference

2. Follow Up Mission to Pakistan: 11-18 November 2017

Based on the Outcomes of the National Consultation and periodic follow up with the Government of Pakistan, NACG Pakistan, ILO and Brooke Pakistan, the Director General made a follow up mission to Pakistan which also covered a visit to Lahore to have a joint discussion with Brooke, NACG and Ministry of Human Rights.

In Islamabad, meetings were held with the following organizations with the purpose of seeking their support and coordination in undertaking the following activities:
Setting up a National Coordination Group to oversee the follow up work around the Brick Kiln Industry by activating the recommendations of the National Workshop as well as the Pokhara Outcome Statement;

Planning for a Provincial Consultation on the Brick Kiln Industry in Punjab Province/Lahore

Meeting with Officials/Organizations of:

- Secretary, Ministry of Human Rights,
- Director General of Ministry of Human Rights;
- Secretary General of National Commission of Human Rights,
- Secretary General of SAARC Chamber of Commerce and Industry;
- Chair, Co-Chair and ICT NACG Members;
- ILO Pakistan

The meetings in Lahore and Islamabad endorsed that:

- The Potential Members to the Core Group will meet on 29th December 2018 at the Committee Room of the Ministry of Human Rights;
- Invitations will be extended by the Ministry of Human Rights;
- The Core Group will discuss and come up with a ToR that will define its structure and function; and
- A Working Group for Punjab Province will also be put together under the guidance of the National Core Group.


The Mission to Dhaka, Bangladesh was made to meet with SAIEVAC National Mechanism to discuss the follow up actions for the post Pokhara actions as committed. Bangladesh had number of challenges due to frequent transfer of SAIEVAC GB Members and Coordinators. The contact points in Ministry of Labour had also been changed since the Pokhara Conference and therefore there was a definite gap in terms of moving the process forward.

The Director General met with the Secretary of Ministry of Ministry of Woman and Child Affairs, Government of Bangladesh and requested for the early appointment of officials responsible for SAIEVAC Bangladesh. The Secretary was also briefed about the different activities of SAIEVAC which included a briefing on the Pokhara Joint Outcome Statement.

The Secretary committed to have the officials appointed at the earliest and also asked the SAIEVAC to explore some funds so that a national review and consultation can be organized in Dhaka on the Brick Kiln Industry.
The Director General with the NACG Bangladesh also meet with the Chairperson of the Bangladesh National Human Rights Commission (NHRC) and discussed the possible collaboration with NHRC on moving the Pokhara Outcome forward.

The NHRC expressed keen interest to join hands in holding a multistakeholder consultation and find appropriate strategies to move the agenda forward. It was agreed that the NACG Chair of Bangladesh will undertake follow up actions including a mapping of stakeholders at National level and the Director General SAIEVAC will make efforts to raise funds to support the consultation.

4. Other Strategic advocacy interventions:

4.1 Regional Parliamentarians’ Conference on Combatting Human Trafficking: 21-22 March 2018, Bangkok, Thailand

The Conference was organized jointly by SAIEVAC and the AFPPD (Asia Pacific Forum of Parliamentarians on Population and Development) as part of the MoU between the 2 organizations for the SAARC, ASEAN and Pacific Parliamentarians.

The Director General introduced the Joint Pokhara Outcome Statement and copies of the Statement distributed to all the delegates during the agenda - Regional Parliamentarians’ Conference on Combatting Human Trafficking.

Many parliamentarians from SAARC Region, and in particular from India, Nepal, Afghanistan and Pakistan came forward with suggestions for organizing consultative forums which includes Parliamentarians in the near future.

4.2 14th SAARCLAW Conference and 11th SAARC Chief Justices Conference:

The Director General in his plenary intervention on 28th/2nd day of the Conference briefed the work around the Brick Kiln industry under the ‘One Health, One Safety, One welfare, One Dignity’ as one of most crucial interventions for humanity. He outlined the Pokhara Joint Outcome Statement and urged the legal and Judicial fraternity of SAARC to extend their scope of work to address the issues around the Brick Kiln Industry.

The director General also met with Chief Justices of all SAARC Countries except for India who could not participate and shared a copy of the Pokhara Outcome Statement.

4.3 Others:

During the 2017 post Pokhara Consultation, the Director General also meet with different personalities which included some key change makers and briefed them about the Pokhara Joint Outcome Statement and sought their support.

D. Follow up status as of 6th January 2018

1. Pakistan:
Core Group Meeting held on the 29th December as agreed during the September Mission was also joined by the DG SAIEVAC.

The Meeting was attended by almost all the key stakeholders who were invited to join the Core Group;

The Core Group Meeting agreed to:

- The Core Group to be Chaired by the Ministry of Human Rights;
- Finalise the ToR for the Core Group;
- Define the scope of the Punjab Provincial Conference

The Brick Kiln Industry and the Pokhara Outcome Statement will be included as part of the discourse during the International Conference on Human Rights which is being organized by the Government of Pakistan from the 19-22 Feb 2018, in Islamabad;

Some of the Core Group Members will also be invited and the Core Group in Consultations with SAIEVAC will plan for the event.

2. India:

The Preliminary Status Report of the Brik Kilns in India is now ready for discussion during the proposed national consultation;

The discussion with India partners including the Secretary of the WCD, Odisha Government, confirmed the interest to convene the National Consultation with participation of affected States in India;

While the tentative dates were considered for either last week of February or Early March, the decision was left to the NACG Chairs and SAIEVAC to confirm the dates and finalize the proposal.