



**SOUTH ASIA FOLLOW UP REGIONAL CONSULTATION
ON
THE UN STUDY ON VIOLENCE AGAINST CHILDREN**
Organised and Showcased by the SAIEVAC Secretariat
Hosted by the Government of Sri Lanka

2nd Draft REPORT

**South Asia Follow Up Regional Technical Consultation
on
the UN Study on Violence Against Children
May 28 - 30, 2012
Colombo, Sri Lanka**



**Organized and Showcased by SAIEVAC Regional Secretariat
Supported by SACG and in Collaboration with UN SRSG
Hosted by the Government of Sri Lanka**

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ACRONYMS

CRC	Convention on the Rights of the Child
CSO	Civil Society Organisation
FURC	Follow Up Regional Consultation
GoSL	Government of Sri Lanka
MoLSAMD	Ministry of Labor, Social Affairs, Martyrs and Disabled
NACG	National Action and Coordinating Group against Violence against Women and Children
NGO	Non-Governmental Organisation
OVC	Orphans and Vulnerable Children
SAARC	South Asian Association for Regional Cooperation
SACG	South Asia Coordinating Group on Action against Violence against Women and Children
SAIEVAC	South Asia Initiative to End Violence Against Children
SDF	SAARC Development Fund
SRSG/VAC	Special Representative of the Secretary General on Violence against Children
UN	United Nations
UNICEF	United Nations Children's Fund
UNVAC	United Nations Secretary-General's Study on Violence against Children

1. CONTEXT AND INTRODUCTION

Background to the Consultation

In May 2005 a group of 25 children from the South Asian countries of Afghanistan, Bangladesh, Bhutan, Maldives, Nepal, Pakistan and Sri Lanka (13 girls and 12 boys) met at a *Regional Consultation for the UN Study on Violence against Children* to discuss and frame their own perspectives on this problem. They told us of the unique ways that they as children are already engaged in opening up discussions on the subject through various media at community and higher levels and that they must be included in adult efforts to resolve this issue. They tabled an agenda of action to be pursued at regional level. Sixteen years after the worldwide adoption of the UN Convention on the Rights of the Child in 1989 this became a turning point for children in South Asia. Henceforth their voices would be heard, respected and taken into account at the regional level in all processes concerning violence against children.

A comprehensive Desk Study was also carried out as part of the regional contribution towards the *UN Study on Violence against Children* to serve as a baseline. This highlighted the need to develop an agenda for social justice that would complement Governmental initiatives for provision of universal social services and legal justice:

Governments prefer to address the popularly identified causes of violence through targeted development projects. While education, health and nutrition services targeting the poor and marginalised, and especially girls are indeed a good idea, the outcomes are essentially limited if the power dynamics within homes, families, institutions, workplaces and communities are not recognised and suitably addressed. Patriarchy, hierarchy, masculinity, control and lack of accountability are essential components of violence against children.¹

The United Nations Secretary-General's Study on Violence against Children (UNVAC Study) was presented to the UN General Assembly in October 2006.² This Study lays a foundation for a conceptual division of 5 settings where children face violence, namely,

1. Children in the home and family
2. Children in schools and educational settings
3. Children in care and justice systems
4. Children at work; and
5. Children in the community

¹ Regional Consultation on Violence against Children in South Asia, Islamabad, Pakistan 19-21 May 2005 p 83

² Developed by an Independent Expert, Prof. Paulo Sérgio Pinheiro. For the original text of the Study presented before the General Assembly see: <http://daccessdds.un.org/doc/UNDOC/GEN/N06/491/08/PDF/N0649108.pdf?OpenElement>
For the Global Report visit: <http://www.unviolencestudy.org/>

The UN Study included twelve overarching recommendations to be implemented in order to prevent and respond to violence against children, in addition to a number of specific recommendations to be applied within these specific settings.

In order to support and sustain the implementation of the recommendations of the UN Study, the General Assembly requested the Secretary-General to appoint a Special Representative on Violence against Children (SRSG/VAC) for a period of three years.³ In 2009, the Secretary-General announced the appointment of Marta Santos Pais (Portugal) as his Special Representative.⁴ The SRSG/VAC has focused her priorities on the recommendations 1, 2 and 11 of the UNVAC Study, which include:

- I. The creation of coordination mechanisms at the national and local levels to support the protection of children against all forms of violence; and the development of related comprehensive public policies, strategies and integrated plans;
- II. Legal reforms to ensure the protection of children from all forms of violence;
- III. The creation of information and research systems to support related public policies, legislation, strategies and integrated plans of action.

In South Asia the regional follow up was supported by the South Asia Forum (SAF) formed in 2005. This was composed of focal ministries and authorities of the 8 member countries, child representatives, representatives of civil society and NGO's with a Secretariat that would rotate every 2 years.

Greater formalization and cohesion was achieved from 2010 onwards with the shift of the Regional Secretariat from Pakistan to Nepal. SAF became the South Asia Initiative to End Violence against Children (SAIEVAC) with a new governing structure and a five year workplan (2010-15) to guide its work. A Ministerial meeting in June 2010 endorsed these changes with a renewed commitment by the regional governments. In 2011 SAIEVAC became an Apex Body of the South Asia Association for Regional Cooperation (SAARC) with a clear mandate to represent the cause of children in South Asia. This Apex Body status provides SAIEVAC with the opportunity to tap into the larger framework of SAARC in terms of both funding and opportunities to influence the plans and programmes of the SAARC Member States in the area of child rights in general and ending violence against children in particular.

National chapters are now being established in all South Asian countries. The constitution of SAIEVAC embodies a partnership between governments, children, civil society organizations, INGOs and UN agencies both within individual countries as a broad network at regional level. Every partner has a collaborative role within this network which focuses on raising awareness, developing capacities, implementing

³ A/RES/62/141, 22 February 2008.

⁴ The SRSG/VAC is a high-profile advocate who supports and promotes the prevention, adequate response and elimination of all forms of violence against children.

activities and sharing good practices and lessons learnt in preventing and responding to violence against children.

During the year 2011 SAIEVAC organised two regional technical consultations on,

- Legal reform and corporal punishment; and
- Care standards and child-friendly services.

Three main activities in its current agenda are establishing a forum for children in the region, preparing for a regional Campaign against Corporal Punishment and documenting progress in implementing the UN Convention on the Rights of the Child.

The work of SAIEVAC is supported by the South Asia Coordinating Group on Action against Violence against Women and Children (SACG), a regional inter-agency body with a consolidated agenda focusing on violence against children. SAIEVAC supports the mandate of the SRSG/VAC and works in cooperation and exchange with other similar regional frameworks and initiatives.

Rationale and objectives of the Regional Consultation 2012

Since the UNVAC Study launch in 2006, efforts were made by different actors to change the situation of children in all settings. The good practices that materialized need to be documented and disseminated. The need for increased collaboration at country level also remains. The recent report from the NGO Advisory Council for follow-up to the UNVAC Study⁵ summarizes the state of violence against children in the five years since the release of the UN Study. This report warned that

...austerity measures taken in response to global economic difficulties can lead to less priority placed on children, less social spending, and less effective protection against violence.⁶

It notes that progress has been has been ‘embarrassingly slow and we are far from achieving the goals and commitments made by States when the UN Study report was presented to the GA in 2006.’⁷

This Consultation will bring together relevant stakeholders in South Asia with the following **overall goal and expected outcome**:

⁵ Five Years On: A Global Update on Violence against Children. NGO Advisory Council for Follow-up to the UN Study on Violence against Children. October 2011

⁶ Id p 39

⁷ Id

- To review progress made in implementing UNVAC Study recommendations, in order to strengthen measures and processes aiming at their effective realization.

The key objectives will include:

- Identify and review progress and gaps in the implementation of the recommendations of the UNVAC Study and the SAIEVAC workplan;
- Showcase and promote relevant good practices;
- Strengthen the ownership, accountability and commitment by South Asian governments to end violence against children.

The following **additional objectives** are expected to be achieved:

- Strengthen partnerships, both from within the SAIEVAC framework and with other regional VAC platforms;
- Strengthen participation of children in their own protection;
- Support and promote the mandate of the SRSV/VAC to advance SAIEVAC agenda;
- Examine the existing national plans of action and develop a regional road map for the implementation of the recommendations of the UNVAC Study for the next five years.
- In the spirit of South-South cooperation, develop collaboration with the other regional VAC platforms (including ASEAN Commission on the Promotion and Protection of the Rights of Women and Children, ACWC; Council of Europe, MERCOSUR, Arab League, African Committee on the Rights and Welfare of the Child.
- It is expected that the regional consultation will be preceded by preparatory national consultations in the eight South Asian countries. The objective is to provide a forum to discuss progress made in implementing the UNVAC Study recommendations at country level based on the responses to the Global Progress Survey and review gaps and challenges. Moreover, the national consultations should also lead to national action plans to address violence against children building on the SAIEVAC Workplan.

Key Outcomes

Apart from strengthening and further stimulating various processes and partnerships as per the event objectives, the Regional Consultation will result in the following specific outcomes:

1. Regional Roadmap document, informed by the national action plans, to further strengthen key stakeholders' commitment and responsibility to end violence against children;
2. Outcome document in the form of a report summing up achievements and gaps identified during the process;

3. Declaration of Commitment in support of joint efforts to end violence against children in South Asia.
4. Support to global efforts and progress on combating violence against children.

Child friendly versions of the key documents will be timely planned for and prepared, both in terms of the information to be shared at the event and the outcome document to reflect the Regional Consultation findings.

2. INAUGURATION

Ms. Sumithra Rahubadde, Secretary Ministry of Child Development and Women's Affairs extended a warm welcome on behalf of the Government of Sri Lanka to all Distinguished Guests of the Head Table, the Children, all Country Delegates and Participants attending the Inaugural Ceremony. She stated that Sri Lanka is honoured to host the consultation of SAIEVAC which has made steady progress to institutionalize a regional mechanism to protect children. The Madam Secretary informed the gathering that Sri Lanka has taken significant steps to improve the well being of children and that the post war era will provide opportunities to engage positively in the greater protection of children from all forms of violence. She called upon all participants to make full use of the Consultation and demonstrate that collaboration and partnership can bring about lasting change for children of South Asia. Ms. Rahubadde concluded her welcome address with the following wish and quotation:

*From this day forward, may a new song be heard
Let that new song be the sound of children laughing
Let that new song be the sound of children playing
Let that new song be the sound of children singing
And let that new song be the sound of parents listening
Together, let us create a symphony of hearts
Marvelling at the miracle of our children
And basking in the beauty of love
Let us heal the world and blight its pain
And may we all make beautiful music together!*

Dr. Rinchen Chopel, Director General of SAIEVAC, welcomed all participants to the Follow Up Regional Consultation (FURC). Occasions like this provided inspiration where leaders, policy makers and service providers joined children to discuss measures required for their protection.

The Director General stated that SAIEVAC has come a long way since Islamabad in 2005 and expressed his pride that many who started the journey then have reunited in Colombo in 2012. There was belief in the dream of a South Asia fit for children and this must be translated into reality. He expressed his deepest gratitude to the Government of Sri Lanka (GoSL) for mobilizing the efficient resources of the Ministry of Child Development and the Office of the Probation and Child Care Services in supporting the organization of the Consultation. He thanked the SACG and all other Agencies for their continuing commitment also remembered with gratitude the special work of the Child Participation Task Force in facilitating the work of children and shaping the agenda for the future.

H.E. Wasil Noor Mohammad, Deputy Minister of Labour, Social Affairs, Martyrs and Disabled – Islamic Republic of Afghanistan & Chairperson SAIEVAC Governing Board extended a special welcome to the SRSG/VAC Ms. Marta Santos Pais extolling her as a kind hearted mother.

The Chairperson noted the journey of SAIEVAC and the selection of Dr. Rinchen Chopel as Director General in 2009. The Governing Board which is currently chaired by Afghanistan is composed of 2 representatives from each member state – one representing the Government and the other being the Country Coordinator. Two Child Representatives functioned as observers to the Governing Board. A sum of 5 Million USD has been guaranteed by the SAARC Development Fund for the work of SAIEVAC and strong links have been established for the work to proceed. In this region we have selected 5 critical themes as affecting the lives of children;

1. Early marriage
2. Trafficking
3. Sexual abuse and exploitation
4. Corporal punishment; and
5. Child labour

H.E. Wasil Noor Mohammad observed the agreement at Technical Consultations held in 2011 that member states should provide regular progress reports which must report measurable and concrete results for children at risk of violence.

The addresses on behalf of the Chair and Co-Chair of the SACG were given jointly by Mr. Reza Hossaini, Country Representative UNICEF Sri Lanka and Mr. Mark Pierce, Regional Director, Plan International.

Mr. Hossaini noted that it takes a lot of working together to protect children. He referred to the disturbing statistics of children subjected to violence in the region under each of the five thematic issues underscoring the fact that many cases were not reported at all. Many crimes were not prohibited and where prohibited were not enforced; this is also accompanied by cultures of silence and acceptance. The failure to make a consistent investment in child development entailed both social and economic costs to society.

Mr. Pierce stated that the scale of violence required immediate and comprehensive action. SAIEVAC was the result of a genuine and dynamic evolution in collaboration with children. It therefore represented a historic opportunity and action should be accelerated to support all countries to achieve the targets in the SAIEVAC workplan. The Regional Director ended on the solemn note that children continue to experience violence ‘as we speak’ and pledged the continued resolve of SACG in tackling this challenge.

H.E. Ahmed Saleem, Hon Secretary General of SAARC observed that children have been a priority from the very inception of SAARC in 1985. He noted the regional arrangements made through the

1. Conventions on Preventing and Combating Trafficking in Women and Children for Prostitution 2002; and
2. Convention on Regional Arrangement for the Promotion of Child Welfare in South Asia 2002

In addition there have been 4 Ministerial meetings on children and the declaration of the SAARC Decade on the Rights of the Child 2001-10.

The Hon Secretary General referred to the 5 year Workplan and earnestly requested all member states to give their fullest support for its full implementation.

Guest of Honour Hon Marta Santos Pais, the Special Representative of the UN Secretary General on Violence against Children hailed SAIEVAC as a platform for learning and action and offered congratulations on its status as a SAARC apex body. She thanked Dr. Rinchen Chopel on his strong leadership and expressed happiness to join hands with children and listen to follow up actions and recommendations.

Madam Santos Pais acknowledged the leading role played by South Asia in the preparation of the UNVAC Study and the continuing relevance of the baseline established at Islamabad in 2005. The work in South Asia, in particular initiatives in awareness, social mobilization and child centred advocacy, new legislation and para-legal committees have generated interest both within and outside the region. Some of the important discussions by SAIEVAC have also been recognized by the UN Committee on the Rights of the Child. The 5 year workplan also provides a great navigation tool for the region.

The Special Representative reiterated that the extent of violence is unacceptable especially in homes and schools; It was emphasized that this violence can be prevented because we have sufficient knowledge to do it well.

Guest of Honour His Lordship Lyonpo Sonam Tobgye. His Lordship the Chief Justice of Bhutan and President of SAARCLAW called on all participants to work together to heal the wounds of children to move into the future. Humankind owed its best to children to help them inculcate goodness and virtue.

His Lordship stated that developing a healthy child is building a healthy nation. Child justice is a global, regional and national concern. The Constitution of Bhutan Article 9.18 directs the development of measures to protect children from all forms of violence. This includes both legal and social services. In implementing them all professionals and service providers have a common duty to safeguard the best interests of the child. It is imperative that the best legal minds of the region must develop the law as an instrument of social change.

*At this point the Distinguished Members of the Head Table were presented with materials and productions to launch the SAIEVAC Regional Campaign. This included the SAIEVAC Background Document, the SAIEVAC journey personalized with humorous anecdotes and a child friendly brochure. The materials were launched by the **Chief Guest Hon. Tissa Karaliyadde, Minister of Child Development and Women's Affairs GOSL.***

The Hon. Minister in his address as Chief Guest affirmed the basic duty of each State to protect its children. He referred to VAC as a hidden epidemic and a global scourge. As a response there has been new studies, new laws, new conventions and many meetings. Yet the children continue to face violence and many pay with their lives. The matter has been compounded with austerity measures all over the world resulting in less priority and social spending for children.

The Hon. Chief Guest also pointed out that Action Plans have not been very effective and that children rarely have recourse to effective remedies. Vast amounts of resources were spent on conferences in cities involving the elite and on publications but there is insufficient presence at the level which matters – the grass roots level. The President of Sri Lanka has great concern for children and to ensure they live free from fear and want. For this purpose the Ministry of Child Development should be the apex body in Sri Lanka to pool resources and work in unison.

The Hon. Minister expressed the hope that SAIEVAC will support the achievement of better coordination and integration. He was grateful that this Conference was taking place at a most opportune time and wished that this forum would provide a wonderful opportunity for developing practical remedies.

Ms. Rashmi Wijesinghe – Child Member of the SAIEVAC Governing Board delivered the vote of thanks

3. DAY ONE

DAY ONE AT A GLANCE

Selection of Chair and Co-Chair for Technical Sessions

Plenary presentation 1

Outcome of Regional Children's Consultation

Preliminary Observations

Plenary presentation 2

SAARC Development Fund and SAIEVAC

12 Overarching Recommendations of the UNVAC Study

Country Presentations

9. Afghanistan

10. Bangladesh

11. Bhutan

12. India

13. Maldives

14. Nepal

15. Pakistan

16. Sri Lanka

SELECTION OF CHAIR AND CO-CHAIR FOR TECHNICAL SESSIONS

Mrs. Sumithra Rahubadde, Madam Secretary of the Ministry of Child Development and Women's Affairs of GoSL was selected as the Chair.

Dr. Vivek Joshi, Joint Secretary, Ministry of Women and Child Development Government of India was selected as Co-Chair.

OUTCOME OF THE CHILDREN'S CONSULTATION

This was presented by Child Participant **Ms. Neha Zia** from Pakistan.

Honorable Delegates, representatives from Governments, Civil Society, Children, Ladies and Gentlemen,

On behalf of all children who are representing all the SAARC Countries, I Neha, am here to highlight the outcomes of the Regional Children's Consultation to end violence against children held on 26th-27th and the half day of 28th.

As discussed and in our opinion Violence Against Children exists in many forms but the three most major ones are:

1. Child Sexual Abuse,
2. Child Physical Abuse and
3. Child Psychological Abuse.

I want to make all these examples really clear to you in few words. I am going to brief it out that nowadays we can see that child sexual abuse is the emerging form of child abuse. In sexual abuse the child is affected both physically and mentally. All these abuses occur at school, workplace and home.

During the consultation the participants shared their views, hopes and expectations on what they want to do to end Violence against Children. We also discussed about the causes of Violence against Children and along with that we came up with our resolutions and recommendations to end Violence against Children. We all came to know about the 12 recommendations of the UN Study on Violence against Children. We all discussed on different types of Violence against Children in our region which are:

1. Early marriage
2. Trafficking
3. Sexual abuse and exploitation
4. Corporal punishment; and

5. Child labour

We also had lot of fun while working together. We played a lot of games too.

And almost all three days we discussed all these things but at last we came to a conclusion that when the children's consultation is over and when we return to our countries we will be able to encourage children who are working on this purpose and also ensure the rights of all the children.

We now would like to share some of our follow-up actions in the form of recommendations to this large forum:

1. All the Governments in South Asia should take strong initiatives for proper **legal reforms** to prohibit Violence against Children through appropriate policies and implementation mechanisms.
2. All of us who work for and with children should take an action to ensure the **coordinated effort** to stop Violence against Children.
3. Every country should establish and strengthen National and Regional **Children's forums** and create linkages to ensure our voices are heard in all the matters concerning to us.
4. Government and other agencies should put their efforts to build **systematic information collection and reporting mechanisms**.
5. All the agencies should ensure **child centered programs** with clear child protection policies and code of conduct.

Once again, on behalf of all my friends from the SAARC Region I thank you all for giving opportunities to the children in making important decisions. We all want our Governments to focus on what we children say and we all should focus on the UN Study to "Wipe Away Tears" and "End Violence against Children"

Thank you!!

PRELIMINARY OBSERVATIONS BY DELEGATES

After the children's presentation the floor was opened by the Chairperson – Technical Sessions for a short discussion.

Mr. Hasan Ameen from Pakistan urged that we must seriously consider what are the impediments and bottle necks that obstruct implementation and the realization of rights. Mr. Fazel Jalil (SAIEVAC Coordinator – Afghanistan) observed that children who provided their valuable inputs will be frustrated if we fall short on implementation.

Dr. Aminul Islam (SAIEVAC Coordinator – Bangladesh) opined that changes will take time but they will eventually arrive. Two points were raised by Bangladesh in the context of anti-trafficking arrangements.

1. There are laws and bilateral agreements in place to combat trafficking. However without the cooperation of other countries they cannot be implemented.
2. There is also a need to agree on the best modes of prevention of trafficking between countries

H.E. Wasil Noor Mohammad, Chairperson SAIEVAC Governing Board reiterated point (1) above and said a common programme strategy can be discussed at this Consultation.

Ms. Phintsho Choden SAIEVAC Board Member from Bhutan expressed the view that the children's recommendations made a lot of sense.

Ms. Rita Panicker Pinto from India said there is an urgent need for national delegations to identify their commitments and set them out in clear child friendly language. A delegate from Maldives said that general recommendations must be enriched by context specific comments.

India highlighted the need for child friendly environments where victims of abuse can make their complaints and talk about their problems with confidence. Complaint boxes placed in schools by National Child Protection Authority (NCPA) in Sri Lanka was cited as a good practice and this should also be extended to workplaces. It was stressed that physical abuse should be prohibited in all settings – starting with the family. Children should not be abused anywhere.

Nepal referred to the important work of para-legal committees in villages. Pakistan raised the issue of minimum standards for caregivers and service providers working with children. Ms. Anoma Disanayake, Chairperson NCPA Sri Lanka expressed her satisfaction that children know their rights, know to discern good from bad touches and the forms of abuse.

Dr. Rinchen Chopel stated that the recommendations of children are part of the larger discourse on child rights in South Asia and once endorsed by the Governing Board they become action points for the SAIEVAC Secretariat. Pakistan referred to the ability of SAIEVAC to identify gaps in relevant SAARC Conventions to initiate action to remedy this.

Mr. Hashimi from Afghanistan said that there are sufficient policies and instruments and posed the question whether there is a vision and commitment to implement them. In a comment which drew applause he raised the following connected issues:

1. Do we have child participation as a common principle in national plans and programmes?
2. Is there a commitment to implement this right?
3. Is there a civil society commitment and genuine child participation groups?

4. child participation is not easy – it can easily become symbolic – and requires capacity building to ensure meaningful participation in each country

Bangladesh expressed the wish that SAIEVAC should become the light at the end of the tunnel in terms of ensuring connectivity between all SAARC countries on vulnerable children.

Mr. Masud Ali from Bangladesh asked if this is a process for feeling good or for taking actions. We can showcase our own protection policies to influence change. “The children have done an excellent job. They raised issues to help us think and see better. Let us not lose this moment. Violence must cease from our selves and our own families. We must begin the change with ourselves.”

SAARC DEVELOPMENT FUND AND SAIEVAC

Dr. Rinchen Chopel, Director General of SAIEVAC introduced Mr. Karma, the Chief Executive Officer of the SAARC Development Fund (SDF) who made the Second Cross Cutting Presentation of the day on potential synergies between SDF and SAIEVAC and the specific opportunities available to derive support from SDF in protecting children in South Asia.

Mr. Karma emphasized that SAIEVAC could be a wonderful environment to find common solutions for common problems across the region and underscored the imperative of funding agencies sitting and working together to optimize their contribution.

The SAARC Region has a very low level of economic integration (6%) and while intra regional trade is historically rooted the ideas of regionalism and regionalization are comparatively new. The SDF itself is a young body having been created by the State in 2008. The Secretariat is now hosted by the Government of Bhutan from 2010.

Key objectives of SDF are to accelerate economic growth, social progress and poverty alleviation in the SAARC Region and strengthen regional integration among member states.

The organization structure of SDF is made up of the Governing Council, Board of Directors and the Secretariat with equal and high level representation from the member states.

The key areas of funding are depicted as three windows of opportunity in

1. social
2. economic and

3. infrastructure development

The selection criteria for social window projects are as follows:

- projects involving all SAARC countries,
- projects involving more than two but not all SAARC Member countries,
- projects located in one or more SAARC countries, of significant economic interest for three or more SAARC countries, and
- projects with significant focus on poverty alleviation, as envisaged under the social window, in any SAARC country having thematic linkage with more than two SAARC Member States as part of a sub-regional project.

Projects can be implemented in all countries except India. SDF is particularly keen to establish small windows that enable and catalyse meaningful changes in public policy. Special mention was made of the strengthening livelihoods initiative for homes based workers; empowering rural communities (reaching the unreached) and Zero energy storage technology for horticultural commodities in high hill areas of SAARC as success stories of SDF.

There is a conscious decision in SDF to support women and children and of the funds allocated so far they have been beneficiaries of 75% of the allocated funds. Among the key interventions supported are,

- Maternal and child health – provision of infrastructure to reduce child mortality
- Helpline for trafficked children
- SAIEVAC
 - Regional activities – technical mapping etc
 - Secretariat cost
 - National programs

SDF requires a clear cut and clinical plan where 85% of the funding must be directed towards the beneficiaries. Measurable and verifiable indicators are also required. Capacity building must be integrated with the project objectives and will not be permitted as a stand alone activity. Likewise SDF does not support research as an independent activity. Strict accountability is insisted. However if the terms of the proposal need revision this is also allowed. On the whole a strong resource management approach is followed at SDF. All decisions are taken on a consensual and unanimous basis as all member states are equal

Proposals when received are shared with other countries. When endorsements are received a Focus Group Discussion is carried out.

The Fund was set up with a generous contribution from the Government of India. Equity is received from the member states annually. There are also well wishers like the People's Republic of China who have contributed to this Fund. The SDF is not a funding manager but a direct donor of its own funds. Therefore it carries a high level of accountability to the member states.

12 Overarching Recommendations of the UNVAC Study⁸

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009.
2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings.
3. Prioritize prevention in all settings by targeting underlying causes and more immediate risk and protective factors.
4. Promote non-violent values and awareness-raising: transform attitudes that condone or normalize violence against children; and protect children in all media coverage.
5. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses.
6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.
7. States and their partners must actively engage with children and respect their views.
8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.
9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.
10. Address the gender dimension of violence against children and women in a comprehensive violence-prevention strategy.
11. Improve data collection and information systems by 2009, based on a national research agenda and international indicators, and with special reference to vulnerable subgroups.
12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

⁸ This is a summarized version of the recommendations which can be accessed at <http://www.crin.org/violence/search/closeup.asp?infoID=13329>;

Please see also the child friendly version of the Study which elaborates on the recommendations at http://www.unicef.org/violencestudy/pdf/Study%20on%20Violence_Child-friendly.pdf

COUNTRY PRESENTATIONS

1. AFGHANISTAN

Presented by Mr. Fazel Jalil SAIEVAC National Coordinator

1. Strengthen national and local commitment and action

1. Social Affairs Division of MoLSAMD is in charge of child protection and coordinates issues and concerns with other ministries. It also collaborates with child focused organizations to address child protection issues and concerns
2. The Afghan Independent Human Rights Commission (AIHRC) is the children ombudsman, also monitors the situation of children
3. Child Act is being developed: a comprehensive and standard legal guide related to children
4. Adopted National Strategy for Street Working Children: 2011
5. Adopted National Child Labor Policy in 2011: Defining age, hours, labor and wage
6. Child Protection Action Networks (CPAN): 1 National, 29 Provincial, 56 Districts coordinate prevention and response to VAC, including cases of sexual abuse and exploitation
7. National Child Protection Secretariat: Gained state approval
8. Child Protection Police Department: Established in the capital, Kabul

2. Prohibit all violence against children

1. Legislation in Afghanistan covers some forms of violence and these provisions are scattered around different laws i.e.
2. Constitution: Provide for child and the mother's health and wellbeing; prohibits slavery, forced labor, and the death penalty for children
3. Civil Code: Age of registration for marriage for girls 16 and for boys 18
4. Law on Birth Registration: Article 31 emphasizes on birth registration

5. Juvenile Code: Safeguard children rights during investigation and trial; age of criminal responsibility is 12
6. Labor law: The legal age to enter into employment is 15 years – however hazardous work is prohibited for all children under age of 18 years
7. Subtle forms of violence are not recognized by the law i.e. physical and humiliating punishment of children not considered violence by law
8. Law on sexual abuse of children doesn't exist and perpetrators are prosecuted under adult laws; pornography and internet related sexual crimes not covered
9. The Child Act is expected to cover these gaps

3 & 4 Prioritize prevention and promote non violent values

1. Children at risk and street working children strategies were developed
2. CPANs reported 9200 cases of violence against children and referred them to support services;
3. There is no campaign led by the government addressing violence. But there are number of campaign raised awareness by different child rights actors
 - UNICEF in cooperation with relevant ministries and child focus organizations adopted child sensitive case reporting through Media
 - AIHRC trained 400 journalists on children rights and issues
 - Child focus organizations sensitized some 50,000 people on child rights and issues i.e. community elders, teachers, etc
 - Mosques in Kabul and provinces preaching child rights during Friday prayer
 - Child rights education is part of education curriculum
 - 120,346 children and 18,427 adult have received support through teacher & community trainings

5. Enhance the capacity of caregivers and service providers

1. Social work coaching program for social workers in the MoLSAMD
2. Study undertaken to evaluation functionality and effectiveness of CPANs

3. National consultation with experts to share best practices and avoid duplication
4. Developing Bachelor Degree in Social Work and Master Degrees in child development and child counseling
5. Trained law enforcement personnel on juvenile code and children's issues

6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

1. A new regulation on minimum standards and rules for orphanages is under preparation
2. Dedicated Juvenile Rehabilitation Department with model centres established in Kabul and 4 regions and planning diversion programs in Herat region
3. NGO's and Ministries providing shelters for temporary care and protection to women and girls victim of violence - reintegration and recovery services provided by NGOs, SC, Achiana, TDHCIC, WCH, CFA.
4. Child soldiers reintegrated to their communities between 2005-2009.
5. CPANs worked on cases Trafficking, exploitation; of reintegration with communities, but there is no systematic reintegration mechanism in the country

7. States and their partners must actively engage with children and respect their views.

1. The Constitution of Afghanistan and other legislation grants boys and girls the right to express their views freely – Their views were included in the CRC report by CSO's and the Government.
2. Children Organizations: 2 were established in 2005-9, not maintained; there are student councils in schools mainly for disciplinary purposes
3. Resources to facilitate Child Participation in combating violence: currently not available
4. Child friendly materials informing children about services; currently not available
5. Complaints Mechanisms: Do not exist in any settings, except in schools

8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

1. Reporting System: Database established in MoLSAMD to record and analyze cases of child protection in general and child sexual abuse in particular (473 cases of rape and sexual abuse reported June 07-Dec 011)
2. In addition the following three bodies receive reports of violence and have reporting mechanisms
 - CPAN
 - Police
 - AIHRC

9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.

1. Publishing Reports: Report on Sexual Abuse 2009; Effectiveness and functionality of CPAN's 2011; Report of National Consultation 2011
2. Statistics of cases_of abuse identified by CPAN are consolidated on monthly basis and shared – reference below chart
3. Database has been developed by MoLSAMD

10. Address the gender dimension of violence against children and women in a comprehensive violence-prevention strategy.

11. Improve data collection and information systems by 2009, based on a national research agenda and international indicators, and with special reference to vulnerable subgroups.

1. Gender follow up mechanism in each Ministry
2. National plan for women's rights
3. Age of Marriage 17 years for girls, 18 years for boys
4. Law against women violence
5. Out of 8.4 million in school going children 37% are girls
6. Gender disaggregated data available on cases reported by CPAN 2007-2011

12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

1. Ratified-signed the following instruments
 - i. Convention on the Rights of the Child (reservation on adoption and freedom of religion)
 - ii. ILO Conventions
 - iii. Optional protocol on child involvement in armed conflict
 - iv. Convention against torture and other degrading/inhuman treatment
 - v. Convention on elimination of discrimination against women
 - vi. Protocol to prevent and suppress trafficking in persons
 - vii. Rome Statute of the International Criminal Court
2. Reported to the following Committees
 - i. Committee on the Rights of the Child (CRC)
 - ii. Human Rights Committee (ICCPR)
 - iii. Committee on Economic, Social and Cultural Rights (CESCR)
 - iv. Committee on the Elimination of Discrimination against Women (CEDAW)
 - v. Committee on Migrant Workers (CMW)
 - vi. Committee on the Rights of Persons with Disabilities (CRPD)

MAIN CHALLENGES

1. Cultural norms and values
2. Lack of law and enforcement mechanisms
3. Lack of resources – financial, human
4. Donor driven approach
5. VAC is not an agenda for the top level authorities – cabinet – parliament
6. Child focused organizations do not coordinate

7. CPANs, the only existing far reaching support system, doesn't have enough capacity and resources to prevent and respond to VAC

2. BANGLADESH

Presented by Dr. Mohamed Aminul Islam, Deputy Secretary, Ministry of Women and Children Affairs

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009

Systemic reviews and national planning

1. Sub-national consultations with both children and adults carried out under the supervision and guidance of the Ministry of Women and Children Affairs (MoWCA). A working group established in 2008 with Save the Children Sweden-Denmark (presently Save the Children International) as the secretariat has formulated the National Strategy Paper for Bangladesh on Prevention of all forms of Violence against Children 2011. This strategy is grounded in a critical review of the laws, policies and institutions – which has helped to identify legal, policy and institutional reform agendas.
2. As a part of developing a comprehensive child protection system, Bangladesh is carrying out a multi-stakeholder intervention. Presently a draft of the National Child Protection System has been prepared, which is expected to contribute in shaping the child protection system.
3. In the government's planning documents, specifically in the Poverty Reduction Strategy Paper and the National plan of Action for Children (2005-2010), emphasis has been given to violence against children.
4. An inter-ministerial committee has also been formed under MOWCA for protection of children.

Legal Reforms

Existing legislation

3. Children Act 1974, National Children Rule 1976 & National Children Policy 2011. Child Labor Elimination Policy 2010, Compulsory Primary Education Act 1990, Suppression of Violence against Women & Child Act-2000 (Amended in 2003), The Acid Control Act 2002, Acid Crimes Prevention Act 2002.

4. The Domestic Violence (Prevention & Protection) Act 2010 states that any type of physical, psychological, sexual torture or financial loss to women or children by a family member will be a punishable offence.

Ongoing law and policy reforms

5. Unified Code of Child Rights
6. Children Act 1974
7. National HIV/AIDS Policy
8. Draft National Anti Trafficking Strategic Plan of Action (NATSPA)
9. Labour law review process of 2006 has identified child labor as a legal issue
10. A list of hazardous forms of child labor drafted
11. The Draft Children Act 2010 states:

Section 5(E): “no child should be subjected to cruelty, inhuman and degrading punishment by caregivers, officials and institutions.”

Section 28(4)(D): in case of alternate caregivers at institutions the standard of care prohibits “physical punishment”

12. The Child Policy 2011 states :

Preface: an explicit statement is made to set “elimination of violence against children” as a goal.

Section 6.4.8: “All forms of physical and mental punishment is to be banned at educational institutes...”

13. The National Child Labor Eradication Policy 2010 clearly directs the ban of all forms of physical, emotional and sexual violence against child workers at workshop.

Judicial Guidelines

14. A number of child friendly guidelines has been passed by the Honorable High Court Division focusing on safe homes with comprehensive child friendly services, ages of children, basic needs, minimum standard of care, right to consent & opinion, prohibition of death penalty & capital punishment.

Progress in thematic areas

Child labour

15. The issue of Child Labour has been incorporated in all major national development projects and plans (like Poverty Reduction Strategy - PRS and Sixth Five Year Plan).
16. The Labor Act 2006 provides the primary legal framework regarding child labor in the country. The Act sets a general minimum age of employment at 14 years (section 34).
17. National Child Labor Elimination Policy 2010 provides a broad framework for national child labor elimination efforts. The goal of this policy is to make a meaningful change in the lives of the children by withdrawing them from all forms of child labor including hazardous work and worst forms of child labor. Pursuant to this policy the Government has established National/ District/ Sub-District level monitoring committees to monitor Child Labour situation in the country including monitoring of all promotional activities.
18. The Government has established a National Child Labour Welfare Council.
19. The Department for Inspection of Factories and Establishments under the Ministry of Labor and Employment (MoLE) has been working to monitor child labor in the field level offices. The MoLE has now established a Child Labor Unit (CLU) to monitor child labor in the field level offices. The CLU will serve as the secretariat to deal with all child labor related issues in the country.
20. A judicial guideline was issued by the Hon. High Court Division to focus on basic rights including education and leisure for domestic workers. This guideline fixed the minimum age for domestic work at 12 years. A code of conduct for protection of domestic workers was issued by the Ministry of Labor & Employment.

Trafficking

21. The Human Trafficking Deterrence and Suppression Act **2012** identified all individuals below the age of 18 as children and devised a special definition to ensure additional protection. This Act provides compensation and assistance for rehabilitation.
22. The Ministry of Home Affairs has formulated the National Plan of Action for Combating Human Trafficking 2012-2014.

Underage marriages

23. According to existing law the age of marriage is 18 for girls and 21 for boys. However due to traditional practice the age of marriage for girls averaged 15 years for a long time. A recent study indicated that due vigorous campaigning of government and NGOs the age of marriage has increased to 15.5 on average for girls. This may be evidence that the trend is changing.

Sexual abuse and exploitation

24. Special emphasis is given in the National Children Policy and Children Act to protection of victims of sexual abuse and exploitation. The Children Act requires minimum standards of care for children, privacy during trial, camera trial and specially trained investigators.
25. The Pornography Control Act 2012 is expected to offer special protection to children from being exposed to and abused in pornographic products/programs.
26. In May 2009 the Honorable High Court delivered a Judgment on laying down guidelines on Sexual Harassment.
27. A Monitoring cell has been formed in the Ministry of Home Affairs to combat trafficking at central level and district level.

2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings.

1. The High Court in a judgment has prohibited corporal punishment in schools referring to it as a crime against children. The Court also directed concerned ministries to take appropriate measures.
2. Ministry of Education and Ministry of Primary and Mass Education in particular have issued directives to educational institutions to stop corporal punishment.
3. Ministry of Primary and Mass Education is promoting child friendly teaching as an alternative to corporal punishment.
4. A new law is pending to deal with the issue comprehensively.
5. General awareness to prevent violence against children was raised through several targeted interventions

3. Prioritize prevention in all settings by targeting underlying causes and more immediate risk and protective factors.

4. Promote non-violent values and awareness-raising: transform attitudes that condone or normalize violence against children; and protect children in all media coverage.

5. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses

1. The National Child Labour Elimination Policy was accompanied by a new National Education Policy in 2010. This involves compulsory primary education from grades one through eight, pre-primary education for children aged five

- years, and a unified curriculum for general, *madrassa*, and vocational education up to the secondary level.
2. The Government is currently finalizing a draft comprehensive Early Childhood Care and Development (ECCD) policy (for children aged 0-8 years) that will coordinate ministerial efforts relating to health, education and protection of early childhood. This policy mentions the right to education for all children – with special mention of the disadvantaged.
 3. Ministry of Social Welfare has undertaken project entitled Child Sensitive Social Protection in Bangladesh (CSPB) and serious for children at risk (SCR) to protect street children through drop in centers and open schools established in 20 convergence districts and urban divisional headquarters.
 4. A project named Empowerment and Protection of Children (EPC) under MoWCA has been undertaken to empower and protect children and adolescent from early marriage HIV/AIDS, trafficking and CSEC through capacity building.

6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

Developing standards

1. A draft minimum standard guideline for integration has been developed by Ministry of Social Welfare through consultation of different experts and actors and is in practice for pilot testing.
2. Initiative has been taken to operate referral mechanisms through case management system; case management system in government and NGO shelter homes is on process.
3. For successful GO-NGO collaboration, Ministry of Social Welfare has signed MOU to share and exchange experience of shelter homes, correction centers, vagrant homes and safe homes.

Service delivery

1. Establishment and operation of One Stop Crisis Center (OCC): This is an initiative of Bangladesh Government controlled and co-operated by the Ministry of Women & children Affairs. Beside this 10 other relevant ministries, including MoH&FW, MoHA and MSW are involved.
2. OCC is a place where a victim receive multiple services (medical, legal, counseling, shelter and referral supports) at the same place and time. OCC services have helped victim to receive justice in time.

3. A Joint Initiative of Bangladesh Police and 10 NGOs: Bangladesh Police has set up Bangladesh's first-ever Victim Support Center (VSC) at Tejgaon Thana premises in February 2009. Presently there are 13 VSCs.
4. Under the Ministry of Home Affairs a Rescue, Recovery, Repatriation and Integration (RRRI) Taskforce formed to expedite the process with GO-NGO coordination nationally and internationally.
5. National Trauma Counseling Center is established in the Department of Women Affairs with MoU with clinical psychology department of Dhaka University
6. Safe night shelters for boys and drop in centers for girls who are forced into prostitution has been initiated by various NGOs.
7. Community care committees are formed around the country.
8. Referral services strengthened in different NGOs. Referral of children to partner organizations for full time shelter, HIV/AIDS screening, pathological tests, psychosocial care, health care, vocational training, life skills and livelihood training and job placement, legal aid
9. Ministry of Social Welfare is running 85 children homes for orphan children throughout the country.
10. Department of women Affairs providing shelter home services for victim of violence.

7. States and their partners must actively engage with children and respect their views

1. National Children's Council is the institution working for development of child under the chairmanship of Minister of the Ministry of Women and Children Affairs. The main responsibility of this institution is to provide support to highest policymaking body on child welfare, Protection of interest and rights of all children.

9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.

10. Address the gender dimension of violence against children and women in a comprehensive violence-prevention strategy.

11. Improve data collection and information systems by 2009, based on a national research agenda and international indicators, and with special reference to vulnerable subgroups.

1. MoWCA has established a database under a project titled Multi Sectoral Program. Coordination has been initiated among different sources (MoHA for

trafficking and MoLE for child labor) and contents of database regarding children's issues.

12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

1. Formation of SAIEVAC in the region is a critical element for implementation of the recommendations of the UN study on violence against children. Presently, SAIEVAC has established country offices in the member countries. Bangladesh country office of SAIEVAC is hosted by MoWCA
2. Once SAIEVAC Bangladesh is fully operational, then it will assist and monitor the progress of Bangladesh (government and civil society) with the National Action Coordinating Group (NACG).

MAIN CHALLENGES

1. While legal provisions have improved, there are some critical constraints related to implementation.
 - i. Government capacity to supervise and monitor factories is extremely limited.
 - ii. There is little or no recorded case of application of sanctions against the employers.
 - iii. Bangladesh requires technical support for improvement of socio-economic conditions in addition to technical assistance for undertaking programmes on elimination of Child Labor.
2. The department of social services runs 85 orphanages but they cannot admit children without a father's name.

Justice

3. Where mothers are in jail children who stay with them are not usually counted and are not entitled to any material support while the mother is in jail. The most worrying fact remains however that the children and adolescents have to stay with notorious terrorists and drug addicts
4. Many laws exist in relation to family, cruelty, contacts, and child-labor. However, some of them are inconsistent and contradictory and implementation is weak.
5. Reports reveal that girl children are not always safe under temporary police protection or in government approved certified homes.

6. Social stigma, non-disclosure of sexual abuse by children, lack of witness protection, child unfriendly legal and medical testing procedures, improper collection and maintenance of evidence and lengthy legal process lead to either non filing of court cases or acquittals of the accused.
7. In case of prosecution of perpetrators there are many constraints. Often there is a faulty investigation. In case of child sexual abuse the families are not willing to press charges out of shame and concern of stigmatization.
8. Juvenile Courts were proposed to be established under the 1974 Children's Act. However, only some Juvenile Courts are in existence and few law enforcement officials, lawyers and judges are familiar with the Juvenile Court system or special laws for children.
9. There are no laws in Bangladesh related to the recovery and rehabilitation of child survivors of commercial sexual exploitation.
10. It was estimated in 2001 that a total of 64,890 prisoners were in jails. This is three times higher than the actual capacity for accommodation. Of them 1, 827 were women and 1029 were children, including 129 girl children.

Corporal punishment

11. Legal instruments are not adequate to protect children from corporal punishment. Often these instruments assign legality to such violence against children under the pretext of "parenting" and "disciplining". However the legal directives and law drafting process is expected to improve the situation.
12. Home: Article 89 of Penal Code (1860) provides legality to corporal punishment against children by parents and guardians.
13. School: Banned by High Court in schools but no comprehensive legal provision against corporal punishment.
14. Alternative Care: Penal Code; section 89 and other such provisions grant legality to corporal punishments against children by care givers.
15. Penal System: The following laws and policies permit corporal punishment of children on the pretext of "disciplining": CRPC- section 391, 392, 393, 394 (justifies whipping). Whipping Act 1909 (section 3, 4 & 5). Pure Food Ordinance (1966) section 9. Suppression of Immoral Traffic Act (1933) section 10 & 12. Railway Act (1890) section 130. Traditional village mediation allows whipping. Children' Rule (rule 24). Prison Act (1894) section-46 and 53. Borstal School Act –section 4).

3. BHUTAN

Presented by Ms. Deki Dema, Programme Officer Children's Division, National Commission for Women and Children (NCWC)

Ms. Dema commenced her presentation with the following affirmation:

“Bhutan has been fortunate with the wise and visionary leadership of our benevolent kings for whom the welfare of the Bhutanese people always came first. With our unique development policy of gross national happiness, we are all the more committed to end all forms of violence against children”

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009.

1. Children identified as a most vulnerable group under the 11th Five Year Plan. Child protection was accorded independent status in development plans for the first time.
2. Mapping and assessment of child protection system in Bhutan completed in May 2012
3. Enactment of Child Care and Protection Act, 2011 and Child Adoption Act 2012

These Acts set out a framework for a comprehensive child protection system. They address all child protection issues relating to children in difficult circumstances and children in conflict with the law. Offenses against children have been defined including harsh or degrading punishment at homes, schools and institutions; establishment of child justice system and appointment of child welfare officers and probation officers under the Act.

2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings.

1. Penal Code of Bhutan 2004 amended in 2011 to provide protection for children in conflict with the law and penalties established for crimes committed against children
2. Establishment of Women and Child Protection Units (WCPU) and Crime Response Mechanism in the Police Stations
3. Women and child friendly procedures being incorporated in the police training curriculum

4. Measures taken to discourage and ban corporal punishment
5. A notification issued by the Ministry of Education in 1997 stated that corporal punishment should not be used and this was later reaffirmed by including it in the Teacher and Student's Code of Conduct (1997). A resolution was then adopted at the 11th Annual Education Conference 2008, to enforce a ban on corporal punishment in schools. To encourage positive non-violent forms of discipline, a guideline on alternative forms of discipline in school was produced in 2011.

3. Prioritize prevention in all settings by targeting underlying causes and more immediate risk and protective factors.

1. Child Protection Office established in the Monastic Body

The *Dratshang*⁹ have established a child protection office with two full-time staff and have established an 11 Members Expert Committee as an advisory body to Senior Management on policy and programming advice/ guidance. At the sub-national level it is functional through its members who are based in monastic institutions around the country.

2. Development of alternative forms of discipline for monastic institutions

4. Promote non-violent values and awareness-raising: transform attitudes that condone or normalize violence against children; and protect children in all media coverage.

5. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses

1. In collaboration with partners, continued capacity building and awareness raising on child rights and protection issues amongst children, police, judiciary, parliamentarians, policy makers and general population

6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

1. Establishment of One Stop Crisis Centre (OSCC) in Hospital

⁹ Commission for the Monastic Affairs of [Bhutan](#).^[1] Under the [2008 Constitution](#), it is the bureaucracy that oversees the Buddhist [Drukpa Kagyu](#) sect that is the [state religion](#) of Bhutan.

7. States and their partners must actively engage with children and respect their views

1. Youth and children led groups formed for raising awareness on child protection and to encourage child participation

8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.

10. Address the gender dimension of violence against children and women in a comprehensive violence-prevention strategy.

1. National Plan of Action for Gender (NPAG) 2008-2013 developed and implemented
2. National gender focal point network set up in 2006

11. Improve data collection and information systems by 2009, based on a national research agenda and international indicators, and with special reference to vulnerable subgroups.

12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

1. Ratified CRC Optional Protocols on the Sale of Children, Child Prostitution and Child Pornography on 26 November 2009 and on the Involvement of Children in Armed Conflict on 06 January 2010.
2. Signed the Convention on the Rights of People with Disabilities on 21 September 2010

MAIN CHALLENGES

1. Lack of a designated implementing agency for child protection
2. Child protection limited to few sectors/Coordination and consolidation of child protection/promotion efforts
3. Scarcity of data on the prevalence of violence, abuse or neglect of children, including child discipline at home/school/monastic institutions

4. INDIA

Presented by Dr Vivek Joshi, Joint Secretary, Ministry of Women and Child Development

Dr. Joshi noted that this report would be confined to initiatives taken by the Ministry of Women and Child Development only in view of time constraints.

Data on reported crimes indicated a steep rise in crimes against children in India from 7845 in 2003 to 19385 in 2010. There has been a marked increase in the incidence of kidnapping and abduction, rape and procurement of girls.

Note on presentation

[The Indian presentation illustrated how law and policy commitments are followed through with measures of implementation that reach the grass root levels in the selected settings. In order to maintain this thematic and holistic approach we make a deviation from reporting specifically against the 12 UNVAC Study Recommendations]

Violence in the Family is manifested as:

- Female foeticide: Sex ratio of children in the age-group of 0-6 years has declined from 927 per thousand boys in 2001 to 914 in 2011.
- Child marriage
- Discrimination against girl child
- Sexual and physical exploitation
- Drug abuse

Responses to violence in the family setting

1. Implementation of the Prohibition of Child Marriage Act, 2006

Under this law a child is defined as 18 years in the case of girls and 21 years in the case of boys.

2. 28 States have framed Rules and appointed Child Marriage Prohibition Officers
3. Several capacity building workshops held with stakeholders
4. Several State Governments have taken initiatives to stop child marriages such as
 - **Rajasthan**, special initiative is taken on Akha Teej (traditional day for such marriages) through police action, awareness campaigns, etc.

- **Bihar** Government has Mukhya Mantri Kanya Vivah Yojana designed to financially support the marriages of girls from economically disadvantaged families.
- **Madhya Pradesh** Government has a Mukhya Mantri Kanyan Yojana which provides financial support for marriage of girls who are at least 18 years of age from poor families

5. Introduction of Conditional Cash Transfers (CCT) for girl child with insurance cover in backward States

“Dhanalakshmi”—“a Conditional Cash Transfer Scheme for Girl Child with Insurance Cover (CCT)” was launched on a pilot basis in March, 2008. Under the scheme, cash transfers are made to the family of the girl child (preferably the mother) on fulfilling certain specific conditionalities related to birth and registration, immunization, school enrolment and retention upto Class VIII and delay in marriage of the girl child till the age of 18 years. The Scheme is being implemented in eleven blocks across seven States (Andhra Pradesh, Chhattisgarh, Jharkhand, Uttar Pradesh, Bihar, Punjab and Orissa) in the country.

6. Rajiv Gandhi Scheme for Empowerment of Adolescent Girls– SABLA, to address the multi-dimensional needs of adolescent girls

Sabla, a scheme for empowering adolescent girls was launched in 200 districts in 2010. It aims at empowering adolescent girls (11-18 Years) by improving their nutritional and health status and upgrading various skills like home skills, life skills, vocational skills, etc.

7. Implementation of Integrated Child Protection Scheme (ICPS) for vulnerable children through various services such as:

- Childline
- Open shelters
- Family-based non-institutional care through sponsorship, foster care, adoption and after-care

The ICPS Scheme has special provisions for children in need of care and protection, which includes children who are without home, who are mentally or physically challenged, are being abused, tortured or exploited, are found vulnerable and are likely to be inducted into drug abuse, etc.

The various care, support and rehabilitation services under ICPS include:

- Emergency outreach service through Childline, which is a 24*7 emergency phone outreach service. It is functional in 26 states and has catered to 21 million calls since its inception in 1996.

- Open shelters for children in need in urban and semi-urban areas. Such centres provide a space for children where they can play, use their time productively and engage themselves in creative activities, etc.
- The JJ Act provides for the rehabilitation and reintegration of children through sponsorship, foster-care, adoption and after-care. Under ICPS detailed guidelines and financial provisions are provided for such non-institutional care.

8. Revised guidelines for in-country and inter-country adoption notified in 2011

Recognising that a family or a family environment is the most conducive for the full and harmonious development of children, the revised guidelines for in-country and inter-country adoption have been notified on June 27, 2011 to regulate and monitor all adoption programmes.

9. Web-based Child Adoption Resource Information and Guidance System (CARINGS) launched

A web-based Child Adoption Resource Information and Guidance System (CARINGS) has been launched under which prospective parents can register on-line, track the progress of their application and get information about availability of children, thus making the process of adoption more transparent.

10. Pilot project for foster care of children initiated in three States

A pilot project for foster care of children has been initiated in the States of Jharkhand, Haryana and Andhra Pradesh, to test the methodology for placement of orphan, abandoned and surrendered children in a family environment.

11. Several initiatives taken by states to address drug abuse among children

- Awareness campaigns by police in Himachal Pradesh

In Himachal Pradesh, the police organizes drug awareness programmes for school and college students

- Website on drug abuse by police in West Bengal

In West Bengal, the police has developed a website on drug abuse for creating awareness among parents and the state has set-up a State Drug Control Bureau.

- Ban on production and sale of tobacco in Chhattisgarh

In Chhattisgarh, the Government has banned production and sale of tobacco, which was leading to increased incidences of oral cancer, with a three year jail term for those violating the ban.

- Several other state governments such as Maharashtra, Tamil Nadu, Chandigarh have also taken measures to control drug abuse.

Responses to violence against working and street children

1. Expansion of the list of banned and hazardous processes and occupations in the Child Labour (Prohibition and Regulation) Act, 1986
 - 18 occupations and 65 processes banned including hotels, spas, recreation centres, etc.
2. Amendments proposed in the Child Labour (Prohibition and Regulation) Act, 1986 to ban child labour up to the age of 14 years and regulate employment of children in no-hazardous occupations in the age group of 14-18 years
3. Care, support and rehabilitation services under Integrated Child Protection Scheme for children on streets

Under ICPS, open shelters are provided for street children offering creative activities, counseling, guidance and life skills education for channeling energies into productive endeavors and protection from abuse and neglect.

4. Essential primary healthcare services and health insurance for urban poor including street children under the National Urban Health Mission (NUHM)

Under National Urban Health Mission primary healthcare services and health insurance is provided to urban poor, covering all cities with a population of more than 0.1 million. It caters to the needs of street children, street vendors, slum dwellers, homeless population and other marginalized urban dwellers.

Responses to trafficking

1. UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children ratified on 5th May 2011
2. Trafficking of children for sexual purposes included in the Special Law on Protection of Children from Sexual Offences, Bill, 2012
3. Amendments proposed in Immoral Traffic Prevention Act, 1956

The amendments to Immoral Traffic (Prevention) Act, 1956 include: widening its scope, providing stringent punishment to the traffickers and other perpetrators of the crime, preventing re-victimization of victims and making its implementation more effective

4. Advisory issued on preventing and combating human trafficking in India dealing with foreign nationals in May 2012

MHA issued an advisory on preventing and combating human trafficking in India dealing with foreign nationals in 2012. More advisories have been issued in the past such as

- combating human trafficking in April 2012
 - Measures needed to prevent trafficking and tracing of missing children in January 2012
 - Preventing and combating cyber crime against children in Jan 2012
 - Crime against children in July 2010
 - Preventing and combating human trafficking in 2009
5. Anti-Human Trafficking Units being set-up in 335 districts identified as vulnerable districts
- Anti Human Trafficking Units: One of the important activity undertaken through AHTUs is training of police officers, public prosecutors and nodal officers of AHTUs. The entire thrust of the law enforcement response is to ensure that girls are not trafficked and those who happened to be trafficked should be able to come out of it. The end result is to criminalize demand by better investigation and prosecution.

6. A comprehensive scheme for prevention, rescue, rehabilitation, re-integration and repatriation of victims of trafficking for commercial sexual exploitation-“Ujjawala”

Ujjawala” is being implemented under which 76 rehabilitative homes have been sanctioned which can accommodate nearly 3800 victims. The Scheme provides for shelter, food, clothing for victims, counselling, medical care, legal and other support, vocational training and income generation activities. Trafficked victims are also given shelter in Short Stay Homes and Swadhar Homes for women in difficult circumstances.

7. Anti Trafficking Nodal Cell set up in States

Anti trafficking Nodal Cell has been set-up for dealing with matters relating to trafficking in human beings. The Cell is, inter alia, responsible for collecting and analyzing the data related to trafficking from the State Governments/UT Administrations, identifying problem areas and analyzing causes for their being source/transit/destination areas, monitoring action taken by the State Governments/UT Administrations for combating the crime and organizing coordination meetings with the nodal police officers of States/UTs.

Responses to violence in schools and institutions

1. Adoption of the Right of Children to Free and Compulsory Education Act, 2009
 - Section 17(1) provides that no child is subjected to physical punishment or mental harassment
 - Section 17(2) provides for disciplinary action against contravention
2. Provision added in Affiliation Bye-Laws of Central Board of Secondary Education (CBSE), empowering School Managing Committee to place an employee under suspension for cruelty against any student or employee
3. Guidelines issued by CBSE and National Commission for Protection of Child Rights (NCPCR) to stop corporal punishment

4. Implementation of ICPS for children in difficult circumstances and vulnerable children

ICPS aims to improve the well-being of children in difficult circumstances and reduce vulnerabilities to situations and actions that lead to abuse, neglect, exploitation, abandonment and separation of children from their families. Considerable progress has been made under the Scheme in establishing statutory structures and setting up rehabilitation and reintegration services such as 125 Specialized Adoption agencies and 638 Homes have been funded to provide comprehensive rehabilitation services to children including food, clothing, day and night shelter, education, medical facilities, etc.

5. Amendments made in the Juvenile Justice (Care and Protection of Children) Act, 2000 in 2006 and in 2011

The JJ Act was amended, in 2006, to make it more effective by providing time-lines for setting up of Juvenile Justice Boards and Child Welfare Committees and compulsory registration of Child Care Institutions, etc. The scope of the Act was also widened to include working children, children living on the streets, those found begging, etc.

- As a result, Child Welfare Committees (CWCs) increased to 548. Juvenile Justice Boards (JJBs) increased to 561. and 151 Children's Homes have been upgraded.
- The Act was amended in 2011 to remove discriminatory references to children affected by disease such as leprosy, tuberculosis, hepatitis B, etc.

Responses to violence in areas affected by civil unrest

1. Implementation of "Bal Bandhu" as a pilot scheme since December 2010 in 9 districts of five States by National Commission for Protection of Child Rights (NCPCR) to:

- Community mobilization
- Ensure children's right to protection, health, nutrition, sanitation and education

Bal Bandhu Scheme is being implemented through grant from the Prime Minister's Relief Fund. It is being implemented in the areas of civil unrest in five states (**Andhra Pradesh, Assam, Bihar, Chhattisgarh and Maharashtra**). The Scheme has been sanctioned for a period of three years.

Activities of the Scheme include:

- Community mobilisation to build awareness on child rights through 'Bal Bandhus', a cadre of trained local youth volunteers, who act as child rights defenders
- Establish, contact and engage members of gram Panchayats and block level officials in improving and reviving institutional support for children
- Facilitate enrolment of children in schools, Anganwadi, hostels, ashramshalas, residential bridge courses, etc.

5. MALDIVES

Presented by Ms. Zulaikha Shabeen, Deputy Minister Ministry of Health and Family

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009.

1. Policy frame work: SAP 2009-2013 states – VAC be it of nature sexual, physical, emotional and psychological or neglect are all prohibited in Maldives.
2. It gives commitment to improve overall access to justice and enable restorative justice for children in conflict with law
3. Collaboration with NGO - UNICEF Work plan/SAIEVAC

2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings.

1. DV Bill passed and became a DV Act in 2012
2. The Constitution in line with Islamic *Shariah* prohibits all forms of VAC
3. Law no: 9/91 on the protection of rights of children- (is being amended at the moment, Plans are underway to include state care and foster care- at the moment there is no legal authority , a regulation is used – this creates challenges)
4. A law on stringent punishment for perpetrators of sexual violence against children- 2009- strict punishment and withdraws the right to remain silent.

3. Prioritize prevention in all settings by targeting underlying causes and more immediate risk and protective factors.

1. Educational Training centres for Children (ETCC)
2. Social Security- Allowance for single mothers, elderly, disability
3. Housing policy –points for disabled children's parent/ additional points for single mothers
4. Single parent allowance (194\$ per month)
5. Allowance for foster parents and children
6. Universal Health care schemes

4. Promote non-violent values and awareness-raising: transform attitudes that

condone or normalize violence against children; and protect children in all media coverage.

1. FCD- NGO- awareness programmes-
2. SAIEVAC activities for advocacy on VAC – outsourced to NGO
3. Preventing children from harmful materials shown in media: Law 9/91 article 7 – programmes targeting children should not contain any material verbal or pictorial which may adversely influence the morals or behaviour of children
4. MOU signed with telecom partners to block child abuse content on internet

5. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses

6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

1. In 2006 FCSC were established – Decentralised social service to Atolls
2. Children's home- State Care
3. JJU established (2009)- provide rehabilitation for child offenders
4. Only one Children's Home, established in 2006- 29 girls and 23 boys- includes victims/orphans/whom parents are in jail (over 45 capacity limit)
5. Educational Training Centre for children- 50 boys
6. JJU- rehabilitation and other intervention for those in facility care
7. Immense challenge for girl child / shelter work in progress

7. States and their partners must actively engage with children and respect their views.

1. Amendments of CR law in progress- which children will be consulted
2. 2011 children were participated on event to mark World Day for prevention of abuse and VAC
3. A theatre group was formed using children to play out theatrical dramas to create awareness- on VAC- still active (funded by UNFPA)
4. CRC report- children will also be consulted
5. SAIEVAC / national consultations has enabled further participation of children in enabling them to speak out for their rights

8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

1. Child Helpline (2009) was launched to reach out to more children in need of care and protection to overcome geographical obstacle in accessing services

2. Reporting- CFPS/FCSC- Counselling

9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.

1. FCPD/CFPS- Data are recorded.
2. Annual media reports are produced using the data
3. It is compulsory to evaluate Criminal records before being employed in to civil service and independent commissions
4. Set offenders registry managed by police

10. Address the gender dimension of violence against children and women in a comprehensive violence-prevention strategy.

11. Improve data collection and information systems by 2009, based on a national research agenda and international indicators, and with special reference to vulnerable subgroups.

12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

1. Maldives signed the CRC in August 1990 and ratified in February 1991
2. The Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 10 May 2002 and on the involvement of children in armed conflict on 29 December 2004.
3. CEDAW Ratified in 1993
4. Member of ILO 15th May 2009
5. Convention on Rights of Persons with Disabilities ratified in 2010
6. CEDAW – The 4 & 5 combined report has been drafted and in the process of being finalised
7. CRC- 4 & 5th combined Report writing will begin in June

MAIN CHALLENGES

1. Amendments to the family law is needed-18 years remain the minimum age for marrying - registrar of marriage has the discretion to grant leave for marriage for girls below 18 (earlier- regulation was in place- assessment by MGF but the reform in 2009 removed)-
2. Children's home - girls reaching 15 and above
3. Child Helpline - Children with Disability are not reached
4. Limited knowledge within the society on underlying causes of VAC- awareness is needed

5. Limited technical capacity
6. Dissolving of previous Ministry and forming of new Ministry MGFHR in 2012

6. NEPAL

Presented by Mr. Laxmi Prasad Tripathi SAIEVAC National Coordinator

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009.

1. National Child Policy 2012
2. National Plan of Action against Trafficking of Women and Children 2011
3. National Master Plan on the Elimination of Child Labour in Nepal (2011-2020)
4. Revised - National Plan of Action for Children (2004-2014)
5. Central Child Welfare Board (CCWB) and District Child Welfare Boards (DCWBs) with Child Rights Officers
6. Restructuring Department of Women Development into Department of Women and Children and corresponding structures at the District level.

2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings.

1. The Interim Constitution of Nepal, 2007- Right to protection is ensured under the Children's Rights as fundamental rights

Specific Laws and Regulations:

- i. Child Labor (Prohibition and Regulation) Act 2000
- ii. Gender Equality Act 2006
- iii. Juvenile Justice (Procedural) Regulations 2006
- iv. Human Trafficking and Transportation (Control) Act 2007 and its Regulations
- v. Domestic Violence Act, 2009 and its regulations
- vi. Inter-country Adoption Procedure 2009
- vii. New Children's Bill (in process)
- viii. Standards for Operation and Management of Residential Child Care Homes 2012

Court Decision

2. On 6 January 2005, a special bench of the Supreme Court invalidated the legal provision of minor beatings by parents, guardians and teachers for children's 'welfare'.

3. Prioritize prevention in all settings by targeting underlying causes and more immediate risk and protective factors.

1. Awareness programs on different forms of violence by GOs/NGOs/INGOs
2. Encouraging community protection groups for the prevention of all kinds of VAC through different child related programs and plan of actions.
3. Tobacco Act 2011 (preventing selling tobaccos to children)

4. Promote non-violent values and awareness-raising: transform attitudes that condone or normalize violence against children; and protect children in all media coverage.

1. The government has declared all educational institutions including schools as zones of peace

School as Zones of Peace (SZOP) National Framework and its implementation Guideline 2011 (prevents armed activities and political interference as well as all kinds of abuse, neglect, exploitation and violence in schools) This is promoted by the Government and initiated by different civil society organizations. The Ministry of Education endorsed SZOP National Framework and its Implementation Guidelines, 2011

2. Implementation of Learn without Fear Policy 2010 (aimed at preventing violence against children in schools) through different campaigns, development of training manuals, teachers training, etc.
3. Child Friendly Local Governance (CFLG) National Framework and Operational Guideline 2011 adopted child focused local development approach in order to reduce incidence of violence, exploitation, trafficking and abuse against children
4. The Supreme Court decision has made corporal punishment in all settings unlawful.
5. Development and dissemination of IEC materials through FM stations, TV channels, etc

5. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses to violence against children

1. Government through its different line agencies in partnership with different civil society organizations and development partners has provided training to officials, who work with children: e.g.
 - Training to judges and lawyers who are involved in juvenile cases
 - Training to police on child friendly investigation procedure
 - Training to teachers on Child Friendly Teaching Methodology
 - Training to Child Rights Officers of Central and District Child Welfare Boards on child rights monitoring and response

2. Employees of organizations working with children are trained on child rights and child friendly facilitation skills

6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

1. National budget allocation to all 75 districts for the recovery and social reintegration services to children as child protection funds
2. Emergency Child Relief Fund established at the centre and all 75 district headquarters.
3. Women and Children Service Centre in Nepal Police (for the prevention, rehabilitation and re-integration of victims of violence)
4. Standards for Operation and Management of Residential Child Care Homes 2012 (provisions including prevention of VAC in all types of child care homes)
5. Standard Operating Procedure of Rehabilitation Centre 2012
6. Rehabilitation centers established and supported by the government and NGOs for survivors of domestic violence and trafficking
7. Government run Community Service Centers (in 15 districts) for women and children affected by domestic violence
8. Psycho social counseling, education support, vocational training, awareness raising program and free legal aid are provided to the victim-child through coordination with different organizations for their recovery and social reintegration

7. States and their partners must actively engage with children and respect their views.

1. National Child Policy 2012 incorporates child participation as a vital component
2. Child Friendly Local Governance (CFLG) framework ensures children's participation in the local development process
3. Increasing trend of children's participation in the DCWBs, School Management Committees, VDCs and community protection groups' assembly.
4. Increasing trend of child participation in the formulation of NPAs, laws, policies and project cycles
5. Child clubs and their federations formed, enlisted, supported and strengthened by VDCs, NGOs, etc.

8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

1. Child Help Line (Toll free 1098) available for emergency responses to child right violations with operating guideline.

2. National Centre for Children at Risk (Service for Lost and Found) – Toll free 104
3. Women and Children Service Centers are established within Nepal Police to facilitate people for reporting violence against children
4. CCWB at the Centre and DCWBs are functional in all the districts of Nepal to coordinate overall activities related to children that including reporting the cases of VAC and other child rights violations
5. Community protection groups are encouraged to report violence against children

9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.

1. In 2011, 217 cases of sexual abuse and exploitation were reported,
2. Of the total reported cases 174 were filed for legal process
3. 73 cases were settled and 101 are under consideration by the courts

10. Address the gender dimension of violence against children and women in a comprehensive violence-prevention strategy.

1. National Action Plan on Gender Based Violence 2010
2. Child marriage is prohibited by law, same minimum legal age (with parental consent - 18 yrs and without consent - 20 years) for marriage for girls and boys
3. Budget allocated for the rehabilitation and education of freed kamalari girls (bonded laborers)
4. Girl children are given priority for scholarships at schools
5. Girls are equally promoted in child clubs including in leadership positions of the clubs
6. Traditional malpractices against girl child such as *Deuki*, *Jhuma*, etc are prohibited by the law
7. Para Legal Committees (PLCs) are active at the community level for the prevention of gender based violence

11. Improve data collection and information systems by 2009, based on a national research agenda and international indicators, and with special reference to vulnerable subgroups.

1. Birth registration system strengthened in the country, including awareness on vital registration

2. Collection of data and information on the status of children at the national and district level and published annually
3. Initiatives of the National Women's Commission to establish a system for collecting information on GBV
4. Data base on cases of Children in Conflict with the Law at the Juvenile Justice Coordination Committee
5. Data base of VAC is maintained by Child Helpline and Centre for Children at Risk (lost and found children)

12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

Nepal has ratified several human rights instruments, including those related to children. Some specific instruments ratified during 2005-2012 are:

- Two optional protocols to the CRC (OP on Sale of Children ratified in 2006 and OP on Armed Conflict ratified in 2007)
- Optional Protocol to the CEDAW (ratified in June 2007)

UN Convention on Rights of Persons with Disabilities ratified in 2010

MAIN CHALLENGES

1. Lack of sufficient human and financial resources
2. Limited public awareness about reporting of cases
3. Lack of disaggregated data collection system
4. Monitoring systems need to be further strengthened to make them more effective

7. PAKISTAN

Presented by Mr. Muhammad Hassan Mangi, Director, National Commission for Child Welfare and Development (NCCWD), Ministry of Social Welfare and Special Education

The following thematic areas were identified as priorities in Pakistan

1. Violence and Abuse
2. Child Trafficking
3. Corporal Punishment
4. Child Pornography
5. Early Marriages
6. Rigorous Imprisonment
7. Child Labour & Exploitation

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009.

1. Pakistan has a comprehensive National Plan of Action (NPA) for Children approved by Federal Cabinet in 2006.

Key strategies cover the following areas: political commitment, raising awareness, capacity building, advocacy, networking and social mobilization.

2. Juvenile Justice System Ordinance, 2000
3. Punjab Destitute and Neglected Children Act 2004
4. The Azad Jammu & Kashmir Child Protection Policy
5. Khyber-Pakhtunkhwa Child Welfare and Protection Act, 2010
6. Sindh Child Protection Authority Act, 2011
7. Charter of Child Rights Bill, 2010 (draft)
8. National Child Protection Policy(draft)
9. National Commission for Human Rights Bill, 2012

This Bill provides for the establishment of an independent Human Rights Commission with unprecedented powers to deal with complaints of human rights violations.

10. National Child Protection centre has been established in Islamabad.
11. Core Group on Child Sexual Abuse and Exploitation
12. Child Rights Network
13. Parliamentarians' CAUCUS on Children.
14. The NCCWD is actively coordinating the matters of violence against children with the national organizations working on child rights and also with the SAIEVAC secretariat.
15. National secretariat has been setup in the Ministry of Human Rights

2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings.

1. Prevention & Control of Human Trafficking Ordinance 2002
2. Anti Women Practices (Criminal Law Amendment) Act 2011
3. Criminal Law (Amendment) Bill, 2009 (draft)
4. Prohibition of Corporal Punishment Bill, 2009 (draft).

3. Prioritize prevention in all settings by targeting underlying causes and more immediate risk and protective factors.

4. Promote non-violent values and awareness-raising: transform attitudes that condone or normalize violence against children; and protect children in all media coverage.

5. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses to violence against children

1. Conducted KAP (Knowledge, Attitudes and Practices) study on Child Protection Rights and Responsibilities, which is helpful in devising strategies to cope with child sexual abuse and exploitation in the country.
2. National Media Workshop on Combating Child Marriage and Corporal Punishment was September 2007.
3. Training workshop on Minimum Quality Care Standards for care giving institutions in 2008.
4. Core group consultation on Commercial Sexual Exploitation in 2008 at Islamabad
5. Series of Media workshops on Child Rights and Child Protection 2008 - 2009.
6. Launched UN study on Violence against Children, 2006.
7. Capacity building and sensitization workshops NPA at districts & provincial level 2007 - 2010.
8. Seminar on legal Requirements for Child Protection in Pakistan, 2009.
9. Consultation for setting of Minimum Standards for the Children in institutional Care, 2007.

10. Dissemination Seminar on analysis of enforcement Gaps in Child protection Laws, 2007.
11. National Launch of Communication Campaign on Child Protection, 2008.
12. Workshop on promotion of Birth Registration, 2010.
13. National Conference on Child Rights as Human Rights (Post 18th Amendment Scenario), Islamabad, 2011.
14. Workshop on Promotion of Birth Registration 27th July, 2010
15. National Conference on Child Rights on 25th June, 2011, Islamabad.
16. A training course on combating child trafficking during 2011
17. Trainings on Child Rights & Child Protection organized by various CSOs in 2011.
18. Training courses for Judiciary & law enforcement agencies in 2011.
19. Trainings course on HRD & Child Labour organized by various CSOs in 2011.

6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

1. 28 Centers (sweet homes) by Bait-ul-Mal (PBM).
2. 159 centers for rehabilitation of children involved in child labor by PBM.
3. Child Protection & Welfare Bureau, Punjab.
4. 8 “NIGHEBAN Centers”, in Punjab.
5. Child Protection & Welfare Bureau, Punjab
6. Child Protection & Welfare Commission, KPK.
7. Dar ul Atfal Sindh.
8. Child Protection Cell, Gilgit-Baltistan.
9. Child Protection Centre Turbat, Balochistan
10. Child Protection Units Azad Jammu & Kashmir
11. 13 Drop-in Centers/ Child Protection Centers (Govt+UNICEF)
12. SOS Children’s Villages for proper care, upbringing and rehabilitation of children on long-term basis.
13. SPARC, SAHIL, ROZAN (National)
14. BUNYAD, SUDHAR (Punjab)
15. Dost Foundation, Pakistan Pediatric Association (KPK)
16. SEHAR (Balochistan)
17. CEENA (Gilgit Baltistan)
18. Lawyers for Human Rights and Legal Aid, Initiator, Azad Foundation (Sindh)

19. Assisted repatriation of 1,000 children trafficked to UAE as camel jockeys and their social rehabilitation and integration with families and community development and empowerment

7. States and their partners must actively engage with children and respect their views.

1. The first ever children's parliament was launched on Friday 14th November, 2008 by Society for the Protection of the Rights of Child (SPARC) to raise awareness and promote child rights in the Pakistan. Its principal theme was to increase child participation in decision making.

8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

1. The UNICEF and the Wafaqi Mohtasib (Federal Ombudsman) of Pakistan jointly setup Children's Complaints Offices (CCO)
2. The CCO has designated Investigation Officers for the handling of child related complaints at the following locations:
3. Peshawar (Khyber Pakhtunkwa)
4. Lahore (Punjab)
5. Quetta (Balochistan)
6. Karachi (Sindh)
7. Madadgar Helpline for Women & Children in collaboration with Lawyers for Human Rights and Legal Aid

9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.

10. Address the gender dimension of violence against children and women in a comprehensive violence-prevention strategy.

11. Improve data collection and information systems by 2009, based on a national research agenda and international indicators, and with special reference to vulnerable subgroups.

12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

1. United Nations' Convention on the Rights of the Child (UNCRC), ratified in 1990
2. Optional Protocol to the UNCRC on Sale of Children, Child Prostitution & Child Pornography (ratified in June 2011)
3. Optional Protocol on Involvement of Children in Armed Conflict (Signed).
4. SAARC Convention on Preventing & Combating Trafficking in Women and Children for Prostitution, 2002
5. SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia, 2002
6. South to South Cooperation on Child Rights 2010
7. South Asia Initiative to End Violence against Children (SAIEVAC) 2010.

8. SRI LANKA

Presented by Ms. Anoma Disanayake, Chairperson, National Child Protection Authority (NCPA)

1. Strengthen national and local commitment and action: Establishment of a national focal point for coordination and to ensure that actions are integrated into national planning processes by 2009.

1. The Article 27(2) of the constitution has recognized the family as the basic unit of society and promotes with special care the interests of children & youth
2. The rights of children are further enshrined in national legislation, both in civil and criminal law of the Democratic Socialist Republic of Sri Lanka: (Substantive law: Penal Code and subsequent amendments, ICCPR Act; Procedural law: Children and Young Persons Ordinance)
3. Separate Ministry for Child Development from 2005
4. Establishment of the National Child Protection Authority
5. Police Children & Women's Desks
6. National CRC Monitoring Committee
7. Child Protection Committees at different levels (district, divisional, villages and schools)
8. Steering Committees on child labour
9. Citizen Committees set up in voluntary homes
10. The National Anti Human Trafficking Task Force was launched in October 2010 with a view to strengthening the coordination among the key government stake holders and NGOs & INGOs

2. Prohibit all violence against children in coordination with legal reforms and implementation to stop all forms of violence against children, in all settings

1. Corporal Punishment as a sentence of Court prohibited by the Corporal Punishment (Repeal) Act 2005
2. Penal Provision in place to prohibit cruelty against children; steps being taken to examine the scope of the existing law to cover the spectrum of violence that could be committed against children in all settings
3. Circular issued by the Ministry of Education on the negative consequences of corporal punishment in schools
4. Instructions given to caregivers of institutions to which children get referred to on the harmful consequences of corporal punishment

3. Prioritize prevention in all settings by targeting underlying causes and more immediate risk and protective factors.

1. Public Awareness campaigns on harmful effects of Family Violence and Corporal Punishment
2. School Based Child Protection through Child Protection Committees
3. Community Based Child Protection mechanisms such as children's clubs and councils programs, model villages program ; alert groups, in addition to Child Protection Committees
4. Promoting Positive Discipline techniques
5. Promoting Adolescent Sexuality and Reproductive Health (ASRH)

6. Mine risk education/CP issues in disaster management
7. Community-based resource and drop-in centers such as Child Focus Group Centres run by NCPA

4. Promote non-violent values and awareness-raising: transform attitudes that condone or normalize violence against children; and protect children in all media coverage.

1. Promoting parenting skills and physical, social and psychological development needs of children
2. Campaigns: “Stop Child Sex”; “Bring Back the Child”
3. Campaigns to end child labour
4. Pilot awareness raising activity on positive parenting – to test effectiveness of simple awareness raising techniques; campaign to be developed based on the findings
5. National and district-level pledge programs on Child Protection

5. Enhance the capacity of caregivers and service providers to improve prevention, detection and responses

1. First Children’s Magistrate’s Court piloted in Colombo; Pilot project to expedite High Court Trials of Child Victims of Abuse conducted in 2 provinces; Sensitization programs for the Judiciary on Child Protection Special needs of Children in contact with the law; Module on Child Protection developed for the Sri Lanka Judges Institute
2. Pilot study to examine the scope for making Community-based Correction options available to Juvenile Offenders
3. Training curriculum on Child Protection introduced at Police Training School
4. Development and rolling out of case management guidelines for children at risk
5. Capacity building for social workers (Diploma on child protection for Social Workers directly working for children in Northern & Eastern provinces)

6. Provide accessible, child-sensitive and universal health and social services, including legal assistance to children and their families to support recovery and social reintegration.

1. Identification of most vulnerable and marginalized children
2. Re-unification processes
3. Strengthening support services (counselors)
4. Providing livelihood and psychosocial support to children affected by the conflict in the North and East.

5. Providing educational materials/monthly scholarship for Orphaned and Vulnerable children under kinship care.
6. Case management and monitoring of all cases of abuse by NCPA district officers and Probation officers

7. States and their partners must actively engage with children and respect their views

1. Establishing Children's clubs to provide space for children to interact and facilitate their aesthetic enjoyment
2. Initiatives taken in consulting children in policy planning and law amendment processes, particularly using Focus Group Discussions at national, district and village level
3. Systematic approach in involving children in all decisions affecting their well-being

8. Create well-publicized, accessible, child-friendly and confidential reporting systems and services.

1. 24-hour, free, confidential and accessible service provided by 1929 Child Helpline Sri Lanka (NCPA)
2. Child-friendly, walk-in support services at NCPA for victims of abuse
3. Child-friendly police stations island-wide

9. End impunity and build community confidence in the justice system by bringing all perpetrators of violence against children to justice.

1. Steering committee developed a 30 point guideline for the Police Officers, Attorney General's Department and JMOs to conclude new child abuse cases within six months; This initiative is currently being piloted in three districts

10. Address the gender dimension of violence against children and women in a comprehensive violence-prevention strategy.

1. Domestic Violence Act 34 of 2005
2. Penal code amendments
3. Revisions to marriage laws 1995

11. Improve data collection and information systems by 2009, based on a national

research agenda and international indicators, and with special reference to vulnerable subgroups.

1. National database on child victims of abuse to be developed and secured under NCPA.
2. Integrated, secure network to be developed among CP actors to facilitate information sharing

12. Strengthen international commitment by ratifying international treaties and honouring the commitments in action.

Sri Lanka has ratified the following instruments:

1. Convention on Rights of the Child (12.07.1991)
2. Optional Protocol on the Involvement of Children in Armed Conflict (08.09.2000)
3. Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (22.09.2006)
4. The ILO conventions, No.138 on the minimum age of employment
5. Convention and No.182 on the Worst Forms of Child Labour
6. Hague Convention on Inter-Country Adoption of Children in year 2000
7. Submission of periodic reports

MAIN CHALLENGES

Juvenile Justice: Care and Protection of Children in Contact with the Law

1. Laws focused on prosecution rather than a guarantee of safety and provision of services for victims of abuse, rehabilitation, psychological and physical well-being.

2. Victims of abuse and petty offenders are treated in the same manner in the process and are kept together, with institutionalization as a frequent result

Care and Protection of Children in Alternative and Institutional Care

1. Many institutions defined as orphanages, but the percentage of orphans is very small. Poverty and dysfunctional families and other social problems are seen to be endemic factors in institutionalization.
2. Available resources not adequate to establish and maintain child friendly institutions. The capacity of staff is very limited due to non availability of recurrent and comprehensive trainings and education.
3. Duplication of assessing and monitoring by the central government and provincial governments

Children within the family and community

1. Early marriages still occur in some communities and socio-economic groups. Early marriage is to be seen also in the context of teenage sexuality and connected to rise in pregnancies among girls under 18 years.
2. Increasing trend in domestic violence due to social acceptance. Under-reported because it involves close family members or persons well known to the child, it is seen as a private family affair, and because some practices, such as corporal punishment and name calling, are seen as conventional rather than forms of abuse.
3. Sexual abuse - increasing forms of abuse and generally under-reported due to fear and stigma.

5. DAY TWO

DAY TWO AT A GLANCE

Plenary presentation 3

Experience of negotiating the sexual offences Bill – Dr. Vivek Joshi (India)

Plenary presentation 4

Parliamentary Initiatives for Children/Child Rights - H.E. Rubina Sadaat, (MNA Pakistan)

Plenary presentation 5

Establishing Standards for Child Rights Institutions: Experience from NCPCR India - Prof. Shantha Sinha (India)

OUTCOMES OF THE CONSULTATION

Way Forward in the Countries

- 9. Afghanistan***
- 10. Bangladesh***
- 11. Bhutan***
- 12. India***
- 13. Maldives***
- 14. Nepal***
- 15. Pakistan***
- 16. Sri Lanka***

Presentations by Joint Working Groups

- 5. Working Group on Addressing Child Labour at the SAARC Regional Level***
- 6. Working Group on Addressing Cross Border Issues at the SAARC Regional Level***
- 7. Working Group on Developing Multi-Stakeholder partnerships within SAIEVAC***
- 8. Working Group on Addressing Harmful Practices, with special focus on Child Marriage at the SAARC Regional Level***

Review of Recommendations

Drafting Committee Session for SAIEVAC – South Asia Call for Action

South Asia Call for Action on Ending Violence against Children

PLENARY PRESENTATIONS

Plenary presentation 3

Experience of negotiating the sexual offences Bill – Dr. Vivek Joshi (India)

- *Need for the Bill*

The National Crime Records Bureau (NCRB) data showed an increase of sexual offences against children from **2265** in 2001 to **6371** in 2010. In addition **53%** of child respondents in the *Study on Child Abuse: INDIA 2007* by Ministry of Women and Child Development reported having faced one or more forms of sexual abuse.

▪ *Existing Provisions in Law*

The Indian Penal Code (IPC) does not provide for all types of sexual offences against children. In particular the sexual abuse of male children is not specifically covered. Nor does the IPC distinguish between adult and child victims.

▪ *Process of Formulation of the Bill*

Formal discussions began in 2005 with the object of developing a comprehensive law that defined all offences against children. The negotiation was a time consuming process and there were different views amongst NGOs, legal experts and Ministries on a comprehensive law. However by 2010 a consensus developed on the following lines:

- ✓ There should be a separate law on sexual offences
- ✓ This should be coupled with child friendly procedures

The Draft Bill on sexual offences was then circulated to State Governments/ Union Territory Administrations and concerned Central Ministries. It was approved by Cabinet and introduced in Parliament in March 2011 and referred to Parliamentary Standing Committee (PSC).

The Bill was reviewed by PSC through an extensive consultative process and the PSC recommendations were made in December 2011. The Bill was revised with Cabinet approval and amendments introduced in the Rajya Sabha in April 2012. After approvals of both Houses of parliament in May 2012 the Bill awaits the final assent of the President of India.

▪ *Salient Features of the Bill*

1. Child defined as any person below the age of 18 years – gender neutral
2. Clear definition and description of following offences
 - Penetrative Sexual Assault
 - Aggravated Penetrative Sexual Assault
 - Sexual Assault
 - Aggravated Sexual Assault

- Sexual Harassment of the Child
 - Use of Child for Pornographic Purposes
3. The offence is aggravated when,
 - a. Committed by a person in position of trust or authority such as police/army personnel, public servants or family members
 - b. Committed by persons in management or staff of educational, medical or religious institution
 - c. Gang assault
 - d. Child has mental or physical disability
 - e. Offence is committed and child is made to strip and/or parade naked in public
 - f. Child is below 12 years of age
 4. Stringent punishments with fines based on the gravity of offence:
 - a. Penetrative Sexual Assault -seven years or imprisonment for life
 - b. Aggravated Penetrative Sexual Assault 10 years or imprisonment for life
 - c. Sexual Assault–three years or five years
 - d. Aggravated Sexual Assault –five years or seven years
 - e. Sexual Harassment of the Child– three years
 - f. Use of Child for Pornographic Purposes– five years and in case of subsequent conviction, seven years
 5. A Child accused will not to be tried under this law but will be dealt with under the Juvenile Justice (Care and Protection of Children) Act, 2000
 6. Abetment treated with same gravity as commission of that offence
 7. Trafficking of children for sexual purposes covered under abetment
 8. Attempt to commit an offence penalized, for upto half the punishment prescribed for that offence
 9. Burden of proof shifted on accused in case of serious offences
 10. False complaint penalized
 11. The following special provisions deal with the effective protection of child victims and child friendly procedures
 - a. Reporting of offence to Special Juvenile Police Unit (SJPU) or local police

- b. SJPU/local police to inform Child Welfare Committee/Special Court within 24 hours
- c. Non-reporting, non-recording of offence penalized
- d. Recording statement of child at the residence of child or at the place of his choice
- e. Child not to come in contact with the accused
- f. Use of audio-video electronic means to record statement of child
- g. No child to be detained in police station in night
- h. Assistance of an interpreter/ expert
- i. Police officer not to be in uniform
- j. Medical examination
- k. In the presence of the parents/other person in whom child has trust or confidence
- l. To be conducted by woman doctor, in case of girl child
- m. Frequent breaks for child during trial
- n. Child not to be called repeatedly to testify
- o. No aggressive questioning or character assassination of child
- p. Media barred from disclosing identity of child
- q. Provision for compensation for immediate relief and long-term rehabilitation of child
- r. Provision for free legal aid

12. The above child friendly approach is to be enabled by designating a special court and procedure for these cases:

- a. A Court of Session in each District to be designated as Special Court for speedy trial
- b. Evidence to be recorded within 30 days
- c. Completion of trial by Special Court within a year

13. National Commission for Protection of Child Rights (NCPCR) designated as Monitoring Authority

14. Central and State Governments to spread awareness

15. Rules to be framed for provisions such as:

- Qualification, experience and fees of translator/interpreter/special educator, etc.

- care and protection and emergency medical treatment of the child
- payment of compensation
- manner of periodic monitoring

Plenary presentation 4

Parliamentary Initiatives for Children/Child Rights - H.E. Rubina Sadaat, (Member National Assembly Pakistan)

It is a great pleasure to be here together for the cause of children. Globalization and modernization have brought in new challenges and complexities and we must engage them in combating the abuse and exploitation of children. We are pursuing our Human Rights commitments aggressively to meet these challenges in Pakistan

We have developed a number of initiatives for children in health, education and development. We have developed strategies based on building a Protective Environment for children.

Pakistan has established a Parliamentary forum, a women's caucus to advocate for the rights of children and ensure that Parliament plays a positive role in all aspects concerning children.

We must protect the rights of children and share best practices. I urge all countries to establish Parliamentary forums. Right now we are organizing a Child Rights conference in Pakistan with Members of Parliaments from all SAARC countries.

Special mention must be made of the contribution of SAIEVAC as a catalyst. I request SAIEVAC secretariat to coordinate all efforts in the region. Children are the purity and our aspiration for the future.

Thank You!

Plenary presentation 5

Establishing Standards for Child Rights Institutions: Experience from National Commission for Protection of Child Rights (NCPCR) in India - Prof. Shantha Sinha Chairperson NCPCR (India)

The NCPCR was established in 2005 and we spent the first two years setting up systems and processes. The Commission's Mandate is to ensure that all Laws, Policies, Programmes, and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child.

We are happy that the mandate refers to children's rights – and rights are same for all children within the framework of equity and social justice. As this is a state obligation we have been engaging with civil society and fostering a partnership between civil society and state. We consider it our duty to handhold and give feed back to the state

Children are between 0-18 years and all age groups equally important. We do not accept any ranking of rights and believe that all rights are inter-dependent and universal.

In the passage of the Sexual offences Bill the Commission played an important role in formulating the draft. Judges/lawyers and bureaucrats – Supreme Court of India and State High Courts seek our opinion on many issues – on trafficking and child labour cases. This consultative status and role is very important – We do several state visits in a country of 20 million children and also conduct public hearings, studies and visits.

We promote the right of children to free and compulsory education and will also monitor the new Sexual Offences Act

Previously all forms of child labour were not abolished. We brought an amendment to the Child Labour Act and all forms of CL abolished. Compulsory education laws and child labour laws were harmonized and now all under 14's must be in school.

We believe we must take categorical stands on behalf of children – our script cannot differ from children. We take very strong categorical stands on issues like right to food. Independent Human Rights Institutions have the luxury of taking uncompromising stands. The administration may have its own rules and circulars and forms to follow but it is our duty to assert the rights of the child. That is our role.

Some forms of corporal punishment like slapping is as detrimental as grievous hurt, and even that must be banned in family settings. Children are not less than adults and they are equal to us – as much as we say women are equal to men.

We have to break the negative attitudes of adults which I can term as adultarchy. Children need you and me as child defenders as their soldiers. The role of a human rights institution is to break this adultarchy in a peaceful and non violent manner.

OUTCOMES OF THE CONSULTATION

WAY FORWARD IN THE COUNTRIES:

The Follow up Regional Consultation was an opportunity for the each country to take stock of their progress and resolve to move closer in amity, friendship and professional collaboration. These recommendations worked out by each country represent a moment in time and their actualization would of course depend on the acid test of experience, commitment, capacity, leadership and finally the ability to tap the wealth of unique

knowledge and experience held jointly within the region; a resource to which SAIEVAC has now become the trustee. This would also require mutual appreciation of the complexities, concerns and realities in each country as the following table, based on the 2012 South Asia Data Pocketbook¹⁰ would show.

Country	Total Population (thousands)	Child Population (thousands, % of total)	Population annual growth rate (1990-2010 %)	Life Expectancy at birth	Human Development Index (rank 2011/187 countries)
Afghanistan	31,412	16,781 53%	4.4	48	172
Bangladesh	142,319	55,938 39%	1.34	69	146
Bhutan	726	260 37%	1.3	69	141
India	1,210,193	447,309 37%	1.64	65	134
Maldives	325	117 36%	1.8	77	109
Nepal	29,959	12,874 43%	2.3	68	157
Pakistan	173,593	73,227 42%	2.2	65	145
Sri Lanka	20,860	6,154 30%	0.9	75	97

Afghanistan: Way Forward

1. Conducting a national level budget analysis exercise to find who and how much budget is spent on children issues in the country; gaps can be identified and a plan of action can be made
2. Forming a parliamentary group on VAC to pressurize Afghan government to allocate budget for children and bring children issues high on the national agenda
3. Conducting a national survey to find out about children at risk and need of

¹⁰ UNICEF ROSA Social Policy Section 2012

special support and shape a framework to combat root causes of violence against children

All the above will need financial resources to implement the above activities and develop and implement follow up plan of actions in a systematic manner

Bangladesh: Way Forward

1. Harmonization of the child protecting laws with CRC and other relevant international instruments.
2. Enhance life skill based education in “formal and non-formal “education aiming at protecting them from violence, abuse and exploitation.
3. Make available to community [parents, teachers, faith leaders and other professionals] information and training on non-violent child rearing alternatives and training on positive discipline.
4. To conduct 64 sub-national consultation on violence against children
5. Initiating database on child protection issues under the management of Ministry of Women and Children Affairs
6. Increase rehabilitation and reintegration services for children victims of violence, abuse and exploitation

Bhutan: Way Forward

1. Implementation of the recommendations from the mapping and assessment of child protection system (road map)
2. Mainstreaming of child protection into sector plans and policies (Five Year Plan)
3. Establishment of dedicated helpline for children
4. Implementation of legislation through Rules and Regulations and SoPs (e.g. provision of child welfare officers, probation officers alternative care, child justice systems...)
5. Institutional strengthening of the NCWC
6. Conduct study on violence against children

India: Way Forward

1. Government of India remains committed to create a secure and protective environment for children with focus on issues such as:
 - a. Addressing inequalities and strengthening inclusion through flagship programmes
 - b. Spreading awareness on issues such as girl child, child marriage, drug abuse etc
 - a. Creating adequate child-care services and institutions for children in need of care and protection
 - b. Expanding family-based non-institutional care services
 - c. Strengthening programmes for rehabilitation of children and improving their accessibility
 - a. Providing alternative rehabilitative options for children withdrawn from work and economic rehabilitation of their families
 - b. Strengthening anti-trafficking laws
 - c. Strengthening programmes and services for rehabilitation of street children and improving their accessibility
 - a. Building capacity of stakeholders, such as law enforcement officials, judiciary, Government functionaries, etc.
 - b. Creation of support services to families at risk to protect children from vulnerable and exploitative situations
 - c. Efficient implementation of ICPS to protect vulnerable children

Maldives: Way Forward

1. Decentralized Child protection system- formal guidelines
2. Legal review of Family Law/Domestic Violence Act
3. BCC strategy in the final stages of completion of its material
4. Research on CSEC in Maldives
5. National Children's Forum- (SAIEVAC)
6. Develop and implement a care plan for children under institutional care / train staff (SAIEVAC)

Nepal: Way Forward

1. Strengthening law enforcement mechanism with clear guidelines
2. Reinforcing an efficient Child Protection System at the national and community level
3. Increasing access to quality social welfare services

Pakistan: Way Forward

1. Implementation of the recommendations
2. Improving legislative environment
3. Comprehensive child protection systems at all levels
4. Resource allocation

Sri Lanka: Way Forward

1. Juvenile Justice – new child protection bill to be enacted into law & a comprehensive plan for implementation to be developed and actioned
2. Institutional care – use the 2007 baseline to assess current status of voluntary homes – prioritize strengthening community-based child protection networks; model law to replace Orphanages Ordinance
3. Violence, abuse neglect and exploitation – different models of prevention in place but these must be reviewed to select the most effective for scaling down *corporal punishment* – sample study to test the effectiveness of awareness raising on positive parenting completed – law to be reviewed;
4. Concluding points - structures and services for policy, monitoring and implementation to be reviewed to clarify roles and build a consensus; more effective approaches for resource mobilization at all levels – child/family/community/social work capacity/institutional capacity

RECOMMENDATIONS

Reports by Joint Working Groups

1. WORKING GROUP ON ADDRESSING CHILD LABOUR AT THE SAARC REGIONAL LEVEL

Group Members

- Ms. Sriyanganie Fernando, Sri Lanka
- Ms. Shanali Athukorala, Sri Lanka
- Mr. M. Yousef, Afghanistan
- Dr. Aminul Islam, Bangladesh
- Ms. Shabira Sultana, Bangladesh
- Ms. Nayomi Kannangara, Bangladesh
- Mr. Dorji Tashi, Bhutan
- Ms. Kinlay Lham, Bhutan
- Mr. Aftab, India
- Mr. Tarak, Nepal
- Mr. Wajhat Ali, Pakistan
- Mr. David Bloomer, South/East Asia

Recommendations

1. SAIEVAC to support and promote coordination and cooperation with and amongst concerned agencies – horizontally and vertically. Workable interfaces for smooth operations and exchange of information.
2. SAIEVAC to encourage governments to generate routine, updated and credible data and information on child labour that is consistent across the South Asian countries.
3. SAIEVAC to mainstream child labour issues in all aspects of its strategies and planning processes (as per workplan) as relevant.
4. SAIEVAC to encourage mainstreaming child labour in related national and regional policies and budgets.
5. SAIEVAC to facilitate multi-lateral and bi-lateral agreements on trafficking and migration (including for labour) of children below 18 years in South Asian countries.

6. Utilize SAARC/other agency training facilities for capacity building
7. SAIEVAC to promote and facilitate funding from governments' development budget for child labour, capacity devpt and other child protection issues.
8. SAIEVAC to promote child participation through national level child-lead and participatory research process on child labour and other issues.
9. To establish and maintain a SAIEVAC working group on child labour.
10. SAIEVAC to encourage and support sharing of experiences of good practices and experiences on child labour among South Asian countries
11. SAIEVAC to promote the inclusion of specific relevant components (good practices) in national strategies, such as school-dropouts, vocational training, conditional cash transfers and other incentives.
12. SAIEVAC country presentations to reflect efforts and progress at the regional level.
13. SAIEVAC to organize a South Asia regional consultation on child labour to bring the South Asian perspective to the Global Child Labour Conference (Brazil, 2013).

2. WORKING GROUP ON ADDRESSING CROSS BORDER ISSUES AT THE SAARC REGIONAL LEVEL

Group Members

This Working Group was composed of delegates from Nepal, India, Pakistan and Bangladesh.

Observation

South Asia shares commonalities in terms of causes and factors leading to violence against children. SAIEVAC, as an apex body of SAARC, allows for sharing of learning and good practices. It also provides for a space for multi-stakeholder and multi-sectoral cooperation, advocacy, and harmonization of mechanisms and procedures across the region. Violence encompasses different forms which all need to be addressed, as per the SAIEVAC 5-year work plan. However, the group felt that the issue of trafficking and children on the move should be a priority area of intervention.

Recommendations

1. SAIEVAC should continue working towards strengthening its role as a clearing house for coordination, communication and collation of data and good practices with regard to all forms of violence against children in the region.
2. All throughout, strengthening of platforms for children's participation should be an overarching principle and strategy.
3. Yet, with regard to cross-border issues, the group recommends that SAIEVAC prioritises on trafficking of children and children on the move.
4. SAIEVAC should dedicate its next yearly meeting to trafficking/children on the move – during the meeting it should advocate for an agreement on the issue among the countries.
5. The agreement should involve all countries and should focus on rescue and repatriation of children. The following key steps/issues should be considered:
 - Development of a standard operating procedure across the region learning from existing good practices/initiatives
 - Advocating for speedy approval of pending bilateral agreements
 - Replicating the experience of bilateral agreements among other countries within the region
 - Include a discussion on the repatriation based on best interests of the child
 - Consider specific processes for victims of trafficking and for children on the move
6. Legislation
 - Analysis promoted by SAIEVAC of the existing gaps in the national legislations and proposal of elements of harmonization of laws across all countries (including the SAARC Convention framework)
7. Development and roll-out of a specific regional SAIEVAC initiative on trafficking/children on the move with regional financial resources (supplemented

by countries and other donors) and a coordinator at the SAIEVAC level. Some of the key components would include:

- Regional fund for rescue and repatriation of children (supplemented by countries)
- Creation of a regional database building on existing initiatives to create robust MIS systems at the national level and tapping on current pilots at the regional level
- Strengthening of national child helplines and harmonisation of existing ones across the region (there is already existing project)
- Promotion of technical consultations and spaces for dialogue across the region

3. WORKING GROUP ON DEVELOPING MULTI-STAKEHOLDER PARTNERSHIPS WITHIN SAIEVAC

Recommendations

1. Clear structure and frame work for civil society participation in SAIEVAC
2. At national level, NACGs or other reps from civil society to select chair, co chair
3. Inclusiveness at national level, and wider coverage at sub national level
4. Meeting regularly, follow up of SAIEVAC work plan and preparation for the technical sessions
5. Fair representation by civil society members on decision making at national level
6. Government involvement, develop active partnerships with government bodies and in particular with SAIEVAC coordinator
7. Development partners to be invited and involved in to the process
8. New structure suggested for requesting and sharing of information, knowledge, for exchange of ideas, sharing of good practices, announcement of relevant events through SAIEVAC online platform
9. Adoption of standard procedures
10. Selection to SAIEVAC governing board – by using alphabetical order (two regulars and two observers)

4. WORKING GROUP ON ADDRESSING HARMFUL PRACTICES, WITH SPECIAL FOCUS ON CHILD MARRIAGE WITHIN SAIEVAC

General recommendation

Ensure that gender inequality and social inclusion is addressed as a core focus in all recommended actions by SAEIVAC. Partnering with children, men and boys, as well as religious groups, is recommended as a priority focus in addressing harmful practices and child marriage.

Specific recommendations

1. Provide technical assistance and support to national strategies for improved policy reform and services investing in girls education.
 - Providing incentives for girls' education for delaying marriage
2. Support interventions at national level for economic empowerment of girls and women specifically in locations of high prevalence of child marriage in marginalized communities.
3. Undertake advocacy and awareness raising at community level with key stakeholders on the negative impact of early marriage focusing on health, education, domestic violence, respecting socio cultural diversity within a gender and rights based framework.
4. Support governments to collect qualitative and quantitative data and strengthening data collection and management systems and improving birth and marriage registration systems, taking into account lessons learnt.
5. SAIEVAC carry a mapping of existing good practices within the region at different levels on addressing child marriage practices.
6. Provide technical assistance to support governments to develop an integrated approach to address health, education and protection dimensions in programmes for prevention and response to child marriage.
7. Guide national governments to develop harmonization of national legislation and customary laws for an improved legal framework in line with international instruments.
8. SAEIVAC support national mechanisms to implement the agreed regional workplan and monitor as per agreed indicators.
9. Support special interventions in post-conflict and post-emergency situations to reduce the increased risk of violence and early marriage.
10. Support monitoring and assessment of other harmful practices closely associated with early marriage including new and emerging forms.

11. Support a technical consultation on harmful practices, addressing in particular child marriage to define regional interventions.

Review of Recommendations

The recommendations including the Draft SAIEVAC – South Asia Call for Action prepared by the Panel of Experts drawn from the delegates were considered at the Final Technical Session facilitated by The SAIEVAC Director General Dr. Rinchen Chopel. The Plenary Session discussed and came to a consensus on an important point that arose from the deliberations of the Expert Panel and this discussion is recorded below.

Mr. Raša Sekulović, Regional Adviser, Child Rights and Protection, Plan Asia Regional Office and SACG Co-Chair urged the Plenary Session to consider inclusion of a recommendation to extend the mandate the SRSG-VAC Madam Marta Santos Pais. He stated that this mandate had been won after much lobbying and that other Regional Consultations including the one in South America had made a call to extend the mandate.

Mr. Mohammed Hassan Mangi from Pakistan responded and said that issues have not subsided so we must support the mandate – we should thank the SRSG and UNGA and express our support.

Dr. Rinchen Chopel asked if SAIEVAC has mandate to support extension. He urged to find a middle path that supports both sides and stated that the existing wording did not do justice to the important role played by the SRSG – VAC in guiding and supporting SAIEVAC.

Mr. Poshitha Perera, Deputy Director SAARC and South Asia Division of the Ministry of Foreign Affairs, Sri Lanka affirmed that he had no issues about the mandate but that extension is a political decision where states may have other concerns. He said the existing statement could be improved and enhanced to express the support of SAIEVAC but without venturing to call for an extension.

Mr. Shaigan Shareef Malik – Secretary of the Pakistan Human Rights Commission proposed that SAIEVAC should commence an award of excellence to individuals, organizations and children for making a striking contribution in fighting violence against children.

South Asia Call for Action on Ending Violence against Children

We, the participants at the South Asia Follow Up Regional Consultation on the UN Study on Violence against Children, representatives from governments, non-governmental and other civil society organizations, regional and international organizations, and children, have gathered in Colombo, Sri Lanka, on 28 to 30 May

2012, to take stock of progress made since the Regional Consultation on Violence Against Children in South Asia, Islamabad, Pakistan, 19-21 May 2005 and the endorsement of the UN Study on Violence against Children by the General Assembly in 2006, in order to strengthen measures and processes aimed at ending violence against all children in all settings.

Acknowledging SAIEVAC as an apex body of SAARC;

Reaffirming overall efforts by all stakeholders to end all forms of violence against children in all settings, and more specifically commitments by Governments to the Convention on the Rights of the Child and its Optional Protocols, the Convention on the Elimination of All Forms of Discrimination against Women, the SAARC Social Charter, the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, the SAARC Framework for the Protection, Care and Support of Children Affected by HIV/AIDS, the SAARC Development Goals (SDGs) and the Millennium Development Goals (MDGs);

Renewing the commitment made by our Ministers in the Rawalpindi Resolution on Children of South Asia (1996) and the Colombo Statement on Children of South Asia (2009), and the Recommendations endorsed at the Ministerial Meeting of SAIEVAC in June 2010 in Kathmandu;

Recalling the Recommendations from the Regional Consultation on Violence Against Children in South Asia (2005) and the subsequent Recommendations from the UN Study on Violence against Children; the South Asia Forum (SAF) Regional Preparatory Consultation for the World Congress III against Sexual Exploitation of Children and Adolescents (2008), the Kathmandu Commitment to Action for Ending Violence against Children (2010); the Technical Consultations on Legal Reform and Corporal Punishment (2010) and Child-friendly Services and Care Standards (2011) including those made by children; the Beijing Declaration on South-South Cooperation for Child Rights in the Asia Pacific Region (2010) and the Assessment of Progress in the SAARC Decade of the Rights of the Child (2001-2010) presented at the 17th SAARC Summit in Addu City (2011);

Renewing our determination as key stakeholders to consistently promote and practice a rights-based approach and collaboration to prevent, mitigate and respond to violence against children;

Noting with appreciation the collaboration with the UN Special Representative of the Secretary General on Violence against Children for the Follow Up Regional Consultation on Violence against Children and supporting the mandate of the office of the SRSG,

Recognising that, despite the progress made across South Asia to address violence against children, children continue to experience serious forms of violence and child

protection challenges, including child labour, corporal punishment, sexual abuse and exploitation, child trafficking, migration and displacement, imprisonment, discrimination related to HIV/AIDS, disability, minorities, orphans, street children and children in need of care and protection, as well as various forms of harmful practices such as child marriage,

Acknowledging the detrimental and often long term impact of child abuse and violence, not just at an individual level but also on the socio-economic development of countries and that violence against children is not a private/family matter but a public issue concerning society at large,

Also ***acknowledging*** the launch of campaign by SAIEVAC against corporal punishment of children in all settings and noting that no violence against children is justifiable and that all violence against children is preventable,

To achieve our joint goals and shared vision that children throughout South Asia enjoy their right to be protected from all forms of violence, abuse, exploitation, neglect and discrimination, we collectively call for the following urgent actions to realize the rights of all children:

1. Develop and strengthen equitable national and local child protection systems including laws, policies and standards; that prevent, mitigate and respond timely and appropriately to all forms of violence and to ensure that mechanisms and services are accessible to all children.
2. Develop and implement laws and policies that focus on safeguarding children from potential harm and that ban all forms of violence against children in all settings, including home and family, schools and educational settings, care and justice systems, work settings and the community;
3. Address social norms and practices that are harmful to children by promoting social change to end violence, exploitation, abuse and neglect of children;
4. Consolidate and validate a national system for disaggregated data collection, analysis, dissemination, and a systematic research agenda to inform policy development and resource mobilisation to protect children from violence;
5. Review/adopt and implement a national plan of action to integrate the recommendations of the UN Study on Violence against Children and SAIEVAC work plan and develop a baseline to be able to measure progress;
6. Invest in and evolve policies and processes to strengthen the participation of children in decisions, through supporting and strengthening child-led organizations/forums;

7. Cooperate through structure, processes and resources in the best interest of children to address cross-border issues, such as trafficking, missing children, HIV and AIDS and drug abuse and repatriation;
8. Develop mechanisms to address the safety of children with reference to the use and engagement with digital technologies;
9. Share lessons and good practices and explore new opportunities for Cooperation to advance the protection of children through establishing a SAIEVAC centre of excellence on violence against children;
10. Strengthen regional and country-level cooperation and coordination between governments, NGOs, CSOs, children and young people, academia, independent human/child rights institutions, Parliamentarians, religious leaders, media, private sector as well as bilateral and multilateral agencies including UN agencies/INGOs;
11. Expedite the establishment of National SAIEVAC Chapters to accelerate existing efforts to end violence against children;
12. Contribute to the establishment and implementation of an operational framework/mechanism for monitoring and accountability at all levels to stimulate and accelerate effective realisation of the above mentioned actions.

We unanimously adopt this, South Asia Call for Action on Ending Violence against Children. We thank the Government of Sri Lanka for their hospitality as hosts of the meeting, SAIEVAC for organizing it, the UN Special Representative of the Secretary-General on Violence against Children for her collaboration and the SACG for its support to the meeting.

Colombo, date: 30 May 2012

CLOSING

Head Table

1. Chief Guest Hon. Ratnasiri Wickramanayake, Former Prime Minister and Senior Minister of Good Governance and Infrastructure Facilities
2. Ms. Marta Santos Pais, Hon Special Representative of the Secretary General on Violence against Children
3. Hon. M.L.A.M. Hizbullah, Deputy Minister of Child Development and Women's Affairs

4. Dr. Vivek Joshi, Co-Chair of the Technical Consultation
5. Mr. Ron Pouwels, Chairperson SACG
6. Mrs. Suseema Wijesekera, Additional Secretary, Ministry of Child Development and Women's Affairs

Proceedings

The SAIEVAC Director General **Dr. Rinchen Chopel** reported to the Distinguished Guests of the Head Table on the successful conclusion of the Children's Consultation and the Technical Consultation both of which presented a rich and inspiring array of experiences and actions being taken to protect children in South Asia. He also informed the gathering of the opportunities presented by the SAARC Development Fund for strategic investments in the social sector. The delegates were also able to dissect some fundamental issues like child labour, child marriages and cross border collaboration and submit recommendations on the way forward. In addition a Panel of Experts was able to work on the signature document to come out of this Consultation – the South Asia call for Action against Violence against Children. From 2005 when South Asia first resolved to tackle this issue together with children child participation has become a cornerstone of our work now. In 2013 the present child observers of the SAIEVAC Governing Board will become fully fledged child members.

Dr. Rinchen Chopel expressed his gratitude to the Hon. Chief Guest and Hon. Deputy Minister, the staff of the Sri Lankan Ministry of Child Development and Probation & Child Care Services for their unstinted support, the team from SAIEVAC, the SACG, Governing Board Members and the Hotel management.

Mr. Ron Pouwels, Chairperson of SACG said that he represents a variety of agencies and that together they have come a long way to build a common vision. He also referred to the fact that SAIEVAC was fully in the driving seat at this Consultation and that SACG can in future support without losing the common commitment

Lily Yangchen, Child Representative said that she was not given a speech but given the opportunity to express her own views.

“We had a 2 day consultation. The Group work brought out all our feelings on the subject and was a nice learning experience. Our governments – NGO's and activists – are all working for a violence free South Asia. We are pleased to see the cooperation in the region since 2005 but would make from you a humble request to work a little harder. Just giving a speech is not enough. We must work effectively and strictly to end violence against children. We thank you for involving us. Please explore more ways for our further and meaningful participation. We had a great time made friends. We make a commitment to end VAC.”

CSO Representative **Mr. Tarak Dhital**

“First of all I thank the GoSL, SAIEVAC and Dr Rinchen for permitting Civil Society initiatives. VAC requires multi-disciplinary approach. The State has to be very strong and in ensuring this the role of civil society is paramount.

We know our role and responsibilities. The growing presence of CSO’s brings huge potential to bring about lasting changes in the lives of children. For this we must strengthen the CSO’s to fully discharge their role. Our noble aim will be hard to achieve if CSO’s are not brought to the forefront – native issues to be dealt with in the native way. One size does not fit all and projects are time bound.

Our consistent issue is mobilizing resources. The international community must implement solutions identified locally. We would like to see the children in region protected. This requires a full course of medicine not just a few capsules.”

Hon. Marta Santos Pais, SR-SG / VAC

We all feel very happy to come to the end. We came a long way. The CRC Committee had a dream for a study and a process of implementation, to identify what needs to be done and HOW – and celebrate a world where violence has no place.

This process is institutionalized in many countries – this is not a symbolic agenda anymore. We are going beyond rhetoric. There is no excuse now.

This is not just a meeting but a great opportunity to dream about a new state of affairs.

My congratulations to delegations that were self critical. I am very pleased with the insistence that there are negative social norms – more education and mobilization is needed. Let us do it.

Structural challenges are also there. Some groups socially excluded and need equitable solutions

Let us know how we can support you. The task ahead too big for any single government.

I heard the inspiring words of the child participant – **she said we are not doing enough.**

We know enough to prevent violence – South Asia is well known for not having violence.

Let us act beautifully – not just talk beautifully.....

Hon. M.L.A.M. Hizbullah, Deputy Minister of Child Development and Women’s Affairs

Thank almighty God for facilitating the successful completion of this Consultation.

Thank Senior Minister for accepting this invitation

No violence against children is justified – all violence is preventable.

In this global world we can see daily violations – in all settings – duty of adults to lead a disciplined life to create a violence free society – I don't think adults are leading a disciplined life. We must find the root causes. It is very important to create awareness in children – our region should become a model to other regions.

The Children's Consultation and Technical Consultations were very successful. This is a great opportunity for making SAARC a violence free region.

Chief Guest Hon. Ratnasiri Wickramanayake

Normally we politicians invited for openings – this is a conclusion – late invite but accepted with pleasure

Being a GF – children are very dear to me – being a public servant we think children are the wealth of the nation

The UN has been given a very long brief – that is the foundation for our action

To us in SL it is rather different – in order to earn forex we encourage young ladies unmarried and with children to go abroad

Entire families get disrupted – have seen with my own eyes – how the children suffer

Children suffer immensely when there is no parental care – children were recruited to fight against one another

That fortunately ended – but they had to be re-educated – if I may use that term to lead a useful life in society

These are not problems confined to us – other countries have problems – as a policy we have decided against sending mothers.

As Buddhists we cannot tolerate injustice to anyone – we believe in tolerance – love and affection to all – we in SL have had a tradition of looking after children and bringing them up – even marriages were arranged by parents – horoscopes were compared – professions were also chosen by parents

Such a close knit society. But all those values don't obtain in the same form today. Today's marriages arranged by themselves – study done that arranged marriages succeeded more.

In an arranged marriage everything considered – as it is now marriages take place – children are born – children do constitute the wealth of the nation – some say responsibility of state alone – that is wrong. We can enact laws – we can increase terms of imprisonment. But what is the use – society must play a vital role – NGO's etc must cooperate and assist generously.

I need not talk at length to experts – ultimately when the report is out we will have to adjust and re-adjust our thinking – society must coop fully with the state to achieve those targets. I hope your stay here was enjoyable in all respects

Another field – massive development program - tourism is one aspect – where tourism expands cruelty to children and women expands – although it is a money earner we have to realize the gravity of the problem – extra attention should not be permitted for children and women –

Thank you – hope you will return – wish you all the best!

Suseema Wijsekera, Additional Secreatry delivered the vote of thanks

