

A Study Report on the
Regional Arrangements for
Child Rights in SAARC

Submitted to:
World Vision International

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Table of Contents

ACRONYMS	3
ACKNOWLEDGMENT	ERROR! BOOKMARK NOT DEFINED.
EXECUTIVE SUMMARY	4
SECTION 1. INTRODUCTION	ERROR! BOOKMARK NOT DEFINED.
1.1 BACKGROUND	ERROR! BOOKMARK NOT DEFINED.
1.2 OBJECTIVES	ERROR! BOOKMARK NOT DEFINED.
1.3 METHODS AND TIME FRAME	ERROR! BOOKMARK NOT DEFINED.
1.4 STRUCTURE OF THE REPORT	ERROR! BOOKMARK NOT DEFINED.
SECTION 2: ANALYSIS AND FINDINGS	ERROR! BOOKMARK NOT DEFINED.
2.1 AN OVERVIEW OF THE CURRENT SAARC EFFORTS	ERROR! BOOKMARK NOT DEFINED.
2.2 REGIONAL INSTRUMENTS ON CHILD RIGHTS	ERROR! BOOKMARK NOT DEFINED.
2.2.1. THE SAARC CHILD WELFARE CONVENTION	ERROR! BOOKMARK NOT DEFINED.
2.2.2. THE TRAFFICKING CONVENTION	ERROR! BOOKMARK NOT DEFINED.
2.2.3. OTHER INITIATIVES	ERROR! BOOKMARK NOT DEFINED.
2.3 THE SAIEVEC	ERROR! BOOKMARK NOT DEFINED.
2.4 COMMON REGIONAL ISSUES ON CHILD RIGHTS	ERROR! BOOKMARK NOT DEFINED.
2.5 DOMESTIC MECHANISM IN THE SAARC MEMBER COUNTRIES	ERROR! BOOKMARK NOT DEFINED.
2.5.1. BANGLADESH	ERROR! BOOKMARK NOT DEFINED.
2.5.2. INDIA	ERROR! BOOKMARK NOT DEFINED.
2.5.3. NEPAL	ERROR! BOOKMARK NOT DEFINED.
2.6 SAARC DECISION MAKING PROCESS	ERROR! BOOKMARK NOT DEFINED.
2.7 LIMITATIONS OF THE CURRENT SAARC ARRANGEMENTS ON THE CHILD RIGHTS	ERROR! BOOKMARK NOT DEFINED.
2.7.1. A WEAK INSTITUTIONAL ARRANGEMENTS	ERROR! BOOKMARK NOT DEFINED.
2.7.2. LACK OF REPORTING AND PERIODIC REVIEW SYSTEM	ERROR! BOOKMARK NOT DEFINED.
2.7.3. LACK OF A MONITORING MECHANISM	ERROR! BOOKMARK NOT DEFINED.
2.7.4. LACK OF THE INDIVIDUAL COMMUNICATION MECHANISM	ERROR! BOOKMARK NOT DEFINED.
2.7.5. LACK OF THE PARTY-TO-PARTY COMMUNICATION MECHANISM	ERROR! BOOKMARK NOT DEFINED.
2.7.6. AD HOC PARTICIPATION OF THE CIVIL SOCIETY	ERROR! BOOKMARK NOT DEFINED.
2.7.7. LACK OF A REGIONAL EXTRADITION MECHANISM	ERROR! BOOKMARK NOT DEFINED.
2.7.8. BIRTH DEFECTS OF THE CONVENTIONS	ERROR! BOOKMARK NOT DEFINED.
2.8 OPPORTUNITIES IN MAKING CHILD RIGHTS MECHANISM EFFECTIVE	ERROR! BOOKMARK NOT DEFINED.
2.8.1. COMMONALITIES OF ISSUES	ERROR! BOOKMARK NOT DEFINED.
2.8.2. ALL MEMBER COUNTRIES ARE PARTIES TO THE UN CRC	ERROR! BOOKMARK NOT DEFINED.

2.8.3. SAARC COMMITMENTS AND STANDARDS	ERROR! BOOKMARK NOT DEFINED.
2.8.4. THE SAIEVAC PRACTICES	ERROR! BOOKMARK NOT DEFINED.
2.8.4. VARIOUS CIVIL SOCIETY FORUM ON HUMAN AND CHILD RIGHTS	ERROR! BOOKMARK NOT DEFINED.
2.9 REGIONAL POLITICAL COMPLEXITIES	ERROR! BOOKMARK NOT DEFINED.
<u>SECTION 3: CONCLUSIONS AND RECOMMENDATIONS</u> ERROR! BOOKMARK NOT DEFINED.	
3.1 CONCLUSIONS	ERROR! BOOKMARK NOT DEFINED.
3.1.1. REGIONAL ARRANGEMENTS ARE HIGHLY RELEVANT	ERROR! BOOKMARK NOT DEFINED.
3.1.2. OPPORTUNITIES EXIST FOR REGIONAL ACTIONS	ERROR! BOOKMARK NOT DEFINED.
3.1.3. OPPORTUNITIES FOR CIVIL SOCIETIES' ENGAGEMENT	ERROR! BOOKMARK NOT DEFINED.
3.1.4. SAIEVAC'S ROLE	ERROR! BOOKMARK NOT DEFINED.
3.2 RECOMMENDATIONS	ERROR! BOOKMARK NOT DEFINED.
3.2.1. REDESIGNING/REVISING THE CONVENTIONS	ERROR! BOOKMARK NOT DEFINED.
3.2.2. MAKING THE CWC AND TRAFFICKING CONVENTION EFFECTIVE	ERROR! BOOKMARK NOT DEFINED.
3.2.3. MAINSTREAMING THE ROLES OF MEMBER COUNTRIES	ERROR! BOOKMARK NOT DEFINED.
3.2.4. MAINSTREAMING THE ROLE OF CIVIL SOCIETY	ERROR! BOOKMARK NOT DEFINED.
3.2.5. AREAS FOR POSSIBLE FUTURE INTERVENTIONS	ERROR! BOOKMARK NOT DEFINED.
<u>ANNEXES</u> ERROR! BOOKMARK NOT DEFINED.	
A. LIST OF INDIVIDUAL AND INSTITUTIONAL CONSULTATION AND MEETINGS IN BANGLADESH	ERROR! BOOKMARK NOT DEFINED.
B. LIST OF INDIVIDUAL AND INSTITUTIONAL CONSULTATION AND MEETINGS IN INDIA	ERROR! BOOKMARK NOT DEFINED.
C. LIST OF INDIVIDUAL AND INSTITUTIONAL CONSULTATION AND MEETINGS IN NEPAL	ERROR! BOOKMARK NOT DEFINED.
D. TEXT OF THE SAARC CHILD WELFARE CONVENTION	ERROR! BOOKMARK NOT DEFINED.

Acronyms

CEDAW	Convention on Elimination of Discrimination Against Women
CWC	Child Welfare Convention
HIDR	Himal Innovative Development & Research Pvt. Ltd
HIV/AIDS	Human Immune Virus/ Acquired Immune Deficiency Syndrome
ILO	International Labor Organization
MGDs	Millennium Development Goals
NACG	National Action & Coordination Group
NGOs	Non Governmental Organizations
NHRIs	National Human Rights Institutions
SAARC	South Asian Association Regional Corporation
SACG	South Asian Action and Coordination Group
SAFMA	South Asian Free Media Associations
SAFTA	South Asian Free trade Area
SAIEVAC	South Asian Initiatives to End Violence Against Children
SAPRO	South Asia & Pacific Regional Office
SDGs	SAARC Development Goals
SOP	Standard Operating Procedure
UN	United Nation
UN CRC	United Nation Conventions on the Rights of the Child
UNICEF	United Nation Children's Fund
UPR	Universal Periodic Review
US	United States
WVI	World Vision International

Executive Summary

The main objective of this study was to examine the possibilities and modalities of making the child rights conventions under the SAARC, i.e., the CWC and the Trafficking Convention effective. There have already been taken a number of efforts and initiatives, including the establishment of technical committees, apex bodies, and studies in regard to the implementation of these conventions. However, as discussed above, these initiatives have been proved insufficient. The reasons are widely and commonly understood in all three countries (Bangladesh, India, and Nepal) that the lack of envisioning an effective implementing agency by the conventions themselves. Therefore, based on the knowledge gained through the consultations, this report has primarily focused on strengthening the institutional and structural part of the conventions with needed legitimacy and legal mechanism in place. For that reason, this report has recommended to establish a Committee system as adopted by the core human rights instruments of the UN, including the UN CRC.

Since the CWC has clearly accepted the CRC as the benchmark for defining the child rights and their implementation. In this context, it is obvious and understandable for all SAARC Countries that without a similar mechanism envisioned by the UN CRC, or a stronger implementation mechanism as adopted by the European Court of Human Rights, the CWC would not be an effective instrument. This proposition is not a moot one but a proven one. On a number of occasions, the SAARC Member countries have expressed their willingness to implement these conventions effectively. Therefore, this study, with all hopes, sees possibilities of making these conventions effective for the promotion and protection of the rights of children through the introduction of a committee system complemented by a protocol(s).

This report mainly recommends five key elements for future interventions with a view to make the sub-system (the child rights mechanism) effective within the largely defunct system of SAARC. They are:

- Redesigning/Revising the Conventions
- Making the CWC and Trafficking Convention Effective
- Mainstreaming the roles of Member Countries
- Mainstreaming the roles of Civil Society
- Specific areas for future interventions

We hope, with an effective implementation mechanism, the SAARC CWC and Trafficking Convention will turn into the milestone instruments for the protection and promotion of the rights of children in the SAARC region.