

APPENDIX 1

ACKNOWLEDGMENTS

This report was prepared by the regional technical assistance (RETA) Team led by Helen Thomas of Agriteam Canada. The team comprised six members across the region: Nandini Azad from the Independent Commission for People's Rights and Development in India; in partnership with the South Asia Regional Office for the International Organization for Migration (IOM), Rina Sen Gupta and Ishrat Shamim from the Centre for Women and Children Studies in Bangladesh; and Gopal Krishna Siwakoti and Pranita Thapa from the International Institute for Human Rights, Environment and Development (INHURED International) in Nepal. Eugenia McGill prepared the paper concerning legal frameworks and issues for the RETA. Many stakeholders also made contributions during interviews, by providing materials and attending the national consultation workshops held in March and April 2002 in all three countries and the Regional Workshop held in Manila in May 2002.

Invaluable support was also provided to the RETA Team by the government focal points in each participating country. In particular, Ms. Veena Rao, Joint Secretary at the Department of Women and Child Development (DWCD), Government of India and Mr. P.G. Dhar Chakrabarti, Joint Secretary, DWCD under the leadership of the Secretary, Dr. R.V. Vaidyanatha Ayyar, who gave the team much of his valuable time and advice; Ms. Ferdous Ara Begum, Joint Secretary, Ministry of Women and Children Affairs, Government of Bangladesh; and Mr. Pratap Pathak, Joint Secretary, Ministry of Women, Children and Social Welfare, Government of Nepal.

The RETA was initiated by the Poverty Reduction and Social Development Division (RSPR), Regional and Sustainable Development Department, ADB, and funded through the Japan Special Fund. Sonomi Tanaka, Social Development Specialist, was the project officer and worked closely with the RETA Team, providing guidance and direction throughout RETA implementation and preparation of the final reports and the publication. Brahm Prakash, Director, RSPR and Shireen Lateef, Principal Social Development Specialist, also provided guidance throughout RETA implementation. The two publication volumes were edited by Helen Thomas and Laura Harries. Final editing and production assistance was provided by Ma. Celeste Grace A. Saniel-Gois and Zarah M. Zafra, and proofreading by Lily Bernal.

APPENDIX 2

SUMMARY OF REGIONAL WORKSHOP PROCEEDINGS

MANILA, PHILIPPINES
ADB HEADQUARTERS
27-29 MAY 2002

The Regional Workshop was the final activity under the year-long Regional Technical Assistance (RETA) Project 5948, Combating Trafficking of Women and Children in South Asia. The objectives of this Workshop were:

- To review findings from each of the RETA country papers, the Legal Frameworks paper, and the Regional Synthesis Report;
- To draw on the experiences and ideas of the participants to bring greater clarity and comprehensiveness to the RETA outputs; and
- To facilitate exchanges among participants at the workshop.

A broad range of stakeholders were brought together for 3 days of discussion among participants and with ADB staff, as well as an opportunity to visit related programs in Manila. Participants included government and nongovernment organization (NGO) representatives from each of the three RETA countries, representatives from regional multilateral and bilateral funding agencies supporting antitrafficking programs, as well as stakeholders from Philippines and Thailand.

The RETA Team presented findings from the RETA outputs, comments were provided by panelists, and plenary sessions offered opportunities for open discussions. Final recommendations were discussed in groups during the last day of the Workshop and commitments from the Asian Development Bank (ADB) to mainstream trafficking concerns into their operations were reinforced by senior ADB staff. Participants provided excellent and detailed suggestions to strengthen the RETA outputs and the discussions pointed to where priorities for future actions should lie.

The following were the overall findings from the Workshop:

- Four areas were identified where ADB might contribute both directly and indirectly to combating trafficking: through mainstreaming antitrafficking initiatives into its poverty reduction projects; when ADB projects are likely to disrupt communities or cause involuntary migration, ensuring that mitigation measures are taken to specifically limit vulnerabilities to trafficking; promoting safe migration initiatives when appropriate in projects or through policy dialogue; monitoring implementation of core labor standards by ADB contractors to ensure trafficked labor is not used or drawn into the provision of services on the margins of project sites.
- There is significant endorsement and support from all stakeholders in South Asia for ADB's initiative to mainstream trafficking concerns in poverty reduction activities. The challenge now lies in broadening this approach beyond ADB to other agencies, and for antitrafficking stakeholders to advocate among the developing member country governments and civil society organizations to facilitate and support these efforts.

Adopting a mainstreaming approach, however, also requires a clearer understanding of the complex dynamics of trafficking, its links to migration, the need for improved governance structures, and mechanisms to target poverty reduction efforts more effectively to those most at risk—including the poorest of the poor. The following aspects of trafficking in particular require further analysis:

- Conceptualizing trafficking in the context of migration and mobility;
- Understanding the entire economy of trafficking and its impacts on economic growth and poverty reduction on a regional as well as national basis; and
- The central role that gender inequalities play in creating and perpetuating the vulnerabilities and risks women and children face to being trafficked.

Other priorities that emerged during discussions include:

- The need to continue to support regional initiatives and follow up on South Asian Association for Regional Cooperation (SAARC) Convention commitments—ADB was identified as having particular value-added to bring to these efforts as a multilateral

agency already focusing on regional economic growth and security issues in South Asia;

- Providing direct as well as indirect support to prevention of trafficking is important. ADB has potential for both approaches. For example, infrastructure projects provide opportunities for direct support such as including shelter homes or other facilities for service delivery to migrants and trafficked persons as roads are upgraded. Examples of important indirect initiatives include increasing affordable and accessible housing stocks in slum areas for recent “rural” migrants that would considerably reduce their vulnerabilities to trafficking;
- Curbing demand for trafficked labor of all types was identified as an area that requires much greater attention and support. More effective implementation of core labor standards was identified as one mechanism, both within ADB operations, and more broadly. However, caution was expressed that the implementation of core labor standards is not used as a means to restrict trade or investment opportunities, as has been the case from some bilateral agencies; and
- Improving the capacity of law enforcement agencies to limit the operations of traffickers, and rethinking and strengthening repatriation and reintegration programs were raised as two other priority areas. The complexity of the dynamics of trafficking was reinforced as discussions of the most effective or strategic approaches to these issues demonstrated how some initiatives can ultimately lead to unintended outcomes.

Examples included:

- The need to protect migrants while ensuring freedom to migrate even for those most at risk to being trafficked, i.e., women and children—migration has the potential for vital and positive outcomes as well as negative ones such as exploitation and trafficking;
- How to provide services for those with HIV/AIDS without further stigmatization;
- Using community surveillance to identify traffickers and support enforcement efforts, but without implicating the innocent or newcomers in a community; and
- Providing protection to returning trafficked victims without limiting their options.

It was concluded that efforts by ADB to address these issues must be realistically placed within its capacities and potential to bring value-added to initiatives already underway. As ADB seeks to implement the recommendations from this RETA, partnerships with organizations with the necessary technical capacities and experiences will be encouraged and collaboration with existing networks and interagency fora sought. The RETA outputs will be disseminated internally at ADB and awareness of its commitment to address trafficking will be raised through discussions and dialogue with stakeholders in member countries.

REGIONAL WORKSHOP PROGRAM

Day 1	(Monday, 27 May 2002)
9:00–9:25	Inauguration: Combating Trafficking through Poverty Reduction <i>Chair: Brahm Prakash, Director, Poverty Reduction and Social Development Division, (RSPR), Regional and Sustainable Development Department (RSDD), Asian Development Bank (ADB)</i>
9:00–9:05	Welcome Remarks <i>Akira Seki, Director General, Regional and Sustainable Development Department, ADB</i>
9:05–9:25	Opening Remarks Joseph B. Eichenberger, Vice President, Operations Group 2, ADB
9:25–10:00	Group Photo and Tea Break
10:00–11:40	Session 1: Overview and India Country Study <i>Chair: Brahm Prakash, Director, RSPR, RSDD</i>
10:00–10:30	Overall Framework of RETA 5948 Helen Thomas, Team Leader, RETA 5948
10:30–11:00	Key Findings of India Country Study Nandini Azad, India National Consultant, RETA 5948
11:00–11:40	Comments by the Panel and Plenary Discussion Panels: <ul style="list-style-type: none"> – P.G. Chakraborty, Joint Secretary, Department of Women and Child Development, Ministry of Human Resource Development, India – R.K. Singh, Joint Secretary, Ministry of Home Affairs (C.S.), India – Preeti Patkar, PRERNA, Mumbai, India
12:00–1:30	Lunch (Private Dining Rooms 2 and 3)

- 1:30–2:30** **Session 2: Bangladesh Country Study**
Chair: *Edward Haugh, Director, Social Sectors Division, South Asia Department, ADB*
- 1:30–1:50 Key Findings of Bangladesh Country Study
Rina Sen Gupta, Bangladesh National Consultant, RETA 5948; National Program Officer, International Organization for Migration ((IOM)
- 1:50–2:30 Comments by the Panel and Plenary Discussion Panels:
– Ferdous Ara Begum, Joint Secretary, Ministry of Women and Children Affairs
– Mizanur Rahman, Project Director, Nationwide Campaign for Prevention of Trafficking in Children and Women (NCPTCW) Project, Action Against Trafficking and Sexual Exploitation of Children (ATSEC) - Bangladesh Chapter
- 2:30–3:00 Tea Break (and logistical arrangements)
- 3:00–4:40** **Session 3: Nepal Country Study and Wrap-up of Day 1**
Chair: *Frederick Roche, Director, Agriculture, Environment and Natural Resources Division, South Asia Department, ADB*
- 3:00–3:20 Key Findings of Nepal Country Study
Gopal Krishna Siwakoti, Nepal National Consultant, RETA 5948
- 3:20–4:00 Comments by the Panel and Plenary Discussion Panels:
– Pratak Pathak, Joint Secretary, Ministry of Women, Children, and Social Welfare
– Madhavi Singh, Project Coordinator, National Network Against Girl Trafficking (NNAGT)
- 4:00–4:40 Wrap-up of the Day (Plenary Session)
Helen Thomas, Team Leader, RETA 5948
- 5:30–7:00 Reception (Hosted by Director General, RSDD)
(ADB Private Dining Rooms 2 and 3)

Day 2	(Tuesday, 28 May 2002)
9:00–9:40	<p><i>Special Session: Antitrafficking Activities by Key Donors in South Asia and Multi-Stakeholder Approach in Thailand</i></p> <p>Chair: <i>Shireen Lateef, Principal Social Development Specialist, Poverty Reduction and Social Development Division, ADB</i></p> <ul style="list-style-type: none"> – UNIFEM South Asia Regional Office – UNDP Regional HIV/AIDS Development Program – ILO-IPEC, Manila Office – “The Path Towards Bilateral Cooperation in the Greater Mekong Sub-region” by H.E. Khun Sienoi Kashemasanta Na Ayuddhaya, Secretary General, National Youth Bureau, Thailand
9:40–9:50	Tea Break
9:50–11:20	Session 4: Addressing Trafficking Concerns in Key ADB Sectors
	Chair: <i>Tadashi Kondo, Director, Infrastructure Division, South Asia Department, ADB</i>
9:50–10:40	<p>Case Study Presentations</p> <p>Monitoring Bangalore Highway <i>Hema Bedi, Director, Society to Help Rural Empowerment and Education (STHREE), Andhra Pradesh, India</i></p> <p>Potential Components for Urban Infrastructure Projects <i>Ferdousi Sultana, Gender Specialist, Bangladesh Resident Mission, ADB</i></p> <p>Reducing Vulnerability of Migrants <i>Renu Rajbhandari, Women’s Rehabilitation Centre (WOREC), Nepal</i></p>
10:40–11:20	Questions and Discussions
11:20–12:00	Lunch (Private Dining Rooms 2 and 3)

12:00–5:00 **Field Visit**

Group A: **Reducing Vulnerability through Migration Management**

- Group A will visit the Overseas Workers Welfare Administration (OWWA) in Pasay City to learn about its safe migration training programs and reintegration programs of returnees run by NGOs.
- Group Leader: *Helen Thomas, Team Leader, RETA 5948*
- Partner Organizations: *OWWA, Philippine Overseas Employment Agency (POEA), NGOs, IOM Manila*

Group B: **Rescue and Repatriation at Manila Sea Port**

- Group B will visit Half-Way House at the Port of Manila (North Harbor) and learn about their government-NGO-private sector collaboration for rescue and repatriation operations.
- Group Leader: *Sonomi Tanaka, ADB Coordinator, RETA 5948*
- Partner Organizations: *Philippines Port Authority, Visayan Forum; ILO/IPEC Manila*

Day 3 **(Wednesday, 29 May 2002)**

9:00–9:20 **Review of Day 2**

Two Rapporteurs on the Field Trips:

- Group A: *Mizanur Rahman, NCPTCW, ATSEC*
- Group B: *Roop Sen, SANLAAP, India*

Presentations by NGOs

- *Pooja Mijar, President, Shakti Samuha (Empowered Women), Nepal*
- *Salima Sarwar, Executive Director, Association for Community Development, Bangladesh*

9:20–10:50 **Session 5: Regional Cooperation and Legal Issues**

Chair: *Cedric Saldanha, Senior Director,*

	<i>Governance and Regional Cooperation Division, RSDD, ADB</i>
9:20–9:40	Key Findings of the Regional Synthesis Paper <i>Helen Thomas, Team Leader, RETA 5948</i>
9:40–10:00	Key Findings of the Regional and Legal Study <i>Eugenia McGill, Consultant, RETA 5948</i>
10:00–10:50	Comments by the Panel and Plenary Discussion Panels: <ul style="list-style-type: none"> – Govinda Prasad Thapa, Assistant Inspector General of Police, Nepal – Philip Daltrop, Assistant General Counsel, ADB
10:50–11:10	Tea Break
11:10–12:15	Continuation from Session 4 Sectoral Guidelines and Dissemination Strategy in: <ul style="list-style-type: none"> – Agriculture and Rural Development – Education, Health, and Social Protection – Roads and Telecommunications – Urban Development Summary of Sector Issues <i>Helen Thomas, Team Leader, RETA 5948</i>
12:15–1:00	Lunch (Private Dining Rooms 2 and 3)
Session 6:	Next Steps – Recommendations for ADB and Key Stakeholders
1:00–2:00	Introduction and Group Discussion (Display Room and Briefing Room) Group 1: Empowerment of Women and Girls Facilitator: Manoshi Mitra, Agriculture, Environment and Natural Resources Division, Mekong Department, ADB Group 2: Labor Standards Facilitator: Isabel Ortiz, RSPR, RSDD, ADB Group 3: Governance Facilitator: Claudia Buentjen, Governance and Regional Cooperation Division, RSDD, ADB

- 2:00–3:00 Presentation of Group Work and Plenary Discussions
Chair: *Brahm Prakash, Director, RSPR, RSDD, ADB*
- 3:00–3:20 Summing up the Recommendations
Helen Thomas, Team Leader, RETA 5948
- 3:20–3:30 Closing Remarks**
*Yoshihiro Iwasaki, Director General, South Asia
Department, ADB*

REGIONAL WORKSHOP – LIST OF PARTICIPANTS

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APPENDIX 3

EXPOSURE VISIT TO THAILAND

15-19 MAY 2002

Summary of Findings

Under the framework of the Regional Technical Assistance (RETA) 5948, Combating Trafficking of Women and Children in South Asia, an Exposure Visit to Thailand took place during 15-19 May 2002. The delegation comprised nine government representatives (three each from Bangladesh, India, and Nepal) and one nongovernment organization (NGO) representative from Bangladesh and was led by the RETA Team Leader, Helen Thomas. The RETA National Consultant from Bangladesh, who is also the National Program Officer at the South Asia regional office of the International Organization for Migration (IOM), and a representative from the India Office of UNICEF also participated. The objectives of the Exposure Visit were:

- To discuss and exchange information, lessons learned, and good practices with Cambodian and Thai counterparts regarding recent experiences in improving repatriation procedures to combat trafficking of women and children in the Greater Mekong Subregion (GMS); and
- Through exchanges of information and experiences among South Asian delegates, to build greater understanding across the region of shared concerns and potential areas for future collaboration.

The delegation met with a range of stakeholders that included representatives from the National Committee on Coordination on Combating Trafficking of Children and Women, under the chair of the National Youth Bureau; Thai provincial-level government and NGO officials involved in implementing internal memorandums of understanding (MOUs); a counterpart representative from the Cambodian Ministry of Women and Veterans Affairs, a focal point for combating trafficking. The delegation also had an opportunity to tour two shelter homes (one government-run and one NGO-run) that apply the principles and guidelines set out in the recent MOUs. Opportunities for exchanges

among South Asia participants were guided by Prof. Vitit Muntabhorn (world expert on international law, children's rights, and trafficking) who explored how lessons learned from the GMS can be applied to South Asian context and assisted in identifying common priorities and entry points for future collaboration among participating South Asian countries.

The design and organization of these sessions would not have been possible without considerable support and guidance from National Youth Bureau, Government of Thailand and Dr. Saisuree Chutikul. The IOM Regional Office in Bangkok also provided invaluable assistance during the planning stages and at times contributed their perspective on trafficking concerns during several sessions.

The main issues covered during the Exposure Visit were:

- (i) The South Asian Association for Regional Cooperation (SAARC) Convention on Trafficking, which is now in place and provides a unique opportunity to move forward on repatriation issues in South Asia. These opportunities were compared to the experiences of GMS, where there is no similar treaty in place.
- (ii) Elements of MOUs already signed or under negotiation, within Thailand and between Thai and Cambodian governments, including:
 - *Victim's needs come first* is the central principle on which the agreements were based. Shifting to this approach requires significant changes in attitudes, particularly for police and immigration officers for whom security is the primary goal.
 - *Criminal prosecution* is also an important objective that must not be hindered by victims being forced to leave Thailand—therefore mechanisms must be put in place so that victims are enabled to take out criminal cases before they are repatriated.
 - Improved *migration management* must be part of the policy and regulatory context in which the MOU is set.
 - *Organizational and institutional structures* must be in place to respond to the wide range of needs of victims, and the resources available to ensure these needs are met (e.g., medical services provided while they await repatriation etc.).
 - *Broadbased support* to development and implementation of the MOUs, which in Thailand led to a series of three

- separate MOUs being developed—among government departments, between government and NGOs, and among NGOs themselves.
- *Monitoring mechanisms* must be in place so that new lines of accountability are taken up and gaps in the mechanisms are addressed.
- (iii) Many changes to the existing processes and procedures for several government organizations had to be made, to achieve MOU objectives, building on what exists in some cases and in others restructuring. These changes also meant NGOs had to readjust their own approaches and links with government agencies.
 - (iv) Commitment to make these changes requires strong political will and leadership from key stakeholders to keep pushing the process forward.
 - (v) Many stakeholders identified as a key priority the orderly repatriation of trafficked persons with clear lines of accountability among a broad range of stakeholders. The MOUs provide that structure, and as they are signed by all partners, provide strong commitment from the participating agencies and NGOs.
 - (vi) Collaboration and compromise is necessary among all stakeholders for the MOUs to be developed, negotiated, and effectively implemented.
 - (vii) The first steps are to start with rationalizing internal/national organizational structures before looking outwards to other countries, i.e., to have appropriate structures in place where possible before real change can be brought about.
 - (viii) If infrastructures are in place and accountabilities clear, changes do not necessarily need legislated regulation, rather collaborative monitoring and shared goals (i.e., victim-focused procedures and prosecution of criminals).
 - (ix) Related policies and regulations have to be linked and revised, particularly concerning other aspects of migration management. For example, in Thailand an amnesty was issued recently for certain categories of illegal migrants, which has meant many thousands of migrants are now less vulnerable to traffickers. Regulations have also been revised concerning temporary workers that have made it easier to define differences between trafficked victims and illegal and irregular migrants.

- (x) The demand side of the trafficking cycle also has to be addressed through measures such as: improved migration management that seeks to meet the need for labor while increasing penalties for use of trafficked and child labor; and extra-territorial prosecution of sex tourists who have contravened Thai law.
- (xi) The MOU has to be flexible, allowing for revisions as implementation is under way.
- (xii) It was argued that, if stakeholders can demonstrate they are improving the process of repatriation through MOU mechanisms, it might be possible to leverage more funding from government and external funding agencies.
- (xiii) The importance of birth registration was stressed by immigration officers, as it makes the issuance of travel documents, tracking of missing persons, etc. easier.

Follow-up actions discussed by participants included:

- Applying the approaches modeled in the GMS and Thai MOU process in their own context—several participants committed to start with broadening awareness of the need for a multisectoral, holistic approach involving many different government and NGO actors. This applies at the regional as well as national levels.
- Participants recognized the importance of putting the needs of the trafficked persons first, and will work to inform others of how this has been achieved through mechanisms such as the MOU in the GMS and will use documents and examples from the Exposure Visit. The experiences presented during the Exposure Visit encouraged participants that such a complex set of activities and mechanisms can be put in place.¹⁸⁰
- Participants identified that infrastructures must be in place; organizational structures but also more shelter homes, trained

¹⁸⁰ On 12 June 2002, the ATSEC Bangladesh Chapter and BNWLA (Executive Director Ms. Salma Ali, who participated in the ADB RETA Exposure Visit) organized an advocacy seminar to promote the development of a bilateral treaty with India for repatriating trafficked children and women in Dhaka. The MWCA Secretary was the chief guest, and Ms. Ferdous Ara Begum (MWCA Joint Secretary who participated in the Exposure Visit and the RETA Regional Workshop) and Mr. Hasib Aziz (Ministry of Foreign Affairs who also attended the Workshop) were the speakers. Based on examples of what they observed at both ADB RETA events, they strongly advocated for the Government of Bangladesh to start the process of development of a bilateral MOU.

staff, etc. and therefore they must work to secure resources to cover these basic requirements, but this is a great challenge. The Government of Bangladesh identified the need to work from the home front first and was committed to starting that process immediately upon their return.¹⁸¹

- Commitments were made to improve the awareness and capacities of enforcement officers as well as women's ministries and social welfare.
- Participants identified the importance of links between combating trafficking and addressing root causes such as poverty. They stressed the importance of mainstreaming trafficking concerns into poverty reduction programming in general, and will work to build this awareness across different agencies, and among other poverty reduction stakeholders.
- IOM¹⁸² and UNICEF also committed to follow-up activities to ensure that the ideas and experiences from the GMS are disseminated to a larger group of stakeholders and to assist trafficking focal points to follow up.

¹⁸¹ See footnote number 1.

¹⁸² IOM organized a meeting with the SAARC Secretary on 27 June 2002 and invited some key players from government, NGOs, and the aid community to discuss the Bangladesh commitment to implementing the SAARC Convention on Anti-Trafficking. Ms. Ferdous Ara Begum and Mr. Hasib Aziz (both participants in RETA activities) also attended.

EXPOSURE VISIT SCHEDULE

14 May 2002 **Arrival of Delegation**

Overnight in Bangkok, Novotel Siam Square

15 May

09:30–10:30 Introductory meeting of participants to discuss agenda, expectations, and objectives of exchange visit, and other logistics.

Facilitator: RETA Team Leader Helen Thomas

Location: Novotel Cezanne Meeting Room, 4th Floor

10:30–12:30 **Overview Presentation**

Trafficking issues and concerns in Greater Mekong Subregion, links to concerns in South Asia, introduction to the process leading to the development of MOUs in Thailand, current status of MOU process, and links to international agreements/commitments.

Presentation and facilitator: Prof. Vitit Muntarbhorn

Location: Novotel Cezanne Meeting Room, 4th Floor

12:30 – 1:30 Lunch – Conference area of Novotel

1:30 Transport from Novotel to National Youth Bureau Conf. Room

12:00 – 5:00 **Panel discussions** with members of the National Committee on Coordination on Combating Trafficking of Children and Women, Session Chaired by the National Youth Bureau. Brief presentations from Thai committee members followed by open discussions exploring the process of developing MOUs, including creation of elements of enabling environment, linkages with broad range of stakeholders, approaches taken in consensus building, and follow-up scenarios

Facilitator: Prof. Vitit Muntarbhorn

Location: NYB Conference Room

- 6:30 Depart hotel for **dinner and cultural event**
 Attended by IOM Regional Representative, Mr. Farooq Azam and Ms. Birgit Jensen from Women and Development Office, ESCAP
- 16 May 2002**
- 06:30 Leave Novotel, Bangkok for border area (departure time to be confirmed)
- 10:00–4:00 **Field trip to Aranyaprathet border area with Cambodia** Hosted by the National Youth Bureau and Thai Provincial Immigration Department for Petchaburi Province to visit Cambodian-Thai border operations and discuss trafficking issues with immigration officials.
- 4:00 Travel to Pattaya and check into hotel
- 17 May 2002**
- 09:00–12:00 **Meetings with selected officials including:**
 Mr. Sanphasit Koompraphant, Secretary, Center for the Protection of Children’s Rights Foundation
 Representatives from police units, immigration, and protection of children, Public Welfare Office
Location: Hotel in Pattaya
- 12:00-1:00 Lunch
- 1:00 Travel to Bangkok
- 3:30 – 6:00 **Meeting with representative** from Cambodian Ministry of Women and Veterans Affairs, H.E. Mrs. You Ay
Location: NYB Conference Room
- 18 May 2002**
- 09:30 –12:30 **Wrap-up meeting** to review findings, achievement of objectives, and next steps for participants
 Facilitator: Prof. Vitit Muntarbhorn
Location: Novotel Meeting Room
- 12:30 – 1:30 Lunch

19 May 2002

- 09:30 Leave Novotel for Bahn Kretrakarn (departure time to be confirmed)
- 10:00 – 12:00 **Field trip to Shelter Homes**
Visit to Bahn Kretrakarn Department of Public Welfare shelter home
- 12:00 – 1:00 Pre-arranged lunch nearby
- 2:00 – 4:00 **Travel to Buddhamonthon**
Visit Centre for the Protection of Children’s Rights shelter home
- 4:00 Return to Novotel Siam Square, Bangkok

20 May 2002 Travel

EXPOSURE VISIT PARTICIPANTS

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Mr. Motiur Rahman
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Home Ministry
Government of Bangladesh

Mr. Md. Ali Sorcar
Director
UN Desk
Ministry of Foreign Affairs
Government of Bangladesh

Ms. Salma Ali
Executive Director
Bangladesh National Women
Lawyers' Association (BNWLA)

INDIA

Mrs. Manjula Gupta
Secretary
Department of Women and Child
Development
Government of West Bengal

Mr. W .G. Gorde
Secretary
Department of Women and Child
Development
Government of Maharashtra

Mr. M.K. Mishra
Secretary and Director
Department of Social Welfare
NCT of Delhi

NEPAL

Mrs. Shanti Basnyat
Under Secretary
Ministry of Women, Children and
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Government of Nepal

Mr. Atmaram Pandey
Under Secretary
Ministry of Home Affairs
Government of Nepal

Ms. Parbati Thapa
Superintendent of Police
Nepal Police Headquarters
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RESOURCE PERSON AND ADB CONSULTANTS

Federica Donati
UNICEF
India Country Office

Helen Thomas
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Ms. Rina Sen Gupta
National Program Officer
IOM Dhaka

TOTAL number of participants:13

APPENDIX 4

SUMMARY OF BANGLADESH WORKSHOP PROCEEDINGS Sonargaon Hotel, Dhaka 7-8 April 2002

1. Inauguration

The MWCA Secretary welcomed participants in his opening remarks, and expressed his support for the ADB regional technical assistance (RETA) to mainstream trafficking concerns into poverty reduction programs in Bangladesh.

2. Working Session I

The findings of the RETA Bangladesh Country Paper were presented to the participants for deliberation. Generally all participants were glad to see ADB addressing social issues such as combating trafficking and agreed that there is extensive scope to mainstream trafficking concerns into large-scale poverty reduction projects and policy dialogue. The following points were raised concerning the Bangladesh Country Paper:

- Great care has to be taken over the use of the concept of “consent” which is now incorporated into the definition adopted by the RETA Team for the paper. It was suggested that clarification be included in the paper regarding this term.
- Tackling third parties who benefit from trafficking was not adequately covered, or the potential for ADB to support enforcement and prosecution efforts in Bangladesh. The RETA Team pointed out that this is not an area where ADB has expertise or experience, and hence the issues were not covered in great depth in the RETA paper.
- Adolescent girls are particularly at risk of being trafficked, and all recommendations for women’s empowerment and mainstreaming empowerment and antitrafficking concerns into

ADB poverty reduction projects must ensure that adolescent girls are also targeted.

- Government ownership is very important and working with a broad range of government agencies should be emphasized. ADB has the potential to bring a wide range of government partners into efforts combating trafficking, e.g., the Local Government Engineering Board, Local Government Division have substantial ADB-supported projects with relevance to combating trafficking.
- In the analysis of causal factors it was suggested that addressing factors that cause migration should not be seen as opportunities to hamper migration, especially for women. It is an important factor in development, e.g., education brings interest in and curiosity about the outside world, and many will leave their communities to seek new opportunities elsewhere. It should also be clearly recognized in the paper that, while the focus is on women and children, men are also trafficked.
- Monitoring indicators were discussed and the need to develop stronger mechanisms to assess comparative effectiveness of different approaches to combating trafficking. The Regional Office of the Population Council in Delhi has indicated its interest to do some work in this area.
- It is important to stress that those most vulnerable to being trafficked are the ultra poor, and most poverty reduction projects fail to reach these groups. It is important that ADB strengthen its efforts to reduce the marginalization of the ultra poor, particularly women.

General discussions followed concerning

- the links of trafficking to migration; and
- the complexities of identifying who is vulnerable and their participation in the development process.

3. Working Session II

Participants broke up into groups to discuss specific good practices that could be incorporated into ongoing ADB-supported projects, and with potential to links to other types of poverty reduction programs (government, NGOs, other funding agencies, etc.) The discussion and recommendations from these groups included:

Project-Level Good Practices:

- Links to trafficking include:
 - transport sector—and increased mobility seen at border areas, terminals, etc.
 - vulnerability of those living around or near construction camps
 - resettlement issues from infrastructure activities

- Linked activities include:
 - microfinance
 - nonformal education/skills training
 - health care
 - women union parishad members taking up leadership awareness—mass campaigns and targeting particular groups, e.g., border officials
 - constructing shelters and seeking NGO partners to manage programs

- Target groups to include:
 - adolescent girls
 - children of hard-core poor
 - female-headed households
 - seasonal migrants

Regional-Level Issues:

- Mechanisms that require strengthening across the region include:
 - migration laws
 - repatriation process
 - prosecution (regional rapporteur, identification of perpetrators)
 - child-friendly courts

- Regional partnership:
 - civil society involved directly with South Asian Association for Regional Cooperation (SAARC)
 - legal practitioners involved in repatriation
 - links between agencies such as the United Nations

- Recommendations to ADB:
 - focus on migrant workers' rights, starting in one sector to include issues such as minimum wages; the right to change jobs; keeping passports
 - negotiations can be through the General Agreement on Tariffs and Trade (GATT), development investments, etc.

The Chair concluded this session by reminding participants that incorporating new ideas into new structures takes time and it is important to prioritize ideas and suggestions. It is also important for ADB to seek its comparative advantage and where progress will be most effective.

4. Working Session III

The final session focused on discussions and recommendations for operational and policy issues. The following steps were recommended for ADB to follow:

- Mapping of geographic areas as well as activities of stakeholders and other potential partners;
- Assessment of who is at risk through social/gender analysis and ensuring that pro-poor programs include those most at risk of being trafficked;
- Increasing awareness and commitment among project implementers and partners (including ADB staff); and
- Monitoring progress.

Discussions of policy issues focused on:

Feminization of poverty and links to trafficking: means to address these concerns include the implementation of the Beijing Platform for Action; the Government of Bangladesh's poverty reduction strategy, and improved migration management. Participants raised concerns about:

- Lack of resources, and while government departments may try to implement mechanisms such as women in development (WID) focal points, there are no resources available to these individuals to carry out their mandates effectively.
- Migration management issues such as including women migrants in programming, overseas workers' welfare (including efforts to

lobby for their rights to be respected by destination countries), and smoother remittance of income earned. Improvements in all these areas would assist in combating trafficking, especially concerning women. The Government raised concerns that women are not well prepared for migrating and have poor skills. It is proposed that once their skills have been improved they will be permitted to migrate, as problems are more likely to occur for unskilled women. However, as several participants pointed out, women are migrating anyway, but under dangerous circumstances as the Government will not provide protection if they leave illegally.

Addressing demand-side concerns: areas suggested included strengthening application of labor standards. ADB could contribute considerably by

- Ensuring that ADB-financed contractors respect labor standards, employ women and adolescents where possible, and enforce other codes of conduct, for example, preventing commercial sexual exploitation of children in construction camps.
- Supporting to social protection programs to improve labor standards, particularly in the informal sectors where many trafficked workers are “hidden.”
- Supporting government efforts to improve migration management but incorporating these issues into macroeconomic assessments and analysis.

Implementation of the National Plan of Action: discussions identified the importance of

- Linking to policies and other government agencies as different NPA components are implemented, e.g., linking to ADB’s secondary education stipend program to achieve progress on NPA components concerning increasing education and life skills of those most vulnerable to trafficking and commercial sexual exploitation;
- Coordination, collaboration, and monitoring of efforts; and
- Seeking ways to incorporate women more effectively into antitrafficking efforts. There were discussions on how the NPA, which focuses only on children, could be used to extend extra resources and efforts to support programs for women as well.

BANGLADESH NATIONAL WORKSHOP PROGRAM

Day 1: 7 April 2002

09:00–09:30 Arrival of guests and participants

Inauguration

09:30 Arrival of Chief Guest, Mr. Mahfuzul Islam, Secretary, Ministry of Women and Children Affairs (MWCA), Government of Bangladesh

09:30–09:35 Recitation from the Holy Quran

09:35–09:40 Introduction of guests by Ms. Sonomi Tanaka, Social Development Specialist, RSDD, Asian Development Bank (ADB), Manila

09:40–09:50 Welcome Speech by Mr. Toru Shibuichi, Country Director, Bangladesh Resident Mission, ADB

09:50–10:00 Speech by Mr. Hasib Aziz, Director General, South Asian Association for Regional Cooperation (SAARC), Ministry of Foreign Affairs, Government of Bangladesh

10:00–10:10 Inaugural Address by Chief Guest, Mr. Mahfuzul Islam, Secretary, MWCA, Government of Bangladesh

10:10–10:20 Vote of Thanks by Mr. Md. Shahidul Haque, Regional Representative, International Organization for Migration (IOM)

10:20–10:40 Tea Break

Working Session I

**Chair: Prof. C.R. Abrar
Dhaka University**

10:40–11:00 Objectives of the National Consultation Workshop
Ms. Sonomi Tanaka, Social Development Specialist
Asian Development Bank, Manila

11:00–12:50 Interactive Presentation of Findings
Ms. Helen Thomas, RETA Team Leader,

12:50–1:00 Wrap-up by Chair

1:00–2:00 Lunch

Working Session II

Chair: Mr. Matthew Friedman
Technical Advisor, USAID, Dhaka

2:00–2:10 Objectives of Group Work
Ms. Helen Thomas, RETA Team Leader

2:10–3:10 Group Discussion

3:10–3:30 Tea Break

3:30–4:30 Plenary presentation of group findings and wrap-up by Chair

Day 2: 8 April 2002

Working Session III

Chair: Ms. Sonomi Tanaka
Social Development Specialist
Asian Development Bank, Manila

09:30–09:40 Presentation of findings from group work in context of links to policy environment
Ms. Helen Thomas, RETA Team Leader

09:40–10:30 Plenary discussions of policy environment in Bangladesh and South Asian region to combat trafficking of women and children, including next steps to be taken by stakeholders

10:30–10:45 Tea Break

10:45–12:00 Session continues

12:00–12:30 **Concluding Session**
Chair: Md. Shahidul Haque
Resident Representative, IOM

12:30 Lunch

BANGLADESH NATIONAL WORKSHOP PARTICIPANTS

GOVERNMENT

- | | |
|--|--|
| 1. Mahfuzul Islam
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MWCA | Ministry of Labor and
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MWCA | 9. Begum Zishan Ara Arafunnesa
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| 3. Md. Mahbubul Alam
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MWCA | 10. Nur Nahar Begum
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| 4. Md. Hasib Aziz
Director General SAARC
Ministry of Foreign Affairs | 11. Taj Mohammed
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NGOs and Other Civil
Society Organizations |
| 5. Suraiya Begum
Deputy Secretary
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and Overseas Employment | NGOs |
| 6. Ruhul Quddus
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Ministry of Labor and
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ACD |
| 7. Julhas Uddin Ahmed
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Rights Jessore |
| 8. A.N.M. Abdullah
Deputy Chief (Labor) | 14. M. Shahidul Islam
Program Advisor
Bangladesh Shishu Adhikar
Forum |
| | 15. Selim Reza Ahmed
Dhaka Ahsania Mission
Dhanmondi, Dhaka |

- | | |
|---|--|
| 16. Md. Azad
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| 17. Mamtaj Roomy
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Mukti Nari-o-Shishu Unnayan
Kushtia | 27. John Davies
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| 18. Salma Ali
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| 20. Prof. C.R. Abrar
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| 22. Husayum Kabir
Convenor, Human Rights | 32. J. Victor Gomes
Population Council |
| 23. Md. Mizanur Rahman
PhD Candidate
National University of
Singapore | 33. Matthew Friedman
Technical Advisor
USAID Dhaka |
| | 34. Nishat A. Chowdhury
Trafficking and Child Labor
Advisor
USAID Dhaka |

International Organizations

- | | |
|--|---|
| 24. Md. Shahidul Haque
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| 25. Nadia Shafiullah
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36. Dr. S. Jana
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37. Lila Peters
Chief Child Protection
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- 38/9. Fabrizio Senesi and
Barbara Trapani
Country Representatives
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43. Rokeya Choudhury
Project Implementation
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Bangladesh Resident Mission
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44. Ferdousi Sultana
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Asian Development Bank

45. Helen Thomas
RETA Team Leader
Agriteam Canada
40. Toru Shibuichi
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ADB, Manila
42. Sonomi Tanaka
Social Development
Specialist RSPR, RSDD
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46. Rina Sen Gupta
National Program Officer
IOM
47. Ishrat Shamim
President
CWCS

APPENDIX 5

SUMMARY OF INDIA WORKSHOP PROCEEDINGS HABITAT CENTRE, NEW DELHI 11-12 APRIL 2002

1. Inauguration

The **Country Director, India Resident Mission, Asian Development Bank (ADB)**, welcomed and thanked all participants for attending the Workshop. He then outlined ADB's program in India and the importance of mainstreaming trafficking concerns into large-scale poverty reduction programs by targeting those most vulnerable. He also identified the links between regional issues and the recently signed South Asian Association for Regional Cooperation (SAARC) Trafficking Convention.

Ms. Sujatha Manohar, Member of the National Human Rights Commission, stressed the complexities of the causes of trafficking. Addressing poverty may not be enough—women's economic empowerment is also vital—women are forced to migrate for the purpose of earning for their basic needs, and this makes them more vulnerable. Increasing the number of women involved in ADB projects could also contribute to women's empowerment.

The Secretary of Department of Women and Child Development (DCWD) inaugurated the workshop. The Secretary congratulated the regional technical assistance (RETA) Team for preparing the India Country Paper, which he judges to be of high quality, and will be useful to DCWD in preparing future actions. The Secretary also stressed the complexity of trafficking, however, understanding this complexity should not stand in the way of taking action. The government, nongovernment organizations (NGOs), or political structures alone cannot solve these problems, partnerships are required and more action is needed. Data collection and analysis must be transformed into practice. Concrete proposals need to be put into action and consensus developed where possible, leaving aside for now the more contentious areas. The Government of India has projects in the six major metropolitan areas with state actions in several important states.

The Secretary also stated that the Government of India welcomes funding agencies to join as partners, but it is not necessary to develop stand-alone antitrafficking projects. Poverty reduction in source areas is vital—including Nepal and Bangladesh, to alleviate the problems for India. Incorporating social impact assessments into infrastructure projects is also important, in a similar manner to the environmental impact assessments. It is also essential to move forward on implementing the SAARC Convention as it stands.

2. Working Session I

The RETA Team presented the main findings from the crossborder data section of the India Country Paper and invited comments from participants.

The Joint Secretary, DWCD, congratulated the RETA Team for presenting pioneering work that will form a springboard for more studies and efforts to collaborate on collection and analysis of cross-border data. The Joint Secretary went on to provide specific comments on certain sections, and stressed the importance of taking the SAARC Convention as a framework, but also seeing its implementation as an iterative process.

Other comments from participants included:

- While understanding the scope of the RETA was limited to three countries, Pakistan must also be included in further studies as this is a destination and transit point for much trafficking;
- There is a need to develop a common database where all NGOs and other stakeholders can register information—DWCD is taking up such an initiative;
- Some participants stressed the importance of broadening all definitions and analysis of trafficking beyond commercial sexual exploitation as there is high demand for trafficked labor in other sectors—e.g., adolescent girls from Kerala sent to the Gulf as domestic workers;
- Alternative sources of data that still must be explored include trafficked women from migrant communities, community leaders, etc., who are also aware of what is taking place within their communities, but at the same time codes of ethics for the collection and dissemination of such data need to be developed;
- The links between trafficking and demands from the tourism sector must also be recognized;

- There is a need to train and build awareness among grassroots-level police and other enforcement officials to increase reporting of cases—DWCD is already preparing a manual, but it is relatively slow to change attitudes and to break the ties between criminals and some of the police officers benefiting from trafficking; and
- In the impact analyses undertaken in the ADB project design, one must look at the wide range of issues with influence over trafficking dynamics, e.g., environmental degradation, destruction of the natural habitat, closing of factories, mines, etc.

3. Working Session II

During the afternoon session the RETA Team presented the findings from the remaining sections of the India Country Paper, including factors influencing dynamics of trafficking, programming in place, and potential entry points for partnerships between ADB and other stakeholders involved in combating trafficking. The participants also spent some time discussing in smaller groups good practices that could be integrated into ADB projects and policy dialogue.

Comments and examples of good practices from group work and overall discussions included:

- Importance of links between trafficking and migration and understanding vulnerabilities of mobile populations—antitrafficking programming needs to target these populations;
- Telecommunications projects could partner with antitrafficking efforts through facilitating help lines. An example is Mumbai where a help line is now available for women 24 hours per day with strong backward and forward linkages to other programming, e.g., providing information on where shelter homes are available, where to find legal assistance, etc.;
- Roads and highway projects can ensure that prevention messages are disseminated along the highways, state transport depots, etc. Also, information booths should be incorporated into new or improved infrastructures at highway intersections—but again with strong backward and forward linkages. Highway sector is very challenging—those women and girls working along the roads are the most difficult to reintegrate and many poor families living along the highway are tempted to get involved;
- Slum upgrading projects also have great potential for partnership

with anti-trafficking stakeholders—support could be provided through development of shelter homes managed by NGOs, training centers, and to tie sustainable livelihoods to these activities. It is important to create spaces for women to leave commercial sex work and also resist the temptations of traffickers to return;

- Examples were discussed from Sri Lanka on the importance of developing safe migration packages;
- It is important to strengthen capacities and awareness of local government and build linkages between government/PRI/NGOs/private sector so that holistic antitrafficking efforts can be developed that address the needs and perspectives of all stakeholders—it is important to recognize the strength of social capital that already exists at the community level, and to build on that;
- It is essential to explore coordination of various issues under the SAARC Convention, for example: coordination among government agencies—health, labor; NGO coordination across borders and with governments; information-gathering with collaboration among agencies and NGOs, improved repatriation mechanisms; etc;
- ADB regional policy dialogue can incorporate issues such as improving border facilities, labor conditions, and employment opportunities for those most vulnerable to being trafficked; and
- Regional linkages can be strengthened through support from ADB-financed crossborder projects (road corridors, etc.) such as those between NGOs in India with Maiti Nepal or with Bangladeshi NGOs.

4. Working Session III

On the second day, the focus of discussions was on elements of an enabling policy environment for combating trafficking and the next steps to be taken under the RETA. The following issues were discussed in this context:

Child Protection: A request was made that as several participants were about to leave for the United Nations General Assembly Special Session (UNGASS) on the Convention on the Rights of the Child, child protection issues should be discussed, including:

- Children’s rights;
- Feminization of poverty and its impact on children;
- Legal mechanisms not in place to adequately protect children—this is complex as there are age limits specified in different parts of the legislative framework vary; there is also a need to review and improve juvenile justice systems and their links to issues such as remand homes, special police for the protection of children etc.; and
- Monitoring of standards of child rescue homes—just building more shelters is not sufficient to ensure that the quality of care improves. DWCD indicated that state-level committees are being established to set standards for care. DWCD has initiated a swadha project that provides funds to state-level governments to increase the number of homes available, but pressure also has to be placed on state governments as the central Government can only make recommendations.

Recommendations were drawn up by participants that will be taken to UNGASS regarding these issues including children’s rights, custodial homes, and establishing special police cells.

Microfinance: There are severe constraints for stakeholders to access microfinance services for rescued women and other programs for reintegrating of trafficked persons. A quota is requested by stakeholders working with this target group from the overall poverty reduction programs facilitated by DWCD and other state-level government focal points (e.g., RMK). DWCD agreed to look into this matter.

SAARC Implementation: DWCD confirmed that the process of operationalizing the commitments under the SAARC Trafficking Convention is underway, with blueprints being developed by the Ministry of Foreign Affairs for mechanisms for collaboration; the points raised at the workshop would be incorporated into these discussions.

Advocacy from civil society: DWCD commented that it is important for all stakeholders to advocate for improved programming at the state level. This can be reinforced through pressure from women Panchayati Raj Institution-elected officials, etc. Pressure from the judiciary is also bearing fruit at this level. They also stressed the importance of working together and drawing from each other’s experiences, which could be spread through regional linkages and support from organizations such as ADB.

INDIA NATIONAL WORKSHOP PROGRAM

Day 1: 11 April 2002

09:00 – 09:30 Arrival of guests and participants

Inauguration

09:30-10:15 Arrival of Chief Guest, Secretary, Department of Women and Child Development (DWCD); Ministry of Human Resources (MHR), Government of India.

Introduction of the guests Ms. Sonomi Tanaka, Social Development Specialist, Asian Development Bank, Manila

Welcome Speech by Mr. Frank Polman, Country Director, India Resident Mission, Asian Development Bank

Inauguration of Workshop by Chief Guest, Secretary, DWCD, MHR, Government of India.

Vote of thanks by Ms. Shireen Lateef, Principal Social Development Specialist, Asian Development Bank (ADB), Manila

10:15 – 10:30 Tea Break

Working Session I

10:40-11:00 Objectives of the National Consultation Workshop
Ms. Sonomi Tanaka
Social Development Specialist
ADB, Manila

11:00-12:50 Interactive Presentation of Findings
Dr. Nandini Azad, National Consultant and Ms. Helen Thomas, RETA Team Leader

12:50-1:00 Wrap-up

1:00–2:00 Lunch

Working Session II

- 2:00-2:10 Objectives of Group Work
Ms. Helen Thomas, RETA Team Leader
- 2:10-3:10 Group Discussion
- 3:10-3:30 Tea Break
- 3:30-4:30 Plenary presentation of group findings and wrap-up

Day 2: April 12, 2002

Working Session III

- 09:30-09:40 Presentation of findings from group work in the context of links to policy environment
Ms. Helen Thomas, RETA Team Leader
- 09:40-10:30 Plenary discussions on the policy environment in India and other South Asian countries to combat trafficking of women and children, including next steps to be taken by stakeholders
- 10:30-10:45 Tea Break
- 10:45-12:00 Session continues
- 12:00-12:30 **Concluding Session**
- 12:30 Lunch

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21. Mr. Frank Polman
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23. Dr. Shireen Lateef
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24. Ms. Sonomi Tanaka
Social Development Specialist, RSPR

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25. Ms. Helen T. Thomas
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26. Dr. Nandini Azad
National Consultant, India
27. Dr. Gopal Krishna Siwakoti
National Consultant, Nepal

APPENDIX 6

SUMMARY OF NEPAL WORKSHOP PROCEEDINGS Himalaya Hotel, Lalitpur 20 March 2002

Opening

The Country Director from the ADB Resident Mission welcomed and thanked all participants for their participation. He stated that combating trafficking is a new area for ADB, which is true in that it does not a fund/loan for a stand-alone antitrafficking initiative in South Asia. However, ADB recognizes how the impacts of trafficking are undermining other development efforts in Nepal. He concluded by stressing the potential for ADB's poverty reduction programs in Nepal to link with antitrafficking initiatives and stakeholders, and requested participants to verify the findings of the Nepal Country Paper and assist in sharpening the paper's focus and sharing their good practices and experiences with the regional technical assistance (RETA) Team.

Findings of the RETA Nepal Country Paper

The RETA Team Leader presented an overview of the findings and the following issues were raised during plenary discussions.

1. Definitions and Understanding Overall Characteristics of Trafficking

- Domestic (local) definition is essential to closely look at the problem and formulate an appropriate strategy as the international definition may not cover the specific country issues, e.g., in Nepal there is increasing evidence of trafficking of boys, therefore definitions must not exclude these aspects; similarly, internal trafficking is also of concern in Nepal and must be incorporated;

- Definition established by the Special Rapporteur on Violence against Women covers more “practical” issues or problems and it is good that the RETA adopted this definition; and
- Care must be taken not to conflate women and children in any analysis.

2. SAARC Convention

Concerns were expressed about the lack of comprehensive definitions and confusions stemming from the South Asian Association for Regional Cooperation (SAARC) Convention, e.g., nothing in the text guarantees the right for women to migrate; there are poorly defined distinctions between voluntary and forced migration; and the focus on prostitution makes it a “moralistic” document rather than an objective guide/framework. Other points raised included:

- The recent Yokohama conference addresses sexual exploitation of children with less priority to trafficking—it is important to widen the focus to include the broad range of trafficking concerns;
- SAARC is necessarily more focused on crossborder rather than internal trafficking, which is a rising problem in Nepal because of the increased number of internally displaced persons (IDPs); and
- It is important that support is given to civil society and government as they review the SAARC Convention and to charter more practical agreements and understanding among the signatories, particularly important for prosecution of criminals involved.

3. Available Data and Statistics

Participants pointed out that the mapping exercise undertaken by the Ministry of Women and Children and Social Welfare (MWCSW) presented in the RETA Country Paper only covers crossborder trafficking, and therefore further efforts have to be made to incorporate what information is available on internal trafficking. However, all participants agreed that there is no data available, only small research studies. Participants concluded that:

- There is an urgent need for more accurate and comprehensive data to improve planning and targeting of antitrafficking initiatives;
- These efforts should be undertaken collaboratively among all stakeholders to ensure that scarce resources are used efficiently;
- Current national census has included child labor and migration questions and conclusions and analysis on trafficking should be incorporated in government use of this data;
- A major challenge is the lack of birth registration that makes it difficult to tell who is missing from a community; and
- Some participants did express concern that already scarce resources are not diverted from antitrafficking efforts to continue to study the situation.

4. Factors Influencing the Dynamics of Trafficking

While participants agreed that it is important to understand the underlying causes of trafficking and its association to poverty, most of the discussions focused on the links between migration and trafficking. Participants all felt that these links have been poorly integrated into previous analyses, especially the vulnerabilities of mobile populations, such as those moving from rural to urban areas, and the rapid increase in IDPs and others forced to flee the current civil strife and insecurities in Nepal. It is estimated that 200 IDPs arrive each day in Kathmandu. Participants felt that the following issues should be clearly incorporated into the RETA's analysis:

- The restrictions placed on women's migration and the impact this has on their vulnerability to being trafficked;
- The need for safe migration information packages to be made available to those most likely to migrate—particularly women who currently have no access to such information—but a rights-based approach must be adopted when developing and delivering such packages to ensure that women maintain the right to migrate and take up other options to secure their livelihoods;
- Informed versus uninformed choice of migration needs to be well understood and the links to vulnerability to being trafficked; and

- It is important also to develop initiatives focusing on “exploitative” zones, e.g., factories, domestic work, among street children, etc.; and that prevention initiatives include those forced to migrate (involuntary resettlement, refugees, and IDPs).

5. Links Between Trafficking and ADB-Supported Sectors in Nepal

The RETA Team presented the main findings from the Country Paper regarding potential linkages and requested inputs from participants concerning good practices and other examples of how partnerships with ADB-supported projects could be created to facilitate integration of antitrafficking initiatives where appropriate. As there were representatives from the Melamchi Water Supply Development Board (an ADB-supported project), discussion also focused on the water supply sector to illustrate possible integration entry points. Ideas that were discussed included:

- Capacity-building exercises with the local government officials to ensure local inputs and understanding of surrounding conditions regarding incidence of trafficking, particular vulnerabilities, etc.;
- Savings and credit and other livelihood initiatives build resistance to trafficking, but attention must be paid to ensuring that products produced are marketable (this has proven to be a flaw in many microcredit projects);
- Education (formal and non-formal)/health education/confidence and awareness building should all be carried out with local NGOs and those familiar with local conditions;
- Generally ensuring that those most vulnerable—the extremely poor, marginalized ethnic and caste groups—are included in programming. Girls and women in particular require extensive confidence building, and provision of alternative options to maintain livelihoods and to ensure that if they migrate they have access to employment and can resist the deception and coercion of traffickers (e.g., scholarships for girls can be very effective). Women’s empowerment initiatives that increase women’s access to resources are also vital (e.g., land, credit, education);
- Facilitating safe migration, building improved programs for displaced persons, and providing services to recently arrived

migrants in urban areas are all important. Women's Rehabilitation Centre (WOREC) and United Nations Children's Fund (UNIFEM) are already working on safe migration packages and have experience that can be drawn upon to increase understanding of how to approach these issues;

- It is also important to target demand areas—e.g., construction camps where WOREC had observed increased demand for trafficked girls not from the immediate area but from communities far enough away not to draw attention to their activities. All codes of conduct or covenants incorporated into ADB-financed contractor's agreements should be aware of how trafficked labor and CSWs are recruited for large construction camps; and
- Community participation in all these types of initiatives is essential to ensure that many of the causes for migration, abuse, etc. within communities or homes of trafficked persons are addressed at the source, by the communities themselves.

All participants agreed that mainstreaming trafficking concerns into poverty reduction projects is not only possible, but vital to increase the resources available and to multiply the impacts of their efforts. However, as the Plan International representative pointed out, there are some policy issues that cannot be addressed at the project level, and ADB can play an important role in dialogues with the Government on these issues, e.g., legislative reforms, increasing political will of government ministries to address trafficking.

6. Policy Dialogue and General Recommendations for ADB

Plenary discussions concluded that the following areas have potential for support from ADB:

- Creating space within ADB-supported projects to partner with antitrafficking stakeholders, and encouraging ministries not already involved to link their mandates to combating trafficking e.g., strengthening local government, roads, and other transport systems; building infrastructures such as information booths, shelters, etc. for migrants and others most vulnerable to being trafficked;

- Providing support at the regional level for implementation of the SAARC Trafficking Convention and raising awareness of links at the regional level between addressing poverty and trafficking concerns;
- Providing support to civil society and government in their efforts to increase understanding of migration and links to trafficking;
- Supporting efforts to increase understanding of the macro and regional-level impacts of trafficking, for example on economic development, potential for market integration, diversion of health resources, etc.; and
- Continuing support for women's empowerment in general.

NEPAL NATIONAL WORKSHOP PROGRAM

9:00	Arrival
9:15–9:45	Opening and welcome from Dr. Richard Vokes, Country Director, ADB Nepal Resident Mission
9:45–10:15	Background presentation regarding regional technical assistance (RETA) from Ava Shrestha, Gender Advisor, Consultant, ADB Nepal Resident Mission
10:15–10:30	Tea Break
10:30–11:15	Presentation of findings from Nepal Country Paper, by RETA Team
11:15– 2:30	Plenary discussion of findings and links with existing antitrafficking programming to different sectors of ADB program in Nepal
12:30–1:30	Lunch
1:30–3:00	Plenary discussion of policy environment and potential for ADB’s contribution to policy dialogue to combat trafficking
3:15–3:30	Wrap-up of workshop findings

NEPAL NATIONAL WORKSHOP PARTICIPANTS

GOVERNMENT

1. Shanti Basnyat
Ministry of Women Children and Social Welfare
2. Rabindra Adhikary
Ministry of Labour and Transport
3. Govind P. Thapa
Nepal Police
4. Indira Rana
National Human Rights Commission

NGOs

5. Bimala Jnawali, AATWIN
6. Bhagwati Nepal, AATWIN
7. Durga Ghimire, ABC Nepal
8. Madhavi Singh, NNAGT
9. Kishore Silwal, CeLRRD
10. Sabin Gurung, Maiti Nepal
11. Anoop Gurung, Maiti Nepal
12. Renuka Bajagain, HimRights
13. Purna Shakya, HimRights
14. Salina Joshi, FWLD

15. Gauri Pradhan, CWIN
16. Renu Rajbhandari, WOREC
17. Padma Mathema, NPCS
18. Gyanendra Aryal
INHURED International

INTERNATIONAL NGOS AND FUNDING AGENCIES/PROJECT

19. Alka R. Rizal, JIT/UNDP
20. Minty Pande, Plan International
21. Pankaja Bhattarai, The Asia Foundation
22. Jaya Sharma, Canadian Cooperation Office
23. Prabha Thacker, Canadian Cooperation Office
24. Sangeeta Thapa, UNIFEM
25. Sandhya Shrestha, OXFAM
26. Rita Manchanda, SAFHR
27. Bimal Rawal, ILO
28. Indu Pant Ghimire, MGEP/UNDP
29. Mangala Karanjit
Melamchi Water Supply
Development Board
30. Suman Sharma
Melamchi Water Supply Board

GENERAL

31. Kishore Maskay, Media Reporter
32. Richard Vokes
Country Director, Nepal Resident Mission, ADB
33. Ava Shestra, Gender Advisor, Consultant

RETA TEAM

34. Helen Thomas
Team Leader
35. Gopal Krishna Siwakoti
INHURED International
36. Pranita Thapa
INHURED International
37. Rita Litwiller

APPENDIX 7

TRANSIT POINTS BETWEEN BANGLADESH AND INDIA

A. Land Routes of Trafficking in Women and Children

SL	Bangladesh Districts	Transit Thana	Trafficking Route or Last Transit Point in Bangladesh	First Transit Point in India
1	Brahmanbaria	Akhaura	Gopinathpur	Agartala
2	Chittagongj	Mirersarai Sithakunda	Karerhat Jorwargong Brabkundu	Goes to the western borders of Jessore or Rajshahi to India
3	Chuadanga	Jibannagar	Darshana	Bilonia
4	Comilla	Choddagram	Chouara	Agortola
		Burichong	Rajapur	Agortola
5	Cox's Bazar	Teknaf Ramu	Teknaf	Mongedu (Myanmar)
6	Dinajpur	Hakimpur	Hili (Bangladesh), Zila Sadar, Biral, Birampur, Hakimpur Amtoli (Chirrir Bandari) (Kamolpur, Sadar Thana)	Hilli (India) Balurghat Radhi Kapur Samjayo
7	Gaibandha	Gobindojonj Bonarpara Shadullapur	Polashbari, Goraghat, Shagata	
8	Jessore	Sarsa	Shalkuna Shikarpur Benaplole Goga Chanduria Putkhali Bahadurpur	Bongaon Kurulia Kurulia Jointipur, Kalini Horiduspur Jhoudanga Paspota, Gopalpur Angrail Poranobongaon Shutay
		Jhikorgacha	Kashipur	Boyra
		Chougacha	Kabilpur Mashila Ansolia Boyra	Boyra Laxmipur Bagdha Bagdha

COMBATING TRAFFICKING OF WOMEN AND CHILDREN IN SOUTH ASIA

Cont'd...

SL	Bangladesh Districts	Transit Thana	Trafficking Route or Last Transit Point in Bangladesh	First Transit Point in India
9	Jhenaidha	Moheshpur	Jadabpur Porapara Talsar Mandartala Samkur Jololi	Krishanagar Shantipur Birnagar Ranaghat Shibnagar
10	Kushtia	Daulatpur	Pragpur Dhotarpara	Baharampur (Murshidabad) Beldanga
11	Kurigram		Burungamari, Fulbari Nageshwari	Burungamari, Fulbari Nageshwari
12	Lalmonirhat	Lalmonirhat Sadar	Mogholhat Burimari, Patgram Hatibandha	South Gitaldaha Shitalkhuchi
		Patgram	Dahogram Angurpota Burimari	Berubari Chengra Bandha
13	Meherpur	Meherpur Sadar	Mujibnagar Shalika Sholmari	Batai
14	Nawabganj	Shibganj	Bishanathpur Chowka Monakosha Kiranganj Radhanagar Zaminpur	New Farakka Station
15	Nilphamari	Dimla Domra	Chatna Chilahati Gomnati Ketkibari Thakurgonj	Jalpaiguri Jalpaiguri Jalpaiguri Shinzarhat
16	Panchagarh	Atwari	Dhamur, Atoary, Tetulia Bothgaon	Raniganj, Islampur
		Tetulia	Banglabandha	Fulbari Shiliguri
		Boda	Baroshashi	Haldibari, Manikganj
		Panchagarh Thana	Vitargarh, Harivanha Amorkhan Prophan Para Velku Para-Magurmarl Chaukla Shiugroad	Berubari, Daspara, Chawlhati, Haldibari
17	Rangpur	Domar	Chilahati	Haldibari
			Lalmonirhat Gaibandha Patgram, Hili	Jalpaiguri

Cont'd...

SL	Bangladesh Districts	Transit Thana	Trafficking Route or Last Transit Point in Bangladesh	First Transit Point in India
18	Rajshahi	Charghat	Kakramari	Jalangi
19	Satkhira	Kalaroa	Hijaldi Damdam Bhadli Chanduria	Hakimpur Gunnaspur Panchpota
		Kaliganj	Bhomra	Ghozadanga Itendia
		Shymnagar	Bhomra	Ghozadanga Itendia
20	Thakurgaon	Horipur Rani Saukaul	Horipur, Ranishangkayel Bhaturia Minapur Dharmogarh, Nonduar	Hemtabad Chopra Thana
		Baliadangl	Lohagora, Horiamari Bongovita Vandar Daha	Islampur
		Pirgay	Kalmega Boirchuna Fokirgay	Hemtabad Kushmundi

B. Land Routes of Trafficking from Jessore and Satkhira

SL	Bangladesh Districts	Transit Thana	Trafficking Route or Last Transit Point in Bangladesh	First Transit Point in India
1.	Jessore	Sharsa	Chanduria	Gopalpur
		Sharsa	Bhulat	Jaw Dhanga
		Sharsa	Putkhali	Bannabaria, Angrail
		Sharsa	Doulatpur	Kaliani
		Sharsa Sharsa	ICP Benapole Sadipur	Petrapole ICP Jaintapur
		Sharsa	Rogunathpur	Haridaspur Ramchandapur
		Sharsa	Bhadurpur	Sutia
		Sharsa	Salkuna	Bazidpur
		Jhikargacha	Shikarpur	Bassgata
				Mustaqpur
		Jhikargacha	Kashipur	Meherani Boyra
		Chowgacha	Shazadpur	North Boyra
		Chowgacha	Mashilia	Boyra
		Chowgacha	Hizli	Pasbaria
		Chowgacha	Andulia	Mama Vagne
		Chowgacha	Borni	Musaumpur
		Chowgacha	Zadabpur	Kulia Madhupur
		Chowgacha	Zaluli	Zitpur
		Chowgacha	Samanta	Pasti Gata Chawhali Singamari
2.	Satkhira	Debhata	Vomra	Boshirhat
		Kolaroa	Madra, Vadli	Hakimpur
		Kolaroa	Hizaldi, Sultanpur	Gunnaspur Bhitnari

Source: Shamim, I. & Kabir, F., 1997.

APPENDIX 8

INTERNATIONAL COMMITMENTS OF BANGLADESH, INDIA, AND NEPAL RELEVANT TO TRAFFICKING

Treaty	Bangladesh	India	Nepal
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of	A	R	—
Others (1949 Convention) UN Convention Against Transnational Organized Crime	—	—	—
• Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	—	—	—
• Protocol Against the Smuggling of Migrants by Land, Sea and Air	—	—	—
Slavery Convention	S (1985)	S (1954)	A
Supplementary Convention on the Abolition of Slavery	A	R	A
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	A	S (1997)	A
International Covenant on Civil and Political Rights	A	A	A
International Covenant on Economic, Social and Cultural Rights	A	A	A
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	A	R	R
• Optional Protocol to CEDAW	R	—	S (2001)
Convention on the Rights of the Child (CRC)	R	A	R
• Optional Protocol to CRC on the Sale of Children, Child Prostitution and Child Pornography	R	—	S (2000)
International Convention on the Elimination of All Forms of Racial Discrimination	A	R	A

COMBATING TRAFFICKING OF WOMEN AND CHILDREN IN SOUTH ASIA

Cont'd...

Treaty	Bangladesh	India	Nepal
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	S (1998)	—	—
Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages	A	—	—
Forced Labour Convention, 1930 (No. 29)	R	R	R
Abolition of Forced Labour Convention, 1957 (No. 105)	R	R	—
Minimum Age Convention, 1973 (No. 138)	—	—	R
Worst Forms of Child Labour Convention, 1999 (No. 182)	R	—	R
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	R	R	R
Equal Remuneration Convention, 1951 (No. 100)	R	R	R
Migration for Employment Convention (Revised), 1949 (No. 97)	—	—	—
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	—	—	—
Part-Time Work Convention, 1994 (No. 175)	—	—	—
Home Work Convention, 1996 (No. 177)	—	—	—

Key: R = ratified
A = acceded to
S = signed

Note: By ratifying or acceding to an international treaty, a country becomes obligated to comply with the terms of that treaty under international law. By signing an international treaty document, a country indicates its intention to take the necessary steps to ratify or accede to the treaty, and becomes obligated to refrain from acts that would defeat the object and purpose of the treaty.

Sources: United Nations [<http://www.un.org>]; Office of UN High Commissioner for Human Rights [<http://www.unhcr.ch>]; International Labour Organisation [<http://www.ilo.org>].