

2nd South Asian People's Summit

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Statement on Trafficking in Women and Children

We, the representatives of civil society networks and organizations from five South Asia Countries of Bangladesh, India, Nepal, Pakistan and Sri Lanka, would like to recognize and welcome the signing of the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (hereby Convention). In doing so, you have shown your commitment to jointly combat a grave problem faced by the region directly and by addressing the root causes including poverty, unemployment and social exclusion.

We would also like to congratulate you for clearly outlining the measures to prevent and interdict trafficking in women and children; and the care, treatment, rehabilitation and repatriation of the victims. However, we would like to draw your attention to the following in the Convention and urge you to make the following amendments to further clarify its scope and mandate:

The title of the Convention limits it only to prostitution. We recommend that the title should be changed to Convention on Preventing and Combating Trafficking in Women and Children, so that it also covers other forms of exploitation of the trafficked women and children. The contradictions regarding the scope of the Convention should be removed to ensure greater clarity in its implementation.

While the title is limiting the scope to Prostitution, Article III Number 1 makes any form of trafficking an offense to be dealt with as a crime. Similarly, the Article VII dealing with extradition or prosecution is contradictory and needs to be amended. The right of privacy and self-determination for the victims of trafficking should also be incorporated in the Convention.

To ensure the effective implementation of the Convention, we urge you to:

1. Formulate well-defined national policies and legislation in line with South Asia guidelines, developed in consultation with each other under the auspices of SAARC; and boarder legislative policies including criminalization of all actors involved in the process of trafficking.
2. Enforce legislation, policies and procedures that clearly outline the recipient country's accountability; mutual legal assistance; extradition, rehabilitation and repatriation of the victims; responsibilities for action and allocation of funds; and regular review and monitoring of the progress nationally and regionally.
3. Clearly assign responsibility of implementation and follow-up of the Convention nationally.
4. Allocate adequate funds for the implementation of the Convention.
5. Ensure that people holding public offices, if involved directly or indirectly in trafficking, are awarded stricter punishment in comparison with the others involved in such a heinous crime.
6. Ensure that the Regional Task Force to be established to facilitate the implementation of the provisions of the Convention includes, in addition to the officials of the relevant ministries of the member states, representatives of the civil society organizations working on the issue.
7. Evolve a mechanism to monitor the flow of people's movement in the region without restricting the

freedom of movement of an average citizen.

8. Ensure that vulnerable populations of women and children are made aware of the issue of trafficking and are imparted with 'life skills' to enable them to make appropriate decisions and negotiations in difficult circumstances.
9. Evolve mechanisms to establish a regional court on the lines of the International Criminal Court to prosecute cases of trafficking in women and children.

Statement on Illicit Trade in Small Arms & Light Weapons

1. We are concerned at the continued violence and the killings of people, especially women and children, through the use of illegal arms. The response of the state will further escalate the situation by violating the fundamental rights of the people at large.
2. We call upon the South Asian civil society to become more aware of this situation and impress upon their governments of this menace.
3. The media can play the important role of educating the people and governments on the evil effects and consequences of the use of small arms.
4. We call upon the governments to promote the culture of peace and tolerance, and reflect the same in educational curriculum in their countries; and curb the depiction and glorification of weapons in public and media.
5. We call upon the South Asian governments to involve civil society and establish mechanisms for community participation in the recovery and destruction of illegal weapons.
6. We demand of the South Asian governments to take stringent action against illegal production of small arms.
7. We call upon the South Asian governments to mandate the SAARC Secretariat to draft a legally-binding regional instrument necessary for eradicating the illicit proliferation of and trafficking in small arms and light weapons, and establish coordinating agencies to monitor and review the same.