



**REGIONAL COLLABORATION AMONG
SOUTH ASIAN ANTI-SLAVERY ORGANISATIONS**

*Scoping Study
Findings and Recommendations*

Free the Slaves

for the Freedom Fund
August 2015

REGIONAL COLLABORATION AMONG SOUTH ASIA ANTI – SLAVERY ORGANIZATIONS

Scoping Study: Findings and Recommendations

Purpose and objectives

This report presents findings and recommendations from a study commissioned by the Freedom Fund to assess the advisability and feasibility of supporting regional collaboration among South Asian anti-slavery organizations. As such, the focus of the study was on regional and cross-border issues of shared interest, rather than slavery issues in particular countries. The countries covered by the study are India, Nepal, Bangladesh, Pakistan and Sri Lanka. The study was specifically designed to address the following topics:

- The perceptions of key regional civil society organizations (CSOs) of policy advocacy priorities, opportunities and targets;
- The approaches that would facilitate civil society dialogue on intervention strategies and sharing of promising practices;
- Cataloguing and briefly reviewing existing coalitions and collaborations; and,
- The potential structures and mechanisms for facilitating regional collaboration among South Asian anti-slavery organizations.

Free the Slaves was asked to make recommendations to the Freedom Fund with regard to potential investments and actions it might undertake to facilitate regional collaboration.

Methods and limitations

The information and recommendations in this paper derive from interviews of 42 key CSO informants in the five South Asian countries, as well as a brief review of information from CSO web sites and other relevant sources. The list of potential informants was agreed upon with Freedom Fund during the study development.

The study, with minor exceptions, was limited to CSO informants; multilateral institutions and governments were not included.

While the potential for a regional anti-slavery coalition was an option included in the original design, this possibility was later excluded pursuant to discussions with Freedom Fund. We do, however, report the views of respondents on this topic.

Free the Slaves is grateful for the contribution of Vithika Yadav, who carried out the interviews for this study, and to all of the participants who shared their views frankly.

Organization of the paper

The paper is divided into three major sections

1. The emerging agenda for regional action, in which we elucidate some of the key areas for both advocacy and sharing of promising practices
2. Recommendations for reinforcing collective action for policy advocacy, where we propose an approach to stimulating regional advocacy that builds on the existing regional infrastructure.
3. Recommendations for promoting standards of practice, where we recommend an approach for integrating advocacy with sharing lessons learned in anti-slavery programming.

1. The emerging agenda for regional action

Cross-border trafficking and enslavement of citizens from other countries in the region are major components of the South Asian dynamic. The interviews consistently revealed serious legal, institutional and capacity gaps that militate against effective action on these forms of slavery. The remedies to the gaps provide the basis for a regional advocacy and learning agenda.

Surveillance and information sharing: Information about cross-border trafficking is scant, there are inadequate systems for monitoring trafficking and sharing of available data is weak. The South Asia region would benefit from establishing a sentinel surveillance system that profits from experience in Southeast Asia. The United Nations Interagency Project on Human Trafficking (UNIAP) set up the SIREN Sentinel Surveillance system in Southeast Asia to track the dynamics of migration and trafficking in that region's border areas. (See <http://www.no-trafficking.org/siren.html>.) A similar system for South Asia can work in the same way, interviewing samples of migrants and trafficking victims for the purpose of acquiring better understanding of victims and their vulnerabilities, criminal networks and the effectiveness of laws and policies. This can and should be accompanied by better training and supervision of border police to identify and protect potential trafficking victims.

Systematic sharing of data across national borders, whether from surveillance systems or other sources, would also be an important step forward. Data sharing would inherently create opportunities for coordination. Data sharing should involve both concerned government agencies and CSOs.

Repatriation and rehabilitation of survivors: Once liberated from slavery, survivors, communities and governments are faced with the challenge of achieving safe, voluntary and expeditious repatriation, while ensuring that survivors receive the services requisite to effective rehabilitation and reintegration. Unfortunately, the

practical framework needed to achieve these ends is woefully inadequate. Bilateral and multilateral agreements between governments in the region governing the repatriation and rehabilitation of survivors are needed. These agreements should implement standards of best practice regarding the safe and voluntary repatriation of survivors who have been trafficked across state boundaries. Credible CSOs involved in serving survivors should be consulted in the development of the agreements and should also be offered the opportunity to develop service delivery agreements with the concerned government agencies.

A more comprehensive SAARC Convention: There are discrepancies and gaps in the legal frameworks in the region that prevent effective intergovernmental coordination. Most immediately, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution is in need of amendment to cover all forms of slavery. The Convention defines “trafficking” as “the moving, selling or buying of women and children for prostitution within and outside a country for monetary or other considerations with or without the consent of the person subjected to trafficking.” This definition, with its exclusive focus on commercial sex and its silence on other forms of slavery, such as bonded labor and domestic servitude, is inconsistent with other definitions contained in international instruments, including the Palermo Protocol, and many national laws. The Convention should be amended accordingly.

Along with the proposed change in the Convention, respondents urged the creation of a SAARC regional anti-slavery rapporteur, who could play a very useful role in supporting CSO policy advocacy efforts.

Capacity building and promising practices: Respondents acknowledged the absence of regional forums and structures that effectively facilitate sharing of experience, lessons learned and promising practices among CSOs, especially grassroots NGOs. They further pointed to the shared need for analyses of slavery dynamics and regional needs assessments to deal with cross-border issues, as well as the potential utility of developing protocols and understandings for collaboration among CSOs. They also pointed to the relative dearth of regional forums for training and capacity building that would facilitate collaboration and building shared approaches.

In terms of priorities among these four areas, the most widely recommended among respondents appears to be improved processes for the rehabilitation and repatriation of survivors. While it is important to build any collaborative effort around objectives that the participants find compelling, Free the Slaves believes that the areas focused on building knowledge and skills may yield the most promising results, given the current stage of the anti-slavery efforts. Lack of capacity among individual anti-slavery organizations and within the “movement” as a whole to set and implement standards of good practice, and ultimately to invest in proven best practices, is a critical gap.

2. Strengthening regional advocacy

Respondents overwhelmingly endorsed the *idea* of a strong regional coalition of civil society organizations. They recognized that there are key obstacles to progress that require collective action if a more effective policy framework is to emerge. However, the enthusiasm for a new regional coalition was muted by widespread skepticism that this would be effective in light of the difficulties encountered by earlier efforts.

Not least of the barriers to creating a strong new coalition for advocacy would be the need for sustained, significant investment over an extended period. A new organizational structure would have to invest time in gaining legitimacy and confidence from potential member organizations, which would demand sensitive and adept leadership. Some earlier efforts had foundered on the perception that they excluded smaller, grassroots organizations and were less than democratic in their decision-making.

Accordingly, based on our experience and observation in the U.S. and global south countries and echoed by many respondents, we recommend an alternative approach, which is to build on existing structures. There are a number of credible regional organizations that could potentially serve, with additional resources, as the secretariat for regional collaboration (see text box).

South Asia Regional Organizations

- People's SAARC is a forum for CSOs to come together to advocate for policies and raise awareness of issues that impact people throughout the region; it was instrumental in lobbying for the SAARC convention on human trafficking, which was adopted in 2002. The People's SAARC continues to meet regularly in parallel to official SAARC meetings to create accountability and propose agenda items for action by the official body.
- South Asia Initiative to End Violence Against Children (SAIEVAC) is an "apex" body of SAARC; as such, it is comprised of the eight SAARC governments with the purpose of implementing their commitments to end all forms of violence against children. Child labor and trafficking are currently among SAIEVAC's priorities. Although SAIEVAC is an intergovernmental body, its governing body structure and operations at the national level require regular consultation with other stakeholders, including CSOs.
- South Asian Coordinating Group on Action Against Violence Against Children (SACG), a network of UN agencies, INGOs and other actors working together at the regional and national levels to coordinate actions against violence. SACG views trafficking of children as within its mandate.
- ILO Decent Work Programme has a technical support team for South Asia that provides technical support and advice to seven of the eight SAARC countries (excluding Bhutan) to implement the ILO's foundational principles, including elimination of forced labor. Because of the ILO's tripartite membership structure (including governments, employers, and labor), there is an opportunity for civil society to engage in the formulation and implementation of the country programs alongside partners in the labor movement and government.
- Action Against Trafficking and Sexual Exploitation of Children (ATSEC), which was founded to work on cross border trafficking issues between India and Bangladesh, now also has chapters in Sri Lanka, Nepal and Pakistan and has created links with Afghanistan and Maldives. Through its country chapters, ATSEC works with government departments, border security forces, migration departments and NGOs in source, transit and destination countries on cross-border trafficking issues.

We recommend that Freedom Fund engage in a competitive grant process open to invited regional organizations that are already functioning and are willing to serve as the secretariat for an anti-slavery initiative involving regional CSOs. Specifically, the grant should fund activities by the organization and its members to take forward prioritized advocacy issue(s) and should fund secretariat staff positions, as necessary, to coordinate the collaborative effort. In our experience and observation, coalition efforts often fail due to lack of sufficient staffing for the coordinating role. Another reason is lack of “neutrality” and legitimacy of the coordinating organization; this is why we recommend funding a regional body to play this role, despite the manifest weaknesses of such organizations, rather than a frontline organization. Starting fresh with a new region-wide advocacy coalition or organization would involve significant start-up transaction costs and would also entail expectations of sustained funding that the Freedom Fund is not likely to be in a position to meet. Through funding requirements, Freedom Fund can begin to address the weaknesses and governance challenges of existing bodies, such as insufficient participation of frontline and grassroots organizations. To that end, invited applicants should explain in their proposal how they will meet certain clear criteria; we suggest the following:

- Recruiting at least two dedicated and highly qualified staff members to serve as the secretariat (or to serve the initiative at the existing secretariat);
- Organizing in-person and virtual forums for collective action, including securing buy-in to a proposed advocacy agenda and strategy;
- Effective use of basic communications technology to facilitate advocacy collaboration across borders;
- Ensuring that frontline and grassroots NGOs have the opportunity for full participation;
- Incorporating survivors and at-risk populations into decision-making and action;
- A decision-making structure that ensures responsiveness to member priorities and concerns, while also permitting nimble and effective action; and,
- Matching funds and/or a plan for long-term sustainability to avoid dependence on Freedom Fund financing.

Freedom Fund can call for competitive proposals by issuing invitations to regional organizations identified by this study as having a track record of influencing policy through collective civil society action. The call should require applicants to describe how they will use the resources to meet the specified criteria.

Every regional organization will have its own characteristics and history; each will have its proponents and detractors based on past experience. Free the Slaves recommends that Freedom Fund not feel inhibited in issuing invitations. The proposal submissions process including reference-checking will provide a basis for

deeper inquiry into how any past weaknesses can be rectified through the provision of added support. We also suggest that Freedom Fund consider including at least one referee with deep understanding of the regional organizations in its review process.

3. Promoting learning, best practices and capacity building

On the whole, respondents did not recommend building a coalition for the purpose of sharing promising practices and lessons learned. Nonetheless, it is clear from their responses and Free the Slaves' experience that established standards of good anti-slavery practice are lacking in South Asia, as is true in much of the global anti-slavery effort.

Accordingly, Free the Slaves recommends that Freedom Fund consider gradually adding the promotion of promising practices to the functions of the secretariat, once it is well established. It is important not to over-burden the secretariat during its start-up phase. However, as the secretariat becomes high functioning, it should be feasible to add promising practices sessions to in-person meetings, as well as to the technology-driven mechanisms for sharing evidence and experience in anti-slavery programming.

Supporting exchange of promising practices and training under the umbrella of the advocacy coalition would add value for members and participants. By building on the existing infrastructure, Freedom Fund might be able to achieve significant additional impact at modest cost. The shared experience of participating in learning opportunities should also have the virtuous effect of reinforcing relationships among the members.

Conclusion

Our findings clearly demonstrate that there are significant policy and practice gaps in South Asia that require collective action. We therefore propose an efficient process for building on existing regional organizations that can assume responsibility, with relatively modest support, for coalescing CSOs behind a shared agenda.