



MEMORANDUM OF UNDERSTANDING

The South Asia Initiative to End Violence against Children (SAIEVAC) and The International Labour Organization (ILO)

Whereas, the South Asian Initiative to End Violence against Children (SAIEVAC), an Apex Body of the South Asia Association for Regional Cooperation (SAARC), is a regional initiative led by the governments of South Asian countries, namely, Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, in partnership with children, civil society organizations, and the SACG (South Asia Coordinating Group on Action against Violence against Children which is an interagency group consisting of international non-governmental organizations (INGOs) and agencies of the United Nations (UN);

Whereas, through its Regional and National Mechanisms, SAIEVAC influences policies, plans and programmes of the SAARC Member States in the area of child rights in general and ending violence against children in particular;

Whereas, child labour and work-settings are an integral part of the legal and programmatic framework of Violence against Children¹ and the work of SAIEVAC² as they are of the ILO's core labour standards and mandate;

Whereas, SAIEVAC is the recognized SAARC entity to represent the cause of children of South Asia and provides an opportunity for collaboration in the larger framework of SAARC;

Whereas, at the international level, SAIEVAC is mutually supported by the mandate of the Office of the Special Representative of the Secretary General (SRSG) on Violence against Children (VAC) and is extending its cooperation and exchanging views with other similar regional frameworks and initiatives, thereby promoting south-south cooperation;

Whereas, the International Labour Organization (ILO), represented by the International Labour Office, is a specialized agency of the United Nations, promoting social justice by promoting rights at work³;

Whereas, the ILO Decent Work Technical Support Team (DWT) for South Asia, under the strategic guidance of the ILO Regional Office for Asia and the Pacific, provides technical support to ILO constituents and key stakeholders in countries in South Asia to promote the Decent Work Agenda at the

¹ United Nations Secretary-General's Study on Violence against Children (UNVAC Study), which was presented at the UN General Assembly in October 2006.

² SAIEVAC Workplan 2010-2015

³ The mutually reinforcing fundamental principles and rights at work are comprised of freedom of association and the right to collective bargaining, the elimination of forced or compulsory labour, the abolition of child labour, and the elimination of discrimination in respect of employment and occupation.

country level, and supports South Asian regional partnerships with a view to strengthening coherence and integration on issues of mutual interest and significance;

Whereas, the ILO supports countries to put in place and upgrade legislation, strengthen enforcement of national laws, demonstrate concrete measures to end child labour, raise awareness on the issues and promote social mobilization efforts;

Whereas, the ILO and its partners promote ratification and effective implementation of ILO child labour Conventions and other key international standards and declarations, including the UN Convention on Rights of the Child;

Whereas, strengthening of regional bodies and mainstreaming child labour issues in their mandates and work is an important goal of the International Programme on the Elimination of Child Labour (IPEC), a technical cooperation programme of the ILO, that supports ILO member States to pursue their goal of the elimination of child labour, and meet their national, regional and international commitments;

Whereas, IPEC pursues the goal of progressive elimination of child labour, with a priority on the elimination of all worst forms of child labour by 2016⁴, by strengthening institutional capacities within countries and by promoting a worldwide movement to combat child labour;

Now therefore, the SAIEVAC and the ILO, being desirous of cooperating with each other within the framework of their respective constitutional mandates, have agreed as follows:

I. PURPOSE AND SCOPE

The purpose of this Memorandum of Understanding will be to enhance institutional cooperation between SAIEVAC and ILO with a view to promoting child rights and child protection as articulated in the UN Convention on Rights of the Child, ILO Convention on the Worst Forms of Child Labour, 1999 (No. 182), ILO Convention on Minimum Age to Employment, 1973 (No. 138) and their respective Recommendations and Protocols in the SAARC countries, taking into consideration the specific situation of each country.

It will further promote and support other regional Commitments on Children made by the SAARC Member States as they related to rights of the child, key among these Commitments being the Social Charter (2004), Colombo (Ministerial) Statement (2009), The Rawalpindi (Ministerial) Resolution on Children of South Asia (1996), SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002), and the SAARC Development Goals (SDGs).

The cooperation will involve effective collaboration with other key stakeholders in the SAARC region, particularly the South Asia Coordinating Group on Action against Violence against Children (SACG) of which the ILO is a member, workers' and employers' organizations operating at the SAARC regional level, civil society organizations and children engaged in the work of SAIEVAC and the ILO. SAIEVAC and the ILO will actively pursue the engagement of other SACG members in collaboration arising out of this Memorandum of Understanding.

⁴ 2010 Global Action Plan and technical cooperation priorities (on child labour)

II. ELEMENTS OF COOPERATION

1. Mutual Consultation

The ILO and SAIEVAC Secretariat will maintain regular consultation on activities of mutual interest for the purpose of furthering the effective achievement of common objectives. They will seek to meet at least once a year.

2. Exchange of Information

The ILO and the SAIEVAC Secretariat will exchange non-confidential information and documentation on matters of common interest, will keep each other informed of current and planned activities of mutual interest for the purpose of identifying areas of potential cooperation, and strengthening and expanding SAARC regional partnerships.

3. Meetings and Workshops

SAIEVAC and the ILO will seek to continue dialogue through participation in meetings relevant to the cooperation between them. In this regard, particular reference is made to the SAIEVAC Technical Consultations and to ILO technical and partnership meetings of relevance to SAIEVAC's work. The SAIEVAC Secretariat and the ILO will seek to organize, resource permitting, joint meetings with the purpose of sharing lessons learnt and good practices and disseminating them to partners in the SAARC countries, and promoting south-south and triangular cooperation.

4. Technical Advisory Services

The SAIEVAC Secretariat and the ILO may, on conditions to be mutually agreed in each case and within the limits of available resources, provide the services of its staff or consultants as the case may be. To the extent feasible, the ILO will provide advisory services for the implementation of SAIEVAC's workplan and the organization of SAIEVAC's Technical Consultations, particularly in support of its work related to child labour and mainstreaming child labour issues and concerns in the work of SAIEVAC as relevant.

In order to strengthen capacity on issues covered by this Memorandum of Understanding, the ILO will extend invitations to the SAIEVAC Secretariat and its representatives for participation in relevant technical meetings and training programmes organized by the ILO, particularly at the ILO International Training Centre in Turin, Italy. Similarly, SAIEVAC Secretariat will seek opportunities to extend invitations to the ILO for relevant programmes.

5. Administrative and financial arrangements

Activities to be implemented under this Memorandum of Understanding will be discussed between the SAIEVAC Secretariat and the ILO and must be consistent with the policies, rules and regulations of SAIEVAC and the ILO. These activities will be articulated in a brief programme of action note that will be jointly elaborated, keeping in view financial and programme cycles of the respective bodies.

Noting that the SAIEVAC Secretariat and the ILO are not funding agencies, they may collaborate on joint fund-raising initiatives in support of the goals of this Memorandum of Understanding.

The use of the emblems of each organization shall be subject to their respective regulations, rules, policies and procedures.

6. Focal Points

Cooperation between SAIEVAC Secretariat and the ILO under this Memorandum of Understanding is an institution-wide responsibility, however SAIEVAC and the ILO will designate focal points for liaison and coordination of action falling within the framework of the Memorandum of Understanding. For the purpose of this Memorandum, the focal points of the parties will be:

For SAIEVAC Secretariat: Director General, SAIEVAC

For the ILO: Director, ILO DWT for South Asia

The Director General of SAIEVAC will make efforts to advance further partnerships for the ILO within SAARC and vice versa, the Director of DWT for South Asia will make efforts to advance further partnerships for SAIEVAC within the ILO and UN system.

III. Final provisions

Nothing in or relating to any provision in this Memorandum of Understanding will be construed as constituting a waiver, either expressed or implied, of the policies, rules and regulations of either SAIEVAC or the ILO, nor of the privileges and immunities enjoyed by the ILO.

The arrangements described in this Memorandum of Understanding will commence on the date on which it is signed by the authorized representatives of the SAIEVAC and the ILO.

The present Memorandum of Understanding may be modified by an appropriate written amendment signed by both parties and annexed to this Memorandum of Understanding.

The present Memorandum of Understanding will remain in place for 5 (five) years and may be terminated by the written consent of the two parties or by either party giving the other party 3 (three) months written notice.

Any dispute regarding the interpretation or application of this Memorandum of Understanding shall be settled amicably by the parties.

IN WITNESS WHEREOF the undersigned, being duly authorized representatives of the ILO and of the SAIEVAC, have signed the present Memorandum of Understanding.


SIGNED this day of 28 August 2012, in three originals, one copy each for SAIEVAC Regional Secretariat, ILO Headquarters Geneva, and ILO DWT for South Asia.

For the International Labour Organization



Tine Staermose
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Support Team (DWT) for South Asia

For the South Asia Initiative to End Violence
Against Children



Rinchen Chopel
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