High-Level Meeting on Cooperation for Child Rights in the Asia-Pacific Region
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4-6 November 2010

1 This paper was written by Cecilia R.V. Quisumbing, Commissioner, National Human Rights Commission of the Philippines, to inform and stimulate discussion at the 4-6 November 2010 High-Level Meeting on Cooperation for Child Rights in the Asia-Pacific Region. The views expressed are not necessarily those of UNICEF.
Executive summary

Countries in the Asia-Pacific region face the twin challenges of promoting and protecting children’s rights as State Parties to the Convention on the Rights of the Child and of meeting the Millennium Development Goals (MDGs) for Sustainable Development by 2015, a scant five years from now. The great diversity in the region, in terms of macro-economic growth, in cultures and in demographics, among others, means that different countries are in different stages of meeting these challenges, with strengths and achievements in some aspects and remaining gaps in others.

Children’s rights and the MDGs are not mutually exclusive but highly complementary and often overlapping. Strategies to achieve the MDGs tend to improve compliance with the rights of children, including the rights to life, health, food and non-discrimination. Conversely, initiatives to protect and promote the rights of children can often have a positive impact on MDG achievement, such as programmes seeking to promote children’s right to education.

The international community has long been active in assisting countries that are not able to meet these obligations with their existing resources and capacities. Traditionally, such assistance has flowed from an industrialized country to a developing country – the conventional mode of North-South cooperation.

As 2015 draws near, there is a growing international acceptance that traditional North-South donor-recipient aid programmes are unlikely to help developing countries to achieve all of their core development targets and that other forms of cooperation are required, including modalities such as South-South cooperation.

South-South cooperation is an approach to international partnership in which the parties are developing countries, sharing technical capacity, ideas and even personnel for mutual benefit and goals. This field has grown as the financial, technical and human resource capacities of developing countries have expanded, along with the desire of several to contribute to the socioeconomic development of other developing countries.

As expressed in the Nairobi Outcome Document of the December 2009 United Nations High-Level Meeting on South-South Cooperation, the strengths and value of this modality are that it is “partnership among equals, based on solidarity”. Participants in the Nairobi meeting underscored the principles of national sovereignty, ownership and freedom from conditionality that differentiate South-South cooperation from other kinds of international cooperation. South-South cooperation also affords the benefits of creating opportunities for assisting countries to expand the markets for their skilled nationals and their technologies and products while making relevant, affordable technologies available to receiving countries.

South-South cooperation is not intended to replace but to complement the more conventional approaches to international collaboration for delivering on children’s rights and for development. It reflects the evolution of the role of developing countries into active partners and contributors. This builds on the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action, which emphasize the need for development assistance to adhere to certain principles, such as ownership by the beneficiary countries and adherence to the priorities identified by these countries – rather than the priorities and directions set by donors.
South-South programmes and triangular cooperation, which is South-South cooperation with the financial and technical support of multilateral agencies and/or industrialized country partners, are being applied with success by a number of countries in the Asia-Pacific region. Countries such as China, India, the Republic of Korea and Malaysia have, for example, emerged as financing and/or facilitating countries in triangular cooperation. Even non-government organizations from developing countries are collaborating to resolve the worst forms of child labour and other children’s rights issues.

While South-South cooperation is at its highest levels worldwide in 30 years, most of the programmes – including those in Asia and the Pacific – focus on trade, finance and macro economic development. South-South initiatives in other areas, such as on health, trafficking and food security, are less pronounced. However, for regions with a high concentration of developing countries, such as the Asia-Pacific region, South-South cooperation is an under-developed tool that may prove pivotal to children’s rights promotion and protection, MDG achievement, disaster risk reduction and equitable and sustainable development. The common challenges confronting many developing countries in the region in promoting children’s rights and achieving the MDGs and the direct relevance of their recent experiences in pursuing these goals are strong arguments for broader and deeper South-South cooperation.

There are a number of issues of growing significance and common concern for countries across the region where greater cooperation within a South-South framework will potentially deliver significant benefits for children. Given, for example, the widening disparities that are accompanying progress towards the MDGs, greater effort is required to reach and empower the poorest and most vulnerable children. Sharing knowledge and experiences on dealing with issues of disparity in child outcomes and inequity in public resource allocations would be valuable in helping countries to develop effective policies to address the situation of those in the bottom wealth quintile.

Similarly, children in the Asia-Pacific region continue to experience serious child protection challenges, varying by country but including sex selection, early marriage, violence and abuse and trafficking. This is despite the efforts of governments to take meaningful steps to ensure a protective environment for children. Developing a comprehensive and effective child protection and child welfare system is not an easy task, strengthening the case for greater exchanges on good practices and lessons learned. It may also be an area in which a supportive transnational commitment and response strategy is warranted, given the transnational impact on children of issues like migration, trafficking and disparities.

There are also considerable gains to be made from greater cooperation within Asia and the Pacific in the design and delivery of child-centred disaster risk reduction. As recent floods in Pakistan and China have reminded us, the Asia-Pacific region is extremely vulnerable to disasters, including those related to climate change. It is children who experience the impact of these disasters the most.

Designing and delivering effective South-South cooperation programmes is not without its challenges, including limits in the capacities of the assistance-giving countries. The lack of obligatory norms and standards also means the quality and effectiveness of programmes will be inconsistent and not necessarily compliant with the Paris Declaration on Aid Effectiveness, the Accra Agenda for Action and human rights standards. These challenges are not insurmountable. Well-thought designs for South-South cooperation as well as a participatory process for designing and implementing can address them.
Opportunities and recommendations

On the basis of the analysis in this paper, it is recommended that governments and partner organizations aim to:

- Explore opportunities for South-South cooperation in the following areas that are so far neglected in this cooperation modality: child participation, children with disabilities, indigenous children, children and migration, children in armed conflict, children in conflict with the law and remedies and assistance for child victims of rights violations.

- Strengthen cross-sector interaction and cooperation between subregions in Asia and the Pacific. Governments could, for example, learn from civil society groups and national human rights institutions from other countries. Countries in Asia and the Pacific have common goals and challenges and would benefit from sharing their experiences and expertise.

- Adopt and adapt successful projects, including successful South-South cooperation programmes, from other countries, subregions and regions, such as the project on child protective families and communities in Papua New Guinea, Pakistan’s Lady Health Worker programme and the Pacific nations’ police programme on domestic violence.

- Explore opportunities to find support for South-South cooperation from international agencies and financing institutions; for example, potential opportunities flowing from the new partnership between UNICEF and the Asian Development Bank.

- Base designs for South-South cooperation (including triangular cooperation) on the Nairobi Outcome Document, the Accra Agenda for Action and the Marrakesh Framework of the Group of 77 to ensure that the core South-South cooperation principles of sovereignty, ownership and alignment, among others, are built-in from the start.

- Base designs for South-South cooperation on the Convention on the Rights of the Child and the Millennium Declaration because these are international commitments common to all Asia Pacific countries. The CRC should be the foundation for any child rights programmes.

- Ensure all programmes have periodic monitoring and evaluation mechanisms, not just at the end, to address issues of transparency and accountability and to ensure the correct direction and implementation, allowing for mid-way revisions and corrections.

- Invest in human resource development to scale up the available pool of trainers and experts, and maintain the availability of needed skills at home;

- Ensure declarations and agreements are accompanied by practical, time-bound commitments for action, which would enhance accountability, transparency and resource allocation.

- Include in South-South cooperation programmes indicators for success that are clear, measurable and, where possible, based on quantitative measures to allow duty bearers clear directions, to provide opportunities for corrections where needed and for evaluation for future directions.

- Develop a regional knowledge-sharing mechanism or database, or sub-regional mechanisms or database, that is comprehensive, systematic, in-depth and possible to
disaggregate as a relatively low-cost tool for sharing ideas, and for spotting trends, common interests and challenges. This in itself could be a South-South cooperation initiative

- Develop a regional and/or subregional instrument of norms and standards for South-South cooperation for voluntary commitment by governments and other stakeholders so that the potential limitations inherent in North-South cooperation, including non-ownership, are avoided.

- Apply the rights-based approach in the design of South-South cooperation and triangular cooperation projects for children’s rights and for attaining the MDGs, including links to rights standards, child participation in design and implementation, transparency, accountability and attention to vulnerable and marginalized sectors. This would assist governments to improve compliance with CRC commitments and build consensus, acceptance, ownership and even sustainability for such initiatives. Because some of the principles are the same as those of the Accra Agenda for Action and the Nairobi Outcome Document, the rights-based approach builds into projects the internationally accepted South-South cooperation principles of ownership, accountability and transparency. The rights-based approach would help make South-South cooperation more effective and responsive to the rights of children and their development needs.
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## Acronyms

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<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
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<tr>
<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination Against Women</td>
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<td>CRC</td>
<td>Convention on the Rights of the Child</td>
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<td>ESCAP</td>
<td>Economic and Social Commission for Asia and the Pacific</td>
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<td>FAO</td>
<td>Food and Agriculture Organization of the United Nations</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>MDGs</td>
<td>Millennium Development Goals</td>
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<tr>
<td>NGO</td>
<td>non-government organization</td>
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<tr>
<td>NHRI</td>
<td>national human rights institution</td>
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<tr>
<td>OHCHR</td>
<td>Office of the High Commissioner for Human Rights</td>
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<tr>
<td>PPDVP</td>
<td>Pacific Prevention of Domestic Violence Programme</td>
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<tr>
<td>RPFS</td>
<td>Regional Programme for Food Security</td>
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<tr>
<td>SAARC</td>
<td>South Asian Association for Regional Cooperation</td>
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<tr>
<td>SDF</td>
<td>SAARC Development Fund</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<td>UNDP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<tr>
<td>UNESCO</td>
<td>United Nations Educational, Scientific and Cultural Organization</td>
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<tr>
<td>WHO</td>
<td>World Health Organization</td>
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I. Introduction

“South-South cooperation, as an important element of international cooperation for development, offers viable opportunities for developing countries in their individual and collective pursuit of sustained economic growth and sustainable development.”2 This is a declaration of the international community in what is now known as the Nairobi Outcome Document, adopted unanimously at the conclusion of the United Nations High-Level Meeting for South-South cooperation in Nairobi in early December 2009.

South-South cooperation is the term used to describe cooperation between developing countries, as distinct from the more conventional North-South cooperation model, in which industrialized countries or international organizations assist developing countries.

For South-South cooperation purposes, the definition of North and South is not just a matter of geography. This paper defines the North as the 24 members of the Organisation of Economic Co-operation and Development’s Development Assistance Committee (DAC), while the South would consist of all other countries, regardless of income groups or status as a provider of development assistance.3 This working definition helps to differentiate the major Western industrialized countries – DAC members – that currently seek to coordinate their aid, from new development partners leading the South-South cooperation agenda who, in many cases, seek to distance themselves from traditional aid providers and do not wish to be described as donors.

In the landmark Nairobi Outcome Document, governments emphasized that the South-South cooperation agenda should be set by ‘developing countries’ and be done in the spirit of solidarity and equality.

Those ‘viable opportunities’ that governments hope to reap from South-South cooperation will be very much needed as the deadline for countries to achieve the targets of the Millennium Development Goals (MDGs) draws near. For children’s rights advocates, the MDGs are concrete commitments to action that will ensure the welfare of children and promote some of their rights, such as the rights to dignity, a decent standard of living, education, health and safe water. The Office of the High Commissioner for Human Rights (OHCHR) urges us to look at the MDGs and the human rights system as complementary aspects of a larger framework.

However, with less than five years left for countries to achieve the MDGs and with many challenges leading to competing priorities, such as natural disasters, climate change, the global economic crisis and population pressures, it cannot be assumed that countries can cope with what lays before them alone.

As US President Barack Obama said in his September 2010 speech at the Millennium Development Goals Summit in New York, in which he launched a new US development strategy: “This is the reality we must face – that if the development community just keeps doing the same

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2 United Nations General Assembly Resolution 64/1 High-Level United Nations Conference on South-South Cooperation, October 2009
3 The 24 current members of the DAC are Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Republic of Korea, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom, United States and the Commission of the European Communities, which acts as a full member of the Committee, even though it is not strictly a member state.
things the same way, we may make some modest progress here and there, but we will miss many development goals.”

Newer approaches, fresh thinking and innovative initiatives in international cooperation would not only contribute greatly to worldwide achievement of the MDGs but would also better promote children’s rights. The Convention on the Rights of the Child (CRC) recognizes “the importance of international cooperation for improving the living conditions of children in every country, in particular in the developing countries.”

Effective international cooperation is now more necessary than ever. The benefits of globalization are countered by challenges and new problems, including growing disparities between the richest and poorest countries. Policies and actions to protect and promote human rights are continuously adopted, yet violations persist and millions suffer.

For regions with a large concentration of developing countries, such as the Asia-Pacific region, South-South cooperation is an under-tapped tool that may prove pivotal to children’s rights promotion and protection, MDG achievement, disaster risk reduction and equitable and sustainable development.

This paper outlines the case for broader and deeper South-South cooperation among countries in Asia and the Pacific to advance children’s rights. Suggestions on how this closer cooperation could be taken forward are included. The framework draws on international human rights standards and instruments, especially the CRC, as well as the Nairobi Outcome Document and the Millennium Declaration.

The argument for greater South-South cooperation is based, inter alia, on i) the common challenges confronting many developing countries in the region to promoting children’s rights and achieving the MDGs and the direct relevance of their recent experiences in pursuing these goals; ii) the economic successes of a number of recently emerged or emerging economies in Asia and the Pacific with an interest in sharing, and greater capacity to share, the lessons of their achievements (such as China, India, Malaysia, Singapore, Thailand); iii) potentially greater cultural and socioeconomic understanding between development partners, vis-a-vis the conventional North-South model and iv) the unique nature of South-South cooperation, as reiterated in the Nairobi Outcome Document, as a partnership among equals, based on solidarity.

South-South cooperation, in its various forms, would complement more traditional modes of North-South cooperation, which although valuable are unlikely to help developing countries to achieve all their core development targets.

At the November 2010 High-Level Meeting on Cooperation for Child Rights, Asia-Pacific countries have a unique opportunity to further develop South-South cooperation initiatives for fulfilling children’s rights and achieving the MDGs. This would be a timely response to the call of the UN Secretary-General for all to do more to realize the potential of this cooperation modality. As the Secretary-General underlined in his message for United Nations Day for South-South cooperation in December 2007: “Now, more than ever, is the time to focus on innovative South-South cooperation, as the challenges we face collectively can only be overcome together.”

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4 White House press release, 22 September 2010
5 Convention on the Rights of the Child, preliminary paragraphs
6 Office of the Secretary-General. UN Secretary-General Ban Ki-moon’s message for the United Nations Day for South-South Cooperation, SG/SM/11341, 17 December 2007
II. Children’s rights and development

Children have human rights, special needs and vulnerabilities and thus are entitled to specific measures for their protection, well-being and development – this principle is generally accepted around the world. As early as 1948, the Universal Declaration of Human Rights stated that “motherhood and childhood are entitled to special care and protection”.

Some 41 years later, the General Assembly unanimously adopted the CRC. Almost all Member States of the United Nations,7 including all members from the Asia-Pacific region, have ratified this foundation instrument. There are also two Optional Protocols8 to the CRC that confront the issue of children in armed conflict and the sale of children, prostitution and pornography.

Thus, the rights of children are rooted in the larger field of human rights, which are inherent and inalienable from every individual regardless of age, nationality, sex, religion, social or economic status, educational attainment or any other distinction. Because human rights are universal, there is no ‘minimum age’ at which a person is entitled to enjoy such rights or at which others are obligated to respect and protect them. However, in the case of children’s rights, Article 1 of the CRC defines a child as “every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier”. In addition to this specific instrument, children’s rights are part and parcel of all human rights within international treaties, conventions and protocols.

The international community found it necessary to clearly state, in a separate convention, the rights of children and the obligations of duty bearers because children are among the most vulnerable group of any society and the least empowered to fully enjoy, assert or protect their rights. Most children are dependent on adults for their basic needs, such as food, clothing and shelter. Children do not have the same opportunities for political participation as adults and thus have little or no voice in the allocation of public resources or the establishment of institutional mechanisms for their welfare and interests. Children also have special needs in relation to their survival, growth and development, such as neonatal care, access to education and a conducive climate for their full development as individuals. They are more susceptible than adults to the negative effects of certain situations, such as displacement, armed conflict, homelessness or a lack of nurturing, care and guidance.

In advancing children’s rights, it is important to bear in mind that all human rights are interrelated, indivisible and interdependent, for example, most MDGs and other development issues are clearly related to more than one human right. Thus, human rights all have equal status as rights and cannot be placed in a hierarchy. The improvement in the area of one right facilitates the advancement or achievement of others. Conversely, the deprivation of one right adversely affects the others. The signing and ratification of the CRC obligates States parties to protect, respect, promote and fulfil all rights for all children.

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7 Only Somalia and the United States have not ratified the CRC; they have signed it and so have an obligation not to do anything that obstructs the objectives of the treaty.

8 Not automatically binding on the State parties to the CRC but needing separate ratification as individual treaties.
In the human rights system, the “obligation to protect” requires States to take steps to ensure that third parties do not interfere with their enjoyment. The “obligation to fulfill” means that States must take positive action to enable the enjoyment of basic human rights and to take steps progressively to realize a right in question. The “obligation to respect” means that States must refrain from interfering with or curtailing the enjoyment of human rights.⁹

Children’s rights, development and achieving the MDGs

“Human rights and the Millennium Development Goals are interdependent and mutually reinforcing.”10 Not only does the Millennium Declaration specifically refer to human rights commitments, the MDGs provide time-bound specific actions towards the progressive realization and fulfillment of certain human rights, especially social and economic rights, such as the right to a decent living. Human rights as such can be quantified with indicators of the MDGs. For example, data on mortality among children younger than 5 years (MDG 4) is an indicator of a country’s performance on the right to life of children. The right to education is clearly measured in the data for MDG 2 performance. The indicators for achieving cross-cutting MDG 3, on gender, directly address the non-discrimination principle of the CRC and other human rights instruments.

Thus, strategies to achieve the MDGs tend to improve compliance with human rights, including the rights of children and human rights in general. Conversely, countries and cooperation initiatives that strive to protect and promote the rights of children can have an impact towards MDG achievement by focusing on state obligations and addressing certain root causes of development disparities, such as discrimination and accountability failures.11

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<thead>
<tr>
<th>Human rights and the Millennium Declaration</th>
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<tr>
<td>Through the adoption of the Millennium Declaration, the world’s countries resolved to:</td>
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<tr>
<td>▪ strive for the full protection and promotion of civil, political, economic, social and cultural rights for all</td>
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<tr>
<td>▪ combat all forms of violence against women and implement the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)</td>
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<tr>
<td>▪ encourage the ratification and full implementation of the CRC and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.</td>
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Status of children in the Asia-Pacific region – common challenges

Countries of Asia and the Pacific face a number of common challenges in advancing the rights of children within their national jurisdictions. A review of the recommendations made separately to countries of East Asia and the Pacific12 by expert members of the Committee on the Rights of the Child, as well as recommendations made by governments during the Universal Periodic Review (UPR) processes at the Human Rights Council, reveal that the most common issues for member States in this region include access to education, access to and quality of health care and social services (including special needs such as children with disabilities), child labour (such as the worst forms of child labour and ratifying the International Labour Organization’s core

12 except for Japan, Republic of Korea, Australia and New Zealand.
conventions on child and forced labour), children in conflict with the law, trafficking, HIV and AIDS, violence against children, corporal punishment, children in armed conflict and discrimination.

The most common recommendations for East Asia and Pacific countries urge governments to:
- review their legislation to bring it into conformity with the principles and provisions of the CRC
- improve gathering of necessary data on the situation of children and create a comprehensive system of data collection
- allocate adequate financial resources to provide social services for children
- raise the legal age for criminal liability
- ratify/accede to the two Optional Protocols to the convention, on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography and remove reservations to the CRC
- strengthen relationships and cooperation with civil society organizations, and seek technical assistance from the UN system.

Reports from UN agencies highlight the challenges that continue to confront many countries of the Asia-Pacific region in seeking to advance children’s rights. Human trafficking and sexual exploitation, for example, are among the more common problems throughout the region. Indicators for child labour, child education and gender parity in education show that these interrelated issues also need further attention and resources.

The Asia-Pacific region has, for example, the largest number and greatest proportion of children in employment in the world. About one in five children in the region, or 20 per cent, are employed (about 17.5 million), according to ILO estimates. The region also has the largest frequency of child labour, which looks at children who are “either under the minimum age for work or above that age and engaged in work that poses a threat to their health, safety or morals, or are subject to conditions of forced labour”. More than 113.5 million children in the Asia-Pacific region (about 13 per cent, or one in eight children) work under these conditions.\(^\text{13}\)

In education, 41 million primary school-aged children from South Asia, East Asia and the Pacific subregions were out of school in 2008 – representing over 40 per cent of the world total. According to 2008 statistics, around 91 per cent of primary school-aged children attended school in East Asia and the Pacific (excluding China) and 81 per cent in South Asia. The numbers dropped for secondary school-aged children, with 62 per cent attendance in East Asia and the Pacific (excluding China) and 49 per cent in South Asia.\(^\text{14}\)

Gender parity in primary school enrolment does not appear to be a major issue for most Asia-Pacific countries. In the Asia-Pacific region, only 2 countries show a disadvantage to boys. Girls of primary-school age tend to be disadvantaged in South Asia, Central Asia, and the Mekong sub-region. Disparities rise in secondary education, with only a few East Asia and Pacific countries achieving gender parity. In most countries in East Asia and the Pacific, girls are at the disadvantage. Boys are disadvantaged in a few Southeast Asian countries and in the small Pacific nations.\(^\text{15}\)

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\(^{13}\) ILO, 2010


For the Asia Pacific region, child marriage is most common in South Asia, with girls more at risk than boys to be married before the age of 18. As many as 66 per cent of girls in Bangladesh are married before age 18 (but only 5 per cent of boys), compared with 51 per cent of girls in Nepal (16 per cent of boys) and 47 per cent in India (10 per cent for boys). More than one in five girls in Cambodia and Papua New Guinea marry before they reach 18.\textsuperscript{16} Child marriages deprive children of their right to choose and participate in major decisions including marriage, a right enshrined in the Universal Declaration of Human Rights. It can also be seen as a practice of gender discrimination. Child marriage also puts a girl child at risk for her life and health if she becomes sexually active before her body is fully developed for reproduction.

III. International and South-South cooperation

International cooperation for children’s rights

International cooperation for children takes many forms: the near-universal ratification of the CRC, numerous international legal instruments for child protection, feeding programmes, vaccination programmes, literacy programmes and projects to help street children and humanitarian assistance.

\begin{center}
\textbf{International assistance as part of human rights promotion and protection}
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“The obligations of international assistance and cooperation are complementary to the primary responsibility of States to meet their national human rights obligations. International cooperation rests on the premise that some members of the international community may not possess the resources necessary for the full realization of rights set forth in conventions. The Committee on Economic, Social and Cultural Rights, in its general comment No. 3, stated that international cooperation for development, and thus the realization of economic, social and cultural rights, is an obligation of all States, in accordance with Articles 55 and 56 of the Charter of the United Nations, well-established principles of international law and the International Covenant on Economic, Social and Cultural Rights itself.”


Even though most international development cooperation has taken place under an economic or social development framework rather than as explicit strategies to protect and promote children’s rights, these programmes have, in many cases, delivered positive outcomes for children’s rights in recipient countries. Education and health programmes are among the earliest and most common programmes directly targeting children, consistent with the core economic development goals of donors and partners. Programmes on social development, such as gender equality, child labour and juvenile justice, as well as those focused on the environment, have generally been a more recent development. Development programming with links to

human rights – the rights-based approach – has been even more recent and much less frequently applied.

Over time, the international community began to reflect on the effectiveness of development assistance practices in terms of, inter alia, sustainability, conditionality, resources reaching those who most needed the programme benefits and coordination or even competition among donors. According to one school of thought, under the conventional North-South model, “international ‘assistance’ was ‘provided’ by rich and industrialized nations and ‘received’ by poor and underdeveloped countries, reflecting geopolitical relations and inequalities in power and resources.”17

The Paris Declaration on Aid Effectiveness lists more than 50 practical commitments for aid effectiveness, with support from more than 100 countries and organizations.18 The Declaration sets out five core principles for aid effectiveness:

1. Ownership – partner countries take leadership of aid programmes.
2. Alignment – aid programmes must be aligned with countries’ strategies, systems and procedures.
3. Harmonizing – donor actions must be coordinated.
4. Managing for results – aid programmes should focus on results for people rather than on processes.
5. Mutual accountability – donors and partners should hold each other accountable for performance and results.

The Accra Agenda for Strengthening Country Ownership Over Development, also known as the Accra Agenda for Action, was adopted in 2003 “to accelerate and deepen the implementation of the Paris Declaration,”19 including an agreement to reach the commitments by 2010. This agreement also sought to challenge traditional definitions of development, including by implicitly recognizing the potential role of greater South-South cooperation to deliver development gains.

**South-South cooperation – principles and philosophy**

South-South cooperation can be broadly defined as collaboration between developing countries, with the sharing of resources and costs for mutual benefit. It has been applied by Asian countries such as Japan and the Republic of Korea since the 1950s and was the subject of a UN agreement, the Buenos Aires Plan of Action, more than 30 years ago.

The United Nations Development Programme (UNDP) and its Special Unit on South-South Cooperation, define the concept as “a means of promoting effective development by learning and sharing best practices and technology among developing countries”. The Accra Agenda for Action states that “South-South Co-operation on development aims to observe the principle of non-interference in internal affairs, equality among developing partners and respect for their independence, national sovereignty, cultural diversity and identity and local content.”21

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18 Paris Declaration for Aid Effectiveness
19 Accra Agenda for Action
21 Accra Agenda for Action
The Nairobi Outcome Document from the 2009 UN High-Level Conference on South-South Cooperation further develops the principles, which it describes as a “partnership among equals, based on solidarity” rather than on official development assistance (ODA) in the traditional sense. The document, importantly, also notes that South-South cooperation is not a substitute for but rather a complement to North-South cooperation, that it should be driven by “countries of the South”, embrace a multi-stakeholder approach that includes roles for NGOs, business and academia, and assume different and evolving forms ranging from knowledge and technology transfer to financial and monetary cooperation and in-kind contributions. The document also urges United Nations funds, programmes and specialized agencies to support this concept with concrete measures that will facilitate greater cooperation and strengthen the capabilities of regional organizations.

Significantly, the Nairobi Outcome Document underlines that ‘proximity of experience’ is a factor underpinning the potential gains to be made from South-South cooperation and that developing countries, when confronted with similar development challenges, tend to share common views on their national development strategies. One issue highlighted during the 1999 Nairobi conference was the growing political and economic ties within the developing world as developing countries assume more leading roles in handling global issues, such as the global economy, food security and climate change.

<table>
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<tr>
<th>The Accra Agenda for Strengthening Country Ownership Over Development</th>
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<td><strong>Summary of major section headings</strong></td>
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**Strengthening country ownership over development:**
- We will broaden country-level policy dialogue on development
- Developing countries will strengthen their capacity to lead and manage development
- We will strengthen and use developing country systems to the maximum extent possible

**Building more effective and inclusive partnerships for development:**
- We will reduce costly fragmentation of aid
- We will increase aid’s value for money
- We welcome and will work with all development actors
- We will deepen our engagement with civil society organizations
- We will adapt aid policies for countries in fragile situations

**Delivering and accounting for development results:**
- We will focus on delivering results
- We will be more accountable and transparent to our publics for results
- We will continue to change the nature of conditionality to support ownership
- We will increase the medium-term predictability of aid

**Triangular cooperation**

Triangular cooperation adds a third partner to the South-South modality – a facilitating or financing partner, often an industrialized country, an international agency or a civil society
organization. The Nairobi Outcome Document provides explicit support for this relationship, inviting industrialized countries to expand their participation in triangular arrangements and in capacity building and training in particular. A critical theme discussed in Nairobi was the overarching need for developing countries – with support from industrialized countries and international organizations – to make their cooperative efforts work better in tackling the serious challenges they face in achieving socioeconomic advancement.

IV. South-South and triangular cooperation in the Asia-Pacific region

South-South cooperation examples

The greatest gains in South-South cooperation have historically been related to the areas of trade and economic arrangements and on cross-border security issues, such as transnational crime or terrorism. However, both the Association of Southeast Asian Nations (ASEAN) and the South Asian Association for Regional Cooperation (SAARC) have expanded the coverage of their regional assistance and adopted several agreements on social issues, women and children and combating trafficking in persons. ASEAN has established a Commission for the Promotion and Protection of the Rights of Women and Children and the ASEAN Intergovernmental Commission on Human Rights and adopted a declaration on migrant workers’ rights. SAARC has set up a regional food bank that will help promote food security and secure ratification of the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia.

SAARC also has set up the SAARC Development Fund (SDF), with paid-up capital of US$300 million. The SDF will be applied to poverty alleviation and provide financial assistance to projects on women’s empowerment, maternal and child health and teacher training, among other projects. India has contributed almost US$190 million to the SDF.

While subregional mechanisms have been the pioneers and continue to be leaders of South-South cooperation, micro or intraregional cooperation is gaining currency. The Greater Tumen Initiative, geographically anchored in the Greater Tumen River region, is a five-nation partnership that aims to create a ‘growth pole’, attract investment, enhance pro-poor growth and meet the MDGs by 2015 through strategies such as infrastructure and tourism coordination.

There are a host of other examples of Asia-Pacific countries engaging in South-South cooperation, including with countries from different regions. China, for example, is working with Kenya on the issues of population and reproductive health. In 2007, China and Kenya jointly started a capacity-building project for a reproductive health-service centre, including the provision of experts and medical equipment from China.

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22 Under a broader definition, triangular cooperation could involve new providers and recipients only, or traditional donors and recipients only (ie. north-south-south cooperation, south-south-south cooperation or north-north-south cooperation).

23 The area includes part of Russia, the Democratic Republic of Korea, eastern portions of the Republic of Korea, eastern Mongolia and portions of China such as some north-eastern provinces and Inner Mongolia.
Malaysia shares the expertise of its nationals by sponsoring training visits to other developing countries. It also hosted the Langkawi International Dialogue to share the country’s poverty-reduction experiences, particularly through its rural development strategies.24

India’s bilateral South-South cooperation arrangements in the Asia-Pacific region include a solar electrification project in Mongolia, a hospital in the Lao People’s Democratic Republic and the conservation and restoration of a temple complex in Cambodia.25

South-South cooperation projects to address human trafficking

This cross-border criminal problem is also a child protection issue and a human rights issue, especially as it relates to vulnerable sectors, such as women and children. The following highlights some South-South cooperation examples to confront the problem:

- ASEAN workshops on combating trafficking in persons, particularly women and children.
- The Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT).
- The Pacific Immigration Directors Conference, which produced an annual report for 2008 that included, for the first time, data on victims of trafficking – their age, gender and the circumstances in which they became a victim. This was designed to identify the extent of risk for particular groups, among other things.
- The Southeast Asia National Human Rights Institutions Forum, which has a memorandum of understanding to provide victim assistance and, where mandated, legal assistance to women and children victims of trafficking.
- The Pacific Islands Forum Secretariat, which produced a model bill that addresses the issues of trafficking in persons and the exploitation of children as a proposal for legislation in the subregion.


South-South cooperation with civil society

The non-government sector is also driving South-South cooperation in a number of areas. For example, two South Asian NGOs, Asamaan (Nepal) and the Mamidipudi Venkataramaiya Foundation (India) have partnered with a European campaign,26 Stop Child Labour – School is the best place to work, to share good practices in Africa. Their staff toured five countries in Africa to discuss experiences and good practices and consider possible cooperation and input for further lobbying and awareness raising, including with decision makers in the European Union.

26 The campaign is an initiative of Alliance2015, which is a partnership of six NGOs: Cesvi from Italy, Concern from Ireland, Deutsche Welthungerhilfe from Germany, Hivos from the Netherlands, Ibis from Denmark and People in Need from the Czech Republic, at: www.stopchildlabour.net/whoweare.php
Triangular cooperation in the Asia-Pacific region

There are numerous examples of Asia-Pacific country involvement in trilateral cooperation. Japan has several triangular cooperation programmes with countries in Africa, Asia, Latin America and the Caribbean. China and India (along with Brazil), now leading middle-income countries, are acting as facilitating partners, providing financial assistance, equipment donations and other support for projects in other developing countries.

Brazil, India, Kenya and Malaysia are part of the Partners in the Drugs for Neglected Diseases Initiative, which initially focused on sleeping sickness, Chagas disease and leishmaniasis. This initiative also includes the French Government, Doctors Without Borders and the UNICEF/UNDP/World Bank/WHO Special Programme for Research and Training in Tropical Diseases.27

Developing countries contributed about US$3.5 million between 2005 and 2007 to the United Nations South-South Trust Fund, managed by the UNDP’s Special Unit for South-South Cooperation, for recovery and reconstruction after the December 2004 Indian Ocean tsunami.

The Pacific Prevention of Domestic Violence Programme (PPDVP) is a tripartite partnership between the Pacific islands police chiefs, New Zealand police and New Zealand’s International Aid & Development Agency. On the regional level, it focuses on developing a common approach for confronting the domestic violence phenomenon. At a country level, New Zealand police members are posted to various provincial police units where they serve as mentors for up to six weeks annually to transfer various police skills, including handling of domestic violence cases, training, planning and administration and child abuse investigations. Where accepted, they have set up Family Safety Teams. National Committees on Domestic Violence have been set up to sustain the PPDVP activities.28

Asian countries have been the main providers of experts and technicians for a food security programme managed by the Food and Agriculture Organization of the United Nations (FAO). China has been a major partner, recently pledging to set up a US$30 million trust fund in support of the FAO food security programme. China also provides hundreds of experts. Other countries that send specialists are Bangladesh, India, Myanmar, Pakistan, Philippines and Viet Nam (see the case study in annex 3).

In an example of triangular cooperation that has forged new ground, the four independent national human rights institutions (NHRIs) in south-east Asia,29 working together as the South-East Asian National Human Rights Institutions Forum, are developing human rights curricula for police and military training institutions, have issued a policy paper on migrant workers and have a cooperation arrangement to combat trafficking in women and children. This initiative is supported by the European Union, which previously had no history of grant agreements with NHRIs.

29 Indonesia, Malaysia, Philippines and Thailand
V. Analysis

Trends and gaps in South-South cooperation for children’s rights in the Asia-Pacific region

There have been some notable geographical trends in South-South cooperation to date. Intraregional South-South cooperation is widespread, due seemingly to the advantages of proximity, comfort levels and the greater ability of neighbours to identify mutual benefit. The exception is interregional South-South cooperation between countries of Asia and Africa, with Asian countries taking the lead in the transfer of knowledge, capacity and/or technology. There is little South-South cooperation, however, between Asia and the Pacific. The motivation for different governments in providing this assistance varies in each case.

An obvious trend is that developing countries that have enjoyed great leaps in economic growth for a sustained period are now taking the lead in South-South cooperation, with China, India, the Republic of Korea and Malaysia among the more prominent contributors.

South-South Cooperation within this region tends to focus on trade, finance and investment rather than social development issues and children’s rights in particular. Governments have been better able to grasp the value and mutual benefit of cooperation in trade and in cross-border crime prevention and counter-terrorism efforts. Civil society has, to date, been outpacing developing-country governments when it comes to building alliances for children’s rights. Governments can do more in this area, given the indelible link between the realisation of children’s rights and national strategies for sustainable development. Progress in advancing children’s rights is widely acknowledged as a critical factor in seeking to build the human capacity required to combat poverty, strengthen economies as well as contribute to their potential growth and ultimately achieve equitable and sustainable development.

On the positive side, there are existing partnerships between countries in Asia and the Pacific and a growing pool of good practices and expertise on children’s issues. Thus, a foundation is in place to strengthen and deepen cooperation that can advance children’s rights within the region.

In terms of gaps, many development programmes are missing or not reaching the children most in need – often the very people they are intended to cover. It is necessary for countries and organizations considering possible future South-South cooperation for children’s rights to understand where – and as much as possible why – these gaps exist. The following is a brief analysis of some critical gaps:

Rights linkage
As noted previously, the majority of South-South cooperation projects for children in Asia and the Pacific are not explicitly designed and implemented to promote and protect their rights. The objectives tend to be stated in terms of development indicators. Clear rights linkage is lacking for many projects that do impact children’s rights positively.

Best interests of the child
Lacking the rights linkage, it follows that most existing projects are not designed with the fundamental principle of the best interests of the child in mind. The ‘welfare of the child’ is clearly an objective in most projects, but the best interests have not been considered, meaning that this paradigm has not been applied when considering various options. One example of this are initiatives on child labour, with laudable objectives, such as removing obstacles that prevent children from going to school and protecting children from exploitation. However, the
international community clearly recognizes there are instances in which certain children are needed by their families to earn an income; if they don’t work, they might not eat or the family farm or business might be lost and their own future livelihood affected. This is why child labour standards do not completely prohibit children from working but, instead, seek to set standards and establish protections, including age and conditions and the specific requirement that work should not prevent school attendance. Exemplary child labour projects take into account the best interests of the child in the context of the existing situations and the seemingly competitive rights and priorities.

Non-discrimination
A number of South-South cooperation projects promote more equitable enjoyment and fulfilment of rights (among both sexes), including the rights to health, education and security (which includes the right not to be a victim of domestic violence). There is, however, room for projects designed to directly address discrimination based on race, ethnicity, indigenous community, disability and religion, including non-deliberate discrimination, such as failure to provide adequate measures to ensure access to basic services, particularly for people in remote areas.

Access to remedies and justice is one area that countries in the region could share their experiences to improve the access to services for children of various marginalized sectors.

Participation
Despite the fact that the CRC underscores the right of children to participate in the decision making and policy making that impacts their lives, this has been underdeveloped and barely implemented in a meaningful way. It follows, then, that this is also true in terms of South-South cooperation programmes – there is hardly any evidence of consultations with children in the design and implementation of these programmes. There is scope to improve this in two ways: to design as many South-South cooperation programmes for children’s rights as possible with child consultations and to initiate South-South cooperation programmes that would develop child participation mechanisms at the community, local, national, subregional and regional levels.

Duty bearers for children’s rights
Various South-South cooperation projects that impact children’s rights target duty bearers, including police, educators, communities and even food suppliers. Considering that the CRC specifically mentions certain duty bearers, including parents, it is possible for governments, NHRIs, civil society and other development partners to consider not only the MDG targets or the specific rights but also the list of duty bearers when they design South-South cooperation for children’s rights. This will help ensure that programmes improve the capacities and the performance of as many of these groups as possible in strengthening children’s rights. For example, South-South cooperation to advance the rights of children in conflict with the law could include components for law enforcers, for courts, for social workers, for families, for detention centre staff and for communities.

Proximity of experience
The Nairobi Outcome Document asserts that “developing countries tend to share common views on national development strategies and priorities when faced with similar development challenges”. This concept is called ‘proximity of experience’. It is not surprising that neighbouring countries in the region tend to show similarities in situations, such as among Pacific countries or among ASEAN member states. In addition, there are also apparent commonalities between countries from Asia and those from the Pacific in terms of objectives, cultural and attitudinal challenges, resource challenges and policy gaps; for example, between the Philippines and Papua New Guinea. Despite this, there are very few South-South cooperation projects between
the subregions. The apparent commonalities between subregions show that geographical proximity need not be an obstacle to building effective South-South cooperation partnerships. There is underexplored potential for cooperation between Asia and the Pacific in which countries adopt policy ideas from each other.

Effectiveness, transparency and accountability
Similar to many North-South cooperation projects, there remains a significant proportion of South-South projects that do not have a built-in periodic evaluation process. Others also lack transparency and accountability mechanisms. These are all very important to measure effectiveness and thus reach optimum results.

Multi-stakeholder networks
“South-South cooperation embraces a multi-stakeholder approach, including non-governmental organizations, the private sector, civil society, academia and other actors that contribute to meeting development challenges and objectives in line with national development strategies and plans,” says the Nairobi Document. Yet South-South cooperation, as practised by Asia and the Pacific countries so far, tends to be among governments, or between civil society organizations; the pattern is for like to work with like. Considering the wealth of experience in these various sectors and the richness to project design that can result from varied viewpoints, there is a strong argument for greater consideration of how to draw on compatible development partners to make South-South cooperation programmes more effective.

One exception, and an area where South-South cooperation principles are upheld, is through country ownership, respect for sovereignty and alignment with country priorities. The South-South cooperation programmes reviewed indicate that these fundamental principles are being successfully implemented. Programmes on food security, health and education address country priorities, expressed in their own development plans and their MDG plans. There have been no reports or complaints about encroachment of sovereignty – in contrast with several cases related to traditional modes of international cooperation.

Challenges
There are substantive potential challenges in ensuring the effectiveness of South-South cooperation. Without norms and standards, this modality is just as susceptible as North-South ventures to the inefficient use of resources, corruption, non-sustainability, non-transparency and lack of accountability.

Many of the South-South cooperation activities to date in Asia and the Pacific have been short-term and had relatively low impact, such as workshops or publications. Some result in declarations and agreements that are not necessarily implemented in a timely manner – declarations are not development results.

Idea sharing is often confused with the more useful education, training and capacity building, all of which require targeted design, more resources in terms of hours for the trainers and the trainees and some level of immersion. The term ‘knowledge sharing’ contributes to this confusion because it covers both knowledge about a good practice and the knowledge necessary to implement and adapt such good practices.

Another problem is that there is little or no coordination, no data banking and no systematic data mining and data analysis regarding South-South cooperation or trilateral cooperation,
even regarding relatively narrow areas of concern. This raises the risk of competition or redundancy and gives South-South cooperation (and triangular cooperation) practitioners little chance to learn from each other.

Some of the challenges in designing and implementing effective South-South cooperation programmes are related to capacity constraints among the partners. Some countries do not have a central coordinating agency for development assistance. Institutions donating expertise may find their human resources overstretched to meet the competing demands of their core (domestic) competency and conduct training for counterparts from other countries. Experts may not have the skills to impart their knowledge effectively. Language can also be a barrier to effective transfer of knowledge.

Questions of relevance and approach of country experiences also exist, even among neighbouring countries. Because some gaps in children’s rights compliance and development are rooted in cultural, traditional and societal attitudes, the approach of one developing country may not be so readily transferrable to another developing country. It is necessary to do some pre-implementation research and put into place some revisions and adaptations, or look for other models.

VI. The case for further South-South cooperation for children’s rights in the Asia-Pacific region

There are a number of issues of growing significance and common concern for countries across the region where greater cooperation within a South-South framework will potentially deliver significant benefits for children.

Many countries in Asia and the Pacific are struggling to reach many of the MDG targets – and this is with the traditional modes of cooperation. Reaching the goals with equity is even more of an uphill challenge. But it can no longer be neglected. Different approaches, different perspectives and different ways of thinking need to come to the table. There is room for them, but more importantly, there is need.

If implemented effectively, South-South cooperation has the potential to deliver further gains through exchanges on recent and relevant development experiences of developing country peers.

While South-South cooperation is expected to complement North-South interventions, it should not necessarily seek to echo the work being done. There is an urgent calling for innovation and new voice to tackle age-old problems. Countries of the South might still be developing, but that doesn’t deny they have matured insight and experiences. Now is their time to step up and contribute, to share what has worked for them. There is a comparative advantage and much of what has been learned speaks to maternal health, sanitation and eliminating obstacles to universal primary education – these are issues that ultimately have bearing on trade and economics and that link should never be underestimated.

Similarly, children in the Asia-Pacific region continue to experience serious child protection challenges, varying by country but including sex selection, early marriage, violence and abuse and child trafficking. This is despite the efforts of governments across the region to take meaningful steps to ensure a protective environment for children. Developing a comprehensive
and effective child protection and child welfare system is not an easy task, strengthening the case for greater exchanges on good practices and lessons learned. It may also be an area in which a supportive transnational commitment and response strategy is warranted, given the transnational impact on children of issues like migration, trafficking and disparities.

There are also considerable gains to be made from greater cooperation within the region in the design and delivery of child-centred disaster risk reduction. As recent floods in Pakistan and China have reminded us, the Asia-Pacific region is extremely vulnerable to disasters, including those related to climate change. It is children who experience the impact of these disasters the most, including the impact on their right to life, to health, to shelter, to education, among others.

As some governments already know, goodwill garnered by collaboration among nations in one area that often benefits other aspects of interregional relations. The rapport developed among police forces of neighbouring countries, for example, as they work to address crimes against children, will facilitate their cooperation in fighting other crimes, such as terrorism. Moreover, if one government has helped build the agriculture sector of another, this could lead to mutually beneficial trade terms in times of food shortages. This kind of goodwill only strengthens national and regional security, particularly as closer cooperation in other fields is likely to help countries manage any security-related tensions.

One benefit of adding the rights-based approach to South-South cooperation programmes for children is that development and social welfare projects would then become part of countries’ efforts to comply with their CRC obligations, a synergy that would optimize the allocation of resources, including personnel. The inclusion of the rights linkage and periodic evaluation as components in a South-South programme would, in the larger context, even help countries to comply with human rights obligations and demonstrate their commitment to human rights in general. It would better enable countries to monitor, track and report their actions to advance children’s rights to the Committee on the Rights of the Child and other international and regional rights-monitoring bodies, including the UPR, Special Rapporteurs, Special Representatives of the UN Secretary-General and the ASEAN Commission for the Protection and Promotion of the Rights of Women and Children.

South-South cooperation for children’s rights can encourage countries contending with major development issues to adopt practices already tried and tested in countries, often with similar capabilities, that have experienced similar tests and overcome them.

This mode of cooperation underlines the cooperative spirit among sovereign nations. The lack of conditionality and emphasis on mutual goals and on the priorities of receiving countries boosts respect for national sovereignty, regardless of economic development levels.

South-South cooperation also makes available techniques and technologies that could be more relevant, easier to implement and more sustainable to developing countries. For the assisting countries, this could help develop or expand a market for their products, including low-tech but very relevant tools for agriculture and construction, as well as increase the demand and job opportunities for skilled specialists.

South-South cooperation emphasizes that developing countries, particularly those that are progressing up the development scale, are not necessarily dependent countries and are able to make valuable contributions to the international community. As South-South cooperation expands, so too does global acceptance of a greater role for them in contributing to solutions on global challenges. South-South cooperation will also help to strengthen skills and develop
pools of international expertise that can counter the flow of skilled practitioners to higher-paid work in the industrialized world.

The example set by South-South programmes that comply with the principles of ownership, non-conditionality, alignment, transparency and accountability could also serve as models for North-South cooperation. Successful South-South programmes serve to highlight to countries and organizations, including international financial institutions, involved in more conventional modes of cooperation that not only is it possible for these principles to be implemented but that this is strongly desired by the recipient countries. In this way, South-South programmes help improve the design and implementation of the North-South interventions – for the benefit of developing countries.

VII. Opportunities, recommendations and food for thought

Areas for possible South-South cooperation

It is possible to address the gap in programmes for children’s rights relatively quickly by building on the groundwork laid by South-South cooperation projects that cover other concerns, including the existing inter-country networks.

Countries and international organizations may want to consider possible South-South cooperation (including triangular cooperation) initiatives in the following areas that have, so far, been largely neglected in this modality:

- child participation, including asking young people to participate in South-South projects and to help develop South-South cooperation ideas
- the empowerment, rights promotion and needs fulfilment for extra-vulnerable sectors, such as children with disabilities, indigenous or ethnic children, migrant children, internally displaced children, child soldiers and others affected by armed conflict
- the reconciling of traditional, cultural or religious attitudes regarding children with current rights standards
- the strengthening of systems for justice, particularly for children in conflict with the law but also the various pillars of the justice system, such as police, prosecutors and judges; this would also include more commitment to a child rights-based approach for issues usually tackled as criminal issues, such as trafficking, drug abuse and the drug trade and would mean treating children involved as victims of rights violations and not as criminals and providing assistance and rehabilitation
- migration and the end to discrimination and the denial of the right to one’s own culture (developing countries are both countries of origin and destination for migrant workers)
- local government capacity building for achieving the MDGs.

In taking forward these ideas, it is desirable to encourage and strengthen cooperation across sectors so that governments, civil society and even national human rights institutions from different countries work with each other. This would be in line with both the Accra Agenda for
Action and the Nairobi Document, both of which call for developing more networks with civil society and others. For example, the NHRIs of Indonesia and the Philippines could work with the legislature and child welfare ministries of other countries to develop guidelines for children in conflict with the law (the Philippines could, for example, share its guardian ad litem system). Legislators from countries with strong child-rights laws could coordinate with NGOs, law schools and legislators of other countries to strengthen their legal frameworks.

There is also significant scope for Asian countries to consider South-South initiatives with partners from the Pacific and vice-versa. For example, trafficking in children is prevalent in both Asian and Pacific countries, with poverty among the victims a common theme. Countries could also valuably share good practices and expertise on protecting children’s rights during internal conflict and natural disasters.

It is possible to replicate or scale up South-South and triangular cooperation initiatives currently in place in the Asia-Pacific and other regions. Countries and regional organizations can look at existing single-country programmes or bilateral cooperation programmes to see how they might be adapted for them. For example:

- The data reporting on trafficking in children through the Pacific Nations Initiative could be replicated in other Asia-Pacific subregions, possibly with some capacity-building support from Pacific nation experts.

- Papua New Guinea could provide technical advice to other Asia-Pacific countries to adapt its successful A Home Fit for Children programme (annex 1).

- The Pacific Prevention of Domestic Violence Programme (triangular cooperation between Pacific nations and New Zealand) for police could be replicated – and even strengthened with an emphasis on children’s rights – with experts from Asia-Pacific countries mentoring police in other Asia-Pacific countries. This could also be done in cooperation with national human rights institutions from Asia-Pacific countries.

A new opportunity has arisen with the signing of a cooperation agreement between UNICEF and the Asian Development Bank for joint action for children. Countries might begin to consider possible triangular cooperation programmes to propose to these institutions. The ADB’s overarching goal is poverty eradication. It has strong programmes on education, water and sanitation and gender equity – all of which are relevant to children’s rights and to the MDGs. There would be scope, for example, for countries to leverage this agreement for possible financing of experts to help develop capacities (of police, of civil society, of victims, of criminal justice systems, of national children’s rights institutions or of local governments) to address violence against women and children in the home and in other situations.

A knowledge-sharing internet tool or a database (comprehensive, systematic, in-depth and possible to disaggregate) for the Asia-Pacific region and/or subregions would be highly valuable – possibly even as a South-South cooperation project. This tool would document South-South cooperation for children’s rights and would be a tool to analyse, quantitatively as well as qualitatively, the trends in this modality, to identify gaps, redundancies and inefficiencies as well as opportunities. UNDP’s Special Unit for South-South Cooperation would be a natural facilitating partner in this triangular cooperation, but other organizations and regional groups (ASEAN, the Pacific Islands Forum) might want to pool resources for it. Partnerships with private institutions and civil society, including academia, could also be harnessed.
To ensure that South-South and triangular cooperation programmes for children’s rights avoid the weaknesses of some North-South projects, it would be highly desirable to develop a regional or subregional instrument of norms and standards.

**Recommendations for the design and implementing of South-South cooperation programmes**

Some of the following recommendations are applicable to all development programmes in general. They are mentioned here as a reminder for governments as they consider South-South and triangular cooperation for children’s rights. For example, some children’s rights programmes are not designed with periodic evaluations; some South-South programmes are not designed with reference to the CRC.

- Both assisting and receiving countries should base designs for South-South and triangular cooperation on the Nairobi Outcome Document, the Paris Declaration on Aid Effectiveness, the Accra Agenda for Action and the Marrakesh Framework of the Group of 77 (annex 6) to ensure that the principles of sovereignty, ownership and alignment, among others, are built in from the very start and thus avoid the obstacles to effective international cooperation identified in the Paris Conference on Aid Effectiveness.

- Programmes should have periodic and terminal monitoring and evaluation mechanisms. This would ensure compliance with the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action. Periodic evaluation would also provide feedback while programmes are being implemented, providing the opportunity to identify areas for improved implementation and provide timely solutions that would lead to optimal resource use.

- Declarations and agreements should be accompanied by practical, time-bound commitments for action to give impetus to South-South programmes and allow for realistic allocation of resources. This is the strength of the MDG targets over the country commitments in the CRC – they have a clear deadline.

- Indicators for success should be clear, measurable and, where possible, based on quantitative measures so that actions are well planned and resources allocated, and then assess whether or not there really is progressive realization of children’s rights.

- Assisting countries should invest in human resource development to scale up their available pool of trainers and experts. By doing so, these countries would prevent a brain-drain that would negatively impact their own domestic rights and development activities, while also assisting other countries. In promoting the development of experts in children’s rights implementation and specialists in various development fields, assisting countries will also be raising new generations of professionals that will be instrumental in continuing their own development.

- South-South cooperation and triangular cooperation initiatives for children’s rights should refer to the CRC and the Millennium Declaration because these are the basic international commitments common to all Asia-Pacific countries. Improving children’s rights protection, promotion and fulfilment will help achieve the MDGs. Conversely, actions to achieve the MDGs can help address certain children’s rights issues, such as the right to life, health, good nutrition, education, child labour and gender non-discrimination.
• It would also be useful for initiatives to be grounded in the CEDAW. Overall, the rights-based approach is built on the principles of human rights, such as non-discrimination, participation and human dignity.

• Governments and their partners should consider applying the rights-based approach in the design and implementing of South-South projects for children by including explicit links to rights standards in programme designs, child participation, appropriate mechanisms to ensure transparency and accountability, and attention to vulnerable and marginalized sectors. This approach would help governments improve their compliance with CRC commitments. The participation of affected sectors would build consensus, acceptance, ownership and even sustainability for such initiatives. Because some of the principles are the same as those of the Accra Agenda for Action and the Nairobi Outcome Document, the rights-based approach builds into the projects the internationally accepted South-South cooperation principles of ownership, accountability and transparency.

• This approach is based on the Universal Declaration of Human Rights, the CRC and other human rights treaties. It also underlines the principles of good governance encouraged by the UN system. The Statement of Common Understanding for a rights-based approach to the development cooperation and development programming\(^3\) states that development and technical assistance “should further the realization of human rights”. Although this statement refers only to programmes of UN agencies, it seems most appropriate that the Universal Declaration of Human Rights should be one of the foundations of international cooperation projects for child rights. The Universal Declaration of Human Rights is even considered by many as customary international law and therefore binding and giving rise to obligations.

• The elements of the rights-based approach do not differ from the principles of many donor-led development programmes, including the principle of participation and consultation. Most countries in the Asia-Pacific region have applied these elements and principles in their development programmes, including those of UN agencies and major infrastructure projects financed by the international financial institutions. The rights-based approach would help make South-South cooperation more effective and responsive to the rights of children and their development needs.

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\(^3\) This framework for a common understanding was developed in May 2003 in the second Interagency Workshop on the Rights-based Approach, as related to UN reforms.
Annex 1
Additional examples of South-South cooperation and single-country projects

- India, Brazil and South Africa have agreed to work on treatments for neglected diseases.

- The International Aids Vaccine Initiative supports innovative scientific research in the development of a preventative AIDS vaccine through a network of 11 research institutions and scientists in India, Kenya, Rwanda, South Africa, Uganda and Zambia.

- Rwanda is working with Uruguay on the One Laptop per Child initiative, sharing practical information and experience.

- Pakistan’s Lady Health Worker programme provides training and employment for village women and provides a culture- and gender-sensitive solution to health provision.

- Papua New Guinea’s A Home Fit for Children initiative creates a safe, healthy and nurturing environment for children in the home and the community.

- The Millennium Villages seek to end extreme poverty by working with the poorest of the poor, village by village throughout Africa, in partnership with governments and other committed stakeholders, providing affordable and science-based solutions to help people lift themselves out of extreme poverty.\(^{31}\)

- India’s Scheme for a Long and Healthy Life is a government-funded prenatal care available within private hospitals.

- The Mamidipudi Venkatarangaiya Foundation (MVF) of India has a long track record building community capacities for tackling child labour by universalizing school education. In its efforts to abolish child labour, the MVF developed a child labour-free zone model. It has mobilized parents and other actors, such as teachers, parents, village councils, local officials and the state government. They have succeeded in mainstreaming more than 500,000 working and other out-of-school children, many of them girls, into school.

| 31 | \[MillenniumProject, at: [www.unmillenniumproject.org/mv/index.htm](http://www.unmillenniumproject.org/mv/index.htm)\] |

Asia-Pacific countries may want to think of how to access existing South-South and triangular cooperation facilities

The Facility for Poverty and Hunger Alleviation in the world’s poorest nations, supported by the UNDP’s Special Unit for South-South Cooperation, aims to help countries struggling to meet the MDGs, including a 50 per cent reduction in extreme poverty and hunger, the achievement of universal primary education and the promotion of gender equality. India, Brazil and South Africa have each pledged to provide a million dollars annually for the fund, established in 2008.

The Asia Community of Practice for Management for Development Results was created in 2006 with ADB’s support to help developing partner countries in the Asia-Pacific region meet the challenge of introducing and institutionalizing management for development results, in particular improving results-based management in the public sector.
Annex 2

Case study: Triangular cooperation for food security – FAO

Asian countries have been the main providers of experts and technicians for the Food and Agriculture Organization of the United Nations’ (FAO) food security programme in Asia and the Pacific. Cooperating countries include Bangladesh, China, India, Myanmar, Pakistan, Philippines and Viet Nam. Technicians and experts have been working in the Caribbean, Pacific islands, Africa and Asia. Only three Asian countries received South-South cooperation assistance through a special or national programme for food security: Bangladesh, Lao PDR and Papua New Guinea. Twelve countries in the Pacific received assistance through a regional programme for food security from China and Philippines.

The modality for this cooperation is that the FAO, upon receiving requests from governments, contacts partner governments and assists in the negotiation process. The FAO, through donor funding, is responsible for paying international travel expenses, installation grants (US$450 for each project) and subsistence allowances. The cooperating government selects its experts and technicians according to the terms of reference and provides simple but appropriate technology. Host governments pay a small monthly allowance, accommodation and utilities, administrative support services, insurance for vehicles and the costs of local and regional travel.

In 2006, South-South cooperation coordinators conducted a questionnaire survey among the 12 National Project Coordinators of the Pacific Island Regional Programme for Food Security. Some 58 per cent of the respondents rated the programme as ‘very good’ while one quarter was ‘more than satisfied’ and only 10 per cent ‘less than satisfied’. In terms of areas of assistance, the respondents were generally content with the four broad areas of the programme: water management, crop production, livestock and fisheries, and aquaculture. The most appreciated feature of the South-South cooperation contribution was the direct technical assistance to and training for government officials.
Annex 3
Triangular cooperation initiatives for disaster risk reduction and tsunami recovery

 Developing countries contributed about US$3.5 million between 2005 and 2007 to the United Nations South-South Trust Fund, managed by the UNDP’s Special Unit for South-South cooperation, for recovery and reconstruction after the December 2004 Indian Ocean tsunami. The assistance emphasized both the priority needs of these countries and the recovery efforts in the affected countries. Some countries, such as Sri Lanka, had earlier reported that they were receiving substantial financial resources but little support for human resources to coordinate the response and recovery efforts. Remedies were found using South-South cooperation.

 With support from the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and the UNDP Special Unit on South-South Cooperation, an Asia-Pacific Regional South-South Cooperation Mechanism for Disaster Risk Reduction was established in late 2007, for which Indonesia serves as the interim secretariat.32

 In 2005, ESCAP set up the Multi-Donor Voluntary Trust Fund on Tsunami Early Warning Arrangements in the Indian Ocean and Southeast Asia. This fund has received contributions from the governments of Thailand (US$10 million), Sweden (US$2.6 million), Turkey and Nepal. It aims to build and enhance tsunami early-warning capabilities in accordance with the needs of Indian Ocean and South-East Asian countries. In 2005, members of the Intergovernmental Oceanographic Commission within the United Nations Educational, Scientific and Cultural Organization conducted several rounds of international negotiations before reaching consensus on building a distributed, interconnected tsunami early-warning system.33

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Annex 4
Principles for South-South cooperation in the Nairobi Outcome Document

- South-South cooperation is guided by, inter alia, the principles of respect for national sovereignty and ownership, free from any conditionality.

- South-South cooperation should not be seen as official development assistance. It is a partnership among equals, based on solidarity.

- Developing countries tend to share common views on national development strategies and priorities when faced with similar development challenges. The proximity of experience is a key catalyst in promoting capacity development in developing countries.

- South-South cooperation and its agenda have to be set by countries of the South and should continue to be guided by the principles of respect for national sovereignty, national ownership and independence, equality, non-conditionality, non-interference in domestic affairs and mutual benefit.

- South-South cooperation takes different and evolving forms, including, inter alia, the sharing of knowledge and experiences, training, technology transfer, financial and monetary cooperation and in-kind contributions.

- There is a need to enhance local capacity in developing countries by supporting local capabilities, institutions, expertise and human resources and national systems, where appropriate, in contribution to national development priorities, at the request of developing countries.

- South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation.

- South-South cooperation embraces a multi-stakeholder approach, including non-governmental organizations, the private sector, civil society, academia and other actors that contribute to meeting development challenges and objectives in line with national development strategies and plans.

- The impact of South-South cooperation should be assessed with a view to improving, as appropriate, its quality in a results-oriented manner.

- South-South cooperation contributes to national well-being, national and collective self-reliance and the attainment of internationally agreed development goals, including the Millennium Development Goals.
Annex 5
Statement of common understanding for a rights-based approach to the development of cooperation and development programming
(Specifically refers to a cooperation and programming by UN agencies)

Common understanding

1. All programme of development co-operation, policies and technical assistance should further the realisation of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments.

2. Human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments guide all development cooperation and programming in all sectors and in all phases of the programming process.

3. Development cooperation contributes to the development of the capacities of ‘duty bearers’ to meet their obligations and/or of ‘rights-holders’ to claim their rights.

Human rights principles guide all programming in all phases of the programming process, including assessment and analysis, programme planning and design (including setting of goals, objectives and strategies); implementation, monitoring and evaluation.

Among these human rights principles are: universality and inalienability; indivisibility; inter-dependence and inter-relatedness; non-discrimination and equality; participation and inclusion; accountability and the rule of law. These principles are explained below.

- **Universality and inalienability:** Human rights are universal and inalienable. All people everywhere in the world are entitled to them. The human person in whom they inhere cannot voluntarily give them up. Nor can others take them away from him or her. As stated in Article 1 of the Universal Declaration of Human Rights, “All human beings are born free and equal in dignity and rights”.

- **Indivisibility:** Human rights are indivisible. Whether of a civil, cultural, economic, political or social nature, they are all inherent to the dignity of every human person. Consequently, they all have equal status as rights, and cannot be ranked, a priori, in a hierarchical order.

- **Inter-dependence and inter-relatedness.** The realization of one right often depends, wholly or in part, upon the realization of others. For instance, realization of the right to health may depend, in certain circumstances, on realization of the right to education or of the right to information.

- **Equality and non-discrimination:** All individuals are equal as human beings and by virtue of the inherent dignity of each human person. All human beings are entitled to their human rights without discrimination of any kind, such as race, colour, sex, ethnicity, age, language, religion, political or other opinion, national or social origin, disability, property, birth or other status as explained by the human rights treaty bodies.

• **Participation and inclusion:** Every person and all peoples are entitled to active, free and meaningful participation in, contribution to, and enjoyment of civil, economic, social, cultural and political development in which human rights and fundamental freedoms can be realized.

• **Accountability and rule of law:** States and other duty bearers are answerable for the observance of human rights. In this regard, they have to comply with the legal norms and standards enshrined in human rights instruments. Where they fail to do so, aggrieved rights-holders are entitled to institute proceedings for appropriate redress before a competent court or other adjudicator in accordance with the rules and procedures provided by law.

The following elements are necessary, specific, and unique to a human rights-based approach:

a) Assessment and analysis in order to identify the human rights claims of rights-holders and the corresponding human rights obligations of duty bearers as well as the immediate, underlying, and structural causes of the non-realization of rights.

b) Programme assess the capacity of rights-holders to claim their rights, and of duty bearers to fulfill [sic] their obligations. They then develop strategies to build these capacities.

c) Programme monitor and evaluate both outcomes and processes guided by human rights standards and principles.

d) Programming is informed by the recommendations of international human rights bodies and mechanisms.

Other elements of good programming practices that are also essential under a human rights-based approach include:

1. People are recognized as actors in their own development rather than as passive recipients of commodities and services.
2. Participation is both a means and a goal.
3. Strategies are empowering, not disempowering.
4. Both outcomes and processes are monitored and evaluated.
5. Analysis includes all stakeholders.
6. Programmes focus on marginalized, disadvantaged and excluded groups.
7. The development process is locally owned.
8. Programmes aim to reduce disparity.
9. Both top-down and bottom-up approaches are used in synergy.
10. Situation analysis is used to identify immediate, underlying and basic causes of development problems.
11. Measurable goals and targets are important in programming.
12. Strategic partnerships are developed and sustained.
13. Programmes support accountability to all stakeholders.
Excerpts from the Marrakesh Framework of Implementation of South-South Cooperation

The Participants at the High-level Conference on South-South Cooperation held in Marrakech, Morocco, from 16 to 19 December 2003, having adopted the Marrakech Declaration on South-South Cooperation, guided by the provisions of the Havana Programme of Action, and while stressing that the implementation of South-South Cooperation depends upon its adequate integration in national, subregional and regional and international cooperation policies and strategies, agree on the implementation of the following measures and initiatives:

1. Undertaking a study, with the support of UNDP, on the potential of intensifying interactions between business agents in developing countries, both from the private and the public sector, including recommendations on ways of fully exploring the potential of joint ventures in different areas. Such study will be presented for discussion and recommendation to a Symposium to be held at the margin of the Second South Summit in 2005 with the aim of analyzing existing joint ventures among the countries of the South, identifying ways and means to enhance such joint ventures and establish a South database on joint ventures.

2. Continuing support for the exchange of expertise and experiences among research institutions and universities in developing countries and the establishment of a South-South Network of such institutions and universities that promote education, technical skills development and technology transfer through exchange of programme, students and academia, provision of scholarships and grants for education and training.

3. Working toward achieving the objectives of eradicating illiteracy with the development of projects on basic education using the experience and know-how of some developing countries, including through triangular cooperation.


13. Exchanging experiences and expertise in the area of agricultural production with the aim of enhancing productivity and food security, and supporting, in this context, the Special Programme of Food Security (SPFS) undertaken under the auspices of FAO, in which South-South cooperation is a fundamental component and undertaking to fully use its potential in order to enhance solidarity among developing countries and to allow developing countries to benefit from the experiences and expertise of other developing countries in food production. In this context, encouraging other funds, agencies and programme of the United Nations to initiate or strengthen similar efforts in their respective fields of actions and responsibilities.

16. Working towards a greater South-South cooperation to successfully combat HIV/AIDS pandemic, malaria, tuberculosis and other communicable diseases, including sharing of experiences, expertise and best practices, as well as cooperative arrangements in procurement.

Adopted by participants at the Group of 77 High-Level Conference on South-South Cooperation, 19 December 2003, at: www.g77.org/marrakech/Marrakech-Framework.htm
of preventive and curative drugs, giving special attention to the offers of cooperation made by
some developing countries including concerning medical personnel and exploring triangular
cooperation.

17. Using fully the potential of South-South cooperation in following up the implementation of the
Decision of August 30th, 2003 on paragraph 6 of the Doha Declaration on TRIPS and Public
Health, to be incorporated in the TRIPS Agreement.

18. Urging the international community to support efforts by the countries of the South in
addressing the challenges posed by HIV/AIDS.

19. Supporting the implementation of the South-South Healthcare Delivery Programme and
urging for broader collaboration of partners and countries of the South while acknowledging
efforts made by some developing countries in the supply of medical personnel.

20. Participating in the Training Resource Platform developed by UNCTAD in the area of trade
and development, aiming at strengthening training capacities in developing countries.

21. Sharing experiences and expertise on programme especially related to women and children.

24. Acknowledging the need to enlarge the involvement of developing countries in joint efforts
to overcome extreme poverty and, in this context, taking note of the initiatives undertaken by
the developing countries, including those announced at the fifty-eighth session of the General
Assembly.

25. Inviting the Special Unit for South-South Cooperation to work with developing countries to
formulate and help implement joint and mutually beneficial programme to respond to the
urgent needs of the developing countries, and also inviting the UNDP to ensure that the South-
South dimension is mainstreamed in all its activities. In this regard, taking note with interest of the
concrete recommendations of the High-level Meeting of Pivotal Partners of South-South and
Triangular Cooperation held in November 2003 in Hangzhou, China.

26. Supporting the convening of a Water Forum with a view to promote the exchange of
scientific and technological know-how and the sharing of experiences and best practices
among developing countries, after the consideration of this issue by the Commission on
Sustainable Development.

27. Supporting the strengthening of the UNDP Special Unit for South-South cooperation as a focal
point for South-South cooperation within the United Nations System, including through
enhancing its capacity to coordinate South-South issues in the United Nations system, which
would allow the Unit to adequately map experiences and promote and support initiatives in the
domain of South-South cooperation.

28. Establishing and strengthening regular mechanisms of consultations, communication, and
sharing of information and experiences among regional and sub-regional economic groupings
as well as development supportive networks.

29. Ensuring the full use of triangular cooperation and the engagement of relevant international
and regional organizations as well as a full involvement of business community and civil society
to strengthen South-South cooperation.
30. Supporting existing platforms of cooperation concluded between African and Asian countries and between African and Latin American countries as effective tools in the implementation of the United Nations Convention to Combat Desertification, in particular with regard to exchange of expertise.

31. Supporting the United Nations General Assembly’s High-level Committee on South-South Cooperation to explore possibilities of expanding South-South cooperation programme within the UN system.

32. Encouraging greater consultation and cooperation among national TCDC units at the regional level where appropriate in order to enhance effective and efficient undertaking of programme and projects.

33. Encouraging the strengthening and periodic updating of the WIDE Electronic databank operated by UNDP Special Unit on South-South Cooperation, in coordination with governments, allowing for wide diffusion of and access to the information contained therein, including experiences, best practices and potential partners in South-South cooperation.

34. Supporting bilateral initiatives undertaken by some developing countries for debt cancellation to benefit LDCs and in this regard encouraging other developing countries to also undertake further initiatives to strengthen solidarity with this most vulnerable group of developing countries.

36. Promoting initiatives in favour of the least developed countries in the context of South-South cooperation by implementing projects in areas such as human and productive capacity building, technical assistance, exchange of best practices, particularly in issues relating to health, education, professional training, environment, science and technology, trade, investment and transit transport cooperation.

39. Continuing to pay special attention to the situation of post-conflict developing countries, in particular LDCs, with a view to enabling them to rehabilitate and reconstruct, as appropriate, political, social and economic infrastructures and to assist them in achieving their development priorities.

40. Intensifying South-South cooperation for the preservation, protection and promotion of traditional knowledge, genetic resources and folklore and the building of consensus in relevant international fora and the development of legally binding international instruments on intellectual property rights regarding these issues.

41. Promoting cooperation in the exchange of scientific and technological know-how in sourcing, efficient management, preservation and sustainable use of water, in accordance with the existing and relevant provisions of international law.

43. Supporting consultations and continuous exchange of views among developing countries on issues which are the subject of the high-level United Nations events as well as on other emerging issues relevant to development.

46. Strengthening the South Centre as a think-tank of the countries of the South to undertake research programme to support their negotiations.
47. Urging all Member States to make special contributions to the G-77 Special Fund for the follow-up and implementation of the outcome decisions of the Group as established by Heads of State and Government in Havana.

49. Strengthening cooperation and coordination between the G-77 and the NAM in promoting South-South Cooperation by requesting the Joint Coordinating Committee (JCC) to meet more regularly to discuss issues of common interest in the field of South-South cooperation where synergies could be explored.

50. Establishing under the responsibility of the Chair of G-77 of an open-ended Follow-up Group to South-South Cooperation which should report to the Annual Ministerial Meeting of the G-77 on the implementation of South-South cooperation.