WE, the South Asian Association for Regional Cooperation in Law (SAARCLAW)

EARNESTLY REITERATING our enduring amity, unity and integrity and strong harmony and cooperation;

RECOGNIZING that we are united in our collective social, economic, political, legal and cultural goals;

DEDICATED to join hands to overcome and resolve together the predominant problems discussed and deliberated at the Conference;

COGNIZANT that good governance is the nucleus of the incipiently new social, economic, political and legal order;

ACKNOWLEDGING that protection of children, establishing of sound democratic institutions and prevention of corruption are fundamental to the securing of our better future and are necessary ingredients for social and economic development and nurturing peace and progress in the region;

UPHOLDING once again our faith in the role of the judiciary in protecting and enforcing the rights of the people including children;

CONFESSING that missing children is an area of great concern for South Asia requiring undertaking a proper review of existing policy and programmatic frameworks with special reference to technology and crimes in cyberspace so that children can be protected in both actual and virtual world;

NOTING that elimination of physical and humiliating punishment of children in all settings is more than imperative;

ENTHUSED by the abundant actions in the region for building consciousness, public opinion and evolving cooperative vow towards our conjoint goals and problems
and enthusing more active and meaningful leads through real partaking and enablement of the people;

**ASSERTIVE** that the shared expression and collective conscience of the 12th SAARCLAW CONFERENCE & 9th SAARC CHIEF JUSTICES’ CONFERENCE in Thimphu, Bhutan SEEKING PROTECTION OF CHILDREN, ESTABLISHING OF SOUND DEMOCRATIC INSTITUTIONS AND PREVENTION OF CORRUPTION FOR OUR BETTER FUTURE AND FOR SOCIAL AND ECONOMIC DEVELOPMENT AND NURTURING PEACE AND PROGRESS IN THE REGION, shall be duly heard, considered, taken into account and acted upon by the All the organs of the Governments of all Member States;

**NOW THEREFORE SAARCLAW HEREBY UNDERTAKES THROUGH THE THIMPHU DECLARATION:**

I. To commence a comprehensive mapping exercise of existing legal framework for child rights and protection in South Asia - identifying gaps and challenges, opportunities for harmonization in relation to international instruments, norms and standards;

II. To create an appropriate mechanism for monitoring the proper implementation of laws relating to child protection;

III. To simulate a proper review of existing policy and programmatic frameworks with special reference to technology and crimes in cyberspace so that children can be protected in both actual and virtual world;

IV. To formulate timelines for each country to develop and implement a plan on moving from prohibition to elimination of physical and
humiliating punishment of children in all settings;

V. To ensure wider partnerships and additional action amongst member countries with regard to issues connected with Child Marriage, Child Labor and overall Protection for Children;

VI. To further strengthen the conglomeration with SAIEVAC so as to address the issues concerning protection of children in the region in more effective manner.

VII. To work towards a system of participatory democracy where the principle of separation of powers with system of checks & balances is properly outlined;

VIII. To have a series of lectures in the region by prominent political scientists and thinkers on do’s and don’ts for representative Governments;

IX. To offer legal assistance to the election holding bodies and commissions in the region for guaranteeing free and fair election;

X. To promote through seminars and workshops strengthening of anti-defection legal framework in the parliamentary system including propagating legislation ensuring elimination of judicial role of the presiding officers of legislature in that framework and enabling of specially designated constitutional judicial court to adjudicate such matters in time bound manner;

XI. To work towards making the highest judicial court of the respective member country/ies as the final arbiter with no other organ of the Government having any role of interference therein directly or indirectly;

XII. To evolve a sustainable mechanism of mandatory legal education and orientation for young lawyers;

XIII. To devise a project and plan for ensuring and making access to judicial process and consequently justice to poor and under

"SAARCLAW is a repository of diverse legal knowledge within our region. We must tap this potential and be a resource to all”

- Chief Justice Sonam Tobgye

Issued By:

Hemant Batra
Secretary General, Saarclaw

Dated: 26th May, 2013