



Rabat Process
Euro-African Dialogue
on Migration and Development

Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices

in the ECOWAS Member States
and Mauritania

Project funded by the
European Union



Project implemented by



ICMPD

International Centre for
Migration Policy Development

ICMPD Anti-Trafficking Programme team: Lamine Daffé, Edgar Federzoni dos Santos, Melita Gruevska Graham, Ivanka Hainzl, Sanja Milenkovicj Boyadjieva, Elena Petreska, Madis Vainomaa.

ICMPD Secretariat of the Rabat Process: Eden Alemayehu, Audrey Jolivel.

International Centre for Migration Policy Development (ICMPD)

Gonzagagasse 1

A-1010 Vienna

Austria

www.icmpd.org

© 2020, International Centre for Migration Policy Development. All rights reserved.

No part of this report may be reproduced, copied or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage and retrieval system, without prior permission of the copyright owner.

This assessment report is produced within the framework of **the Euro-African Dialogue on Migration and Development (The Rabat Process), which is implemented by ICMPD under the Migration and Mobility Support Project** funded by **the European Union**.

The opinions expressed herein are those of ICMPD and do not necessarily reflect the views of the European Union.

Layout by: Marc Rechdane

Vienna, June 2020

Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices

in the ECOWAS Member States
and Mauritania

Foreword

Trafficking in human beings is a severe human rights violation that challenges an open global society. It is a criminal business model that thrives on the vulnerability of the women, men and children it exploits for a variety of motives including forced labour, forced marriage, prostitution and sexual abuse. At its wheel are traffickers who know no geographical limitation. They operate internally, enslaving victims within their own countries, or exploit porous borders to transport their targets across frontiers.

The fight against trafficking in human beings is a top priority for the 15 ECOWAS Member States, who for the past couple of years have been steadfastly working to remove hindrances to free movement in the sub-region, as it is also for neighbouring Mauritania. It is also a commitment that the ECOWAS Member States and Mauritania have taken on alongside the 44 other partner countries of the Euro-African Dialogue on Migration and Development (Rabat Process) under the Marrakesh Political Declaration and its Action Plan, as well as the Joint Valletta Action Plan in its domain 4 “Prevention of and fight against irregular migration, migrant smuggling and trafficking in human beings”.

Since 2014, the International Centre for Migration Policy Development (ICMPD), as a Secretariat to the Dialogue and as a recognised Expert Organisation has been accompanying the ECOWAS Member States and Mauritania in their efforts to fight human trafficking through the development of comprehensive responses in line with international standards. To complement this work, and in response to the request of the Rabat Process partner countries, ICMPD carried out an assessment of anti-trafficking gaps, needs and transferrable practices in the ECOWAS Member States and Mauritania. This first-ever assessment responds to the Dialogue’s mandate to support partner countries in gaining a better understanding of challenges and responses to trafficking in human beings while providing them with the opportunity to capitalise on successful regional experiences.

The assessment is a product of extensive desk research, consultations and interviews with a wide range of anti-trafficking stakeholders from government agencies, civil society, international and regional organisations. It analyses national and regional challenges related to the prevention of human trafficking, the protection of victim and prosecution of traffickers. All this, while discussing mechanisms for strengthening national and transnational cooperation in the combat of such crime. Indeed, one of the main findings of the assessment highlights how poor communication between the national authorities in the sub-region often leads to inconsistent referral and inadequate protection of victims. In addition, the report offers a toolbox presenting a collection of promising practices with analyses of their replicability in other national contexts. The report will be an important tool to guide ECOWAS Member States and Mauritania on their resolutions towards improving the support and services to victims and survivors of human trafficking.

Finally, I take this opportunity to extend special recognition and appreciation to the national authorities, the ECOWAS Commission and its National Focal Points on Trafficking in Persons for assisting the collection of the valuable data that was analysed in this report. As a Director of the Project “Support to Africa-EU Migration and Mobility Dialogue (MMD)”, which is funded by the European Union and implemented by ICMPD, I would also like to thank the ICMPD Anti-trafficking Programme research team and authors of this report, as well the Rabat Process Secretariat whose contribution led to the success of this exercise.



Martijn Pluim

Director Migration Dialogues & Cooperation
ICMPD

Table of Contents

List of Abbreviations and Acronyms	06
1. Introduction	09
1.1 Objectives, Methodology and Analysis	09
1.2 Limitations of the Assessment	14
1.3 Working Definitions	15
2. Background Information	23
3. TIP Trends in the ECOWAS Region and Mauritania	27
3.1 Factors that Influence TIP	27
3.2 TIP Routes	31
3.3 Types of Exploitation	40
3.4 Victims and Vulnerable Groups	46
3.5 Traffickers and their Modus Operandi	51
4. Anti-Trafficking Legal and Policy Framework	55
4.1 International Level	55
A. Legal Framework	55
B. Policy Framework	60
4.2 Regional Level	60
A. Legal Framework	61
B. Policy Framework	63
4.3 National Level	67
A. Legal Framework	67
B. Policy Framework	73
5. International and Regional Cooperation Mechanisms for the Protection of VoTs and Prosecution of Traffickers	77
5.1 Institutional Framework	77
5.2 Good Practices in the Transnational Referral of TIP Cases	81
5.3 Existing Procedures and Practices in the ECOWAS Region	84
5.4 Gaps and Challenges	91

6. National Cooperation Mechanisms for the Protection of VoTs and Prosecution of Traffickers	95
6.1 Institutional Framework: National Agencies, Committees and Task Forces on TIP	95
6.2 Good Practices in the National Referral of TIP Cases	101
6.3 Existing Procedures and Practices	103
6.4 Gaps and Challenges	106
7. Protection and Social Inclusion of Trafficked People	111
7.1 International Standards for the Protection of VoTs	111
7.2 Existing Procedures and Practices	113
A. Protection and Support of VoTs	113
B. Special Protection Provisions for Trafficked Children	119
C. Centralised Registration of VoTs	121
D. Repatriation and Risk Assessment	124
8. Transferable Practices – Toolbox	127
8.1 Rating of the Practices	128
8.2 Presentation of the Practices	129
Bibliography	149
Annexes	157
Annex 1. List of Interviews and Consultation Meetings Conducted during the Field Research	157
Annex 2. Questionnaire on Priorities, Needs, Challenges and Transferrable Practices in Combating TIP	160
Annex 3. Form for Identifying Transferable Practices	164

List of Abbreviations and Acronyms

AU	African Union
AMWCY	African Movement of Working Children and Youth
ANLTP/TIM	National Agency for Combatting Trafficking in Persons and Smuggling of Migrants
ARM	Annual Review Meeting
CDS	Community Development Service
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CNARSEVT	National Commission for Reception and Social Reintegration of Child Victims of Trafficking
CNCLTP	National Unit for Coordination of the Fight against Trafficking in Persons
CNLTdP	National Committee for Combating Trafficking in Persons
CNSCPE	National Unit for Monitoring and Coordination of Child Protection
CRC	Convention on the Rights of the Child
CRRF	Comprehensive Refugee Response Framework
CVOS	Council for Supervision and Strategic Orientation
DDF	Demand Driven Facility
DSW	Department of Social Welfare
ECCAS	Economic Community of Central African States
ECDPM	European Centre for Development Policy Management
ECOWAS	Economic Community of West African States
EU	European Union
FMM West Africa	“Support to Free Movement of Persons and Migration in West Africa” (project)
HTMB	Human Trafficking Management Board
ICCA	Cabo Verdean Institute for Children and Adolescents
ICIEG	Cabo Verdean Institute for Gender Equality
ICMPD	International Centre for Migration Policy Development
IDP	Internally Displaced Person
ILO	International Labour Organization
IO	International Organisation
IOM	International Organization for Migration
ISWAP	Islamic State of West Africa Province
JVAP	Joint Valletta Action Plan

MIDWA	Migration Dialogue for West Africa
MoU	Memorandum of Understanding
MS	Member State
NAATIP	National Agency against Trafficking in Persons
NAPTIP	National Agency for Prohibition of Trafficking in Persons
NCCE	National Commission for Colleges of Education
NCE	Nigerian Certificate in Education
NERDC	Nigerian Educational Research and Development Council
NGO	Non-Governmental Organisation
NFP	National Focal Point
NRM	National Referral Mechanism
NTF	National Task Force
NYSC	National Youth Service Corps
OAU	Organisation of African Unity
OCWAR-T	“Organised Crime: West African Response to Trafficking” (project)
OHCHR	UN Office of the High Commissioner for Human Rights
PPDH	Platform for the Promotion and Protection of Human Rights
PoA	Plan of Action
PSS	Personalised Social Support
RRM	Regional Referral Mechanism
SoM	Smuggling of Migrants
SOP	Standard Operating Procedure
TIP	Trafficking in Persons
TIP Protocol	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime
TRM	Transnational Referral Mechanism
UN	United Nations
UNCAT	UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund
UNODC	United Nations Office on Drugs and Crime
UNTOC	UN Convention against Transnational Organized Crime
USAID	United States Agency for International Development
VoT	Victim of Trafficking
WAN	West Africa Network for the Protection of Children and Young Migrants
WOTCLEF	Women Trafficking and Child Labour Eradication Foundation

1. Introduction

1.1 Objectives, Methodology and Analysis

The Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania provides a comprehensive, evidence-based analysis of trends in Trafficking in Persons (TIP) and existing anti-trafficking structures, initiatives and achievements in the West Africa region. It identifies gaps and needs, while presenting a Toolbox of Transferrable Practices, so that Rabat Process Partners can build upon successes in a practical manner and avoid pitfalls encountered by existing anti-trafficking responses. The Assessment covers the 15 Economic Community of West African States (ECOWAS) Member States (MSs), whom participate in the Rabat Process, as well as Mauritania, and also addresses relevant regional organisations, particularly the ECOWAS Commission.

Assessment objectives

The purpose of this extensive evaluation has been to:

- ▶ **Examine existing international and sub-regional cooperation** (cross-border referral mechanisms, mutual legal assistance, bilateral and multilateral cooperation agreements, cooperation and exchange of good practices) on combating TIP, and identify gaps, challenges and transferrable practices.
- ▶ **Examine existing multi-stakeholder national coordination structures** on protecting victims of TIP and prosecuting offenders, and identify gaps, challenges and transferrable practices.
- ▶ **Inform the development and strengthening of policies** and measures for preventing and responding to human trafficking, based on the research of national, sub-regional and international TIP trends, routes, forms of exploitation, victim profiles, perpetrator profiles and modus operandi.
- ▶ **Analyse protection and social inclusion policies and services**, including prevention awareness raising, education, training, reception structures, legal advice, social, psychosocial and health services, interpretation, and return and reintegration, with a focus on preventing re-trafficking; and identify gaps, needs and transferrable practices.

- ▶ **Analyse the feasibility and transferability** of the practices identified, with a view to providing guidance on how these practices can be successfully adapted and replicated in different contexts within the Rabat Process region.

Methodology and analysis

An interdisciplinary methodology was applied to the design of the assessment and its implementation. The following **research tools** were developed and used:

- ▶ Guidelines for Implementation of Desk Research.
- ▶ Anti-Trafficking Stakeholders Mapping Template.
- ▶ Field Mission Planning Tool.
- ▶ Guidelines for Implementation of Interviews with Anti-Trafficking Stakeholders.
- ▶ Guidelines for Implementation of Consultation Meetings with Anti-Trafficking Stakeholders.
- ▶ Form for Identification and Analysis of Transferable Practices.
- ▶ Questionnaire for ECOWAS National Focal Points (NFPs) on Trafficking in Persons.
- ▶ Assessment Report Template.

The assessment can be divided into five relatively independent but interrelated phases:

- i. Desk research
- ii. Field research
- iii. Questionnaires for NFPs
- iv. Assessment report
- v. Toolbox with transferable practices

Desk research

The first phase of the assessment focused on review of the existing literature in the field of combating TIP, including reports by international organisations, such as the latest editions of the main international anti-trafficking reports produced by the United Nations Office on Drugs and Crime (UNODC), the International Labour Organization (ILO), the United Nations Children’s Fund (UNICEF), and the International Organization for Migration (IOM). Various other reports were also key at this stage, including those published on TIP and the worst forms of child labour by the US Department of State and the US Department of Labour; reports produced by international/regional or national Non-Governmental Organisations (NGOs) – Save the Children, Terre des Hommes, Minderoo Foundation, International Social Service – West Africa, the Mixed Migration Centre, the European Centre for Development Policy Management (ECDPM), Girls Not Brides, etc.; and reports and other documents published by national anti-trafficking authorities. The major source of information for the anti-trafficking developments at national level were the national Annual Reports on the Implementation of the ECOWAS TIP Plan of Action for 2017-2018, submitted to ECOWAS by the NFPs on TIP. The final ECOWAS Annual Synthesis Report on Trafficking in Persons in West Africa and all ECOWAS documents, guidelines and stand-

ards relating to TIP were also reviewed during this stage, along with reports and research papers produced by the International Centre for Migration Policy Development (ICMPD) during implementation of projects in the ECOWAS region and/or in the area of TIP.

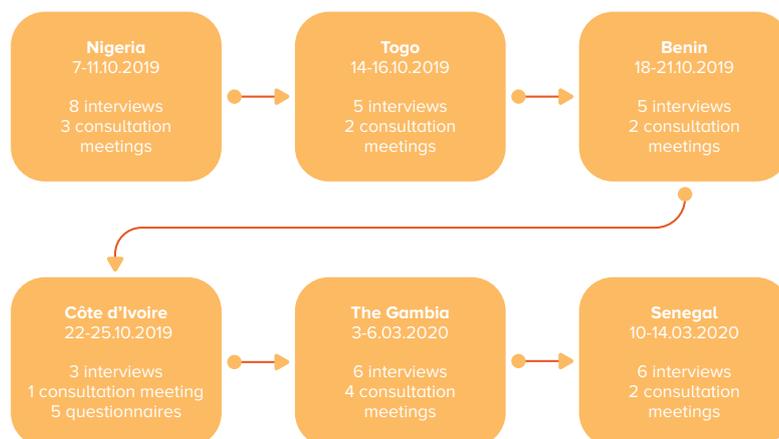
A variety of discussion papers and expert meeting reports available online were also reviewed and considered for the current assessment. Besides feeding directly into the assessment, the collected information also served during preparation for the field missions. In addition, during the field research phase, new sources of information were encountered or recommended by the experts interviewed. These reports and documents were thus added to the reviewed sources at a later stage.

In parallel to the desk research, an **anti-trafficking stakeholder's mapping** was initiated. For the purposes of the assessment, anti-trafficking stakeholder was considered to be anyone who had the capacity, opportunity and/or responsibility to respond to TIP – policymakers, practitioners and specialists working for government agencies, NGOs and International Organisations (IOs). The mapping continued throughout the whole assessment period, materialising in a list of names and contact details of relevant government, NGO and IO stakeholders involved in the anti-trafficking response in each of the 15 ECOWAS MSs and Mauritania.

Field research

The sources of information for the field research were representatives of governmental and non-governmental anti-trafficking stakeholders. The information was gathered via scheduled face-to-face interviews and consultation meetings in six of the countries studied.¹ The basic details of the missions conducted are outlined in Figure 1 below.

1 Written questionnaires were sent to those authorities in Côte d'Ivoire with whom individual meetings could not be organised.

Figure 1: Assessment missions undertaken in West Africa, 2019-2020

In addition, an interview with anti-trafficking stakeholders from **Burkina Faso** was conducted during the Regional Meeting of Directors General and Senior Commanders of the Internal Security Forces and Senior Justice Officials on Combating the Smuggling of Migrants and Trafficking in Human Beings, Permanent Mechanism of the Niamey Declaration, 22-23.10.2019, Abidjan, Côte d'Ivoire.

A total 46 interviews and consultation meetings were conducted, in addition to the five email responses from stakeholders. In total, the research team collected the input of 42 anti-trafficking officials from governmental institutions, 18 representatives of the non-governmental sector, and four representatives of international and regional organisations. A list of those stakeholders with whom interviews and consultations were conducted is attached as Annex 1 of the present report.

Questionnaires for NFPs

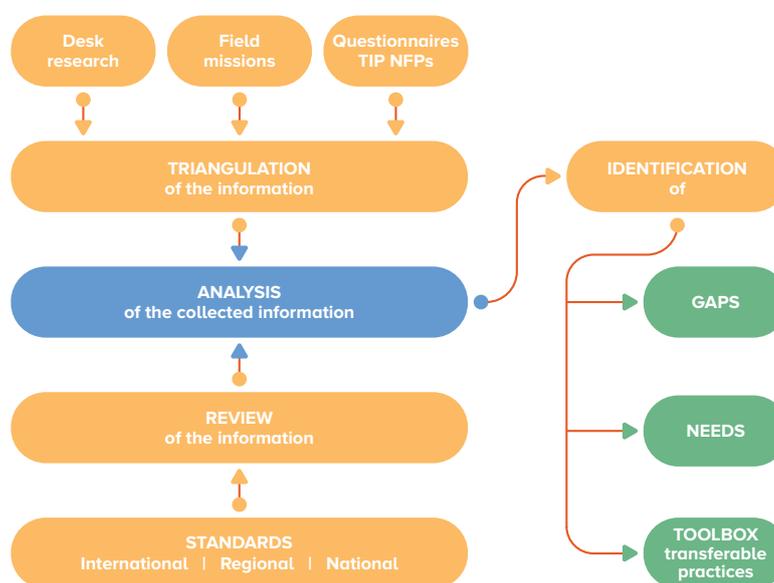
In addition to the interviews and consultation meetings, a separate questionnaire was sent to all NFPs on TIP in the ECOWAS Member States; but not to Mauritania, which has no such focal point.² The purpose of the questionnaire was to collect information on the latest TIP trends at country and region level, and reflections on the current challenges and potential gaps in implementation of the anti-trafficking policies at both levels. From fifteen questionnaires shared with NFPs, only four responses were received, despite individual follow-up by both email and telephone.

The information gathered through the questionnaires and field research was cross-referenced with the literature reviewed in order to assess all thematic areas of the assessment thoroughly, with the findings being triangulated and substantiated.

² The project team was in contact with a Mauritanian government representative, focal point for TIP under the project "Support to Free Movement of Persons and Migration in West Africa". However, at the time of dissemination of the questionnaire, this representative was unavailable as they had in the meantime been posted elsewhere.

Templates of all research instruments developed are available in the Annexes of this report.

Figure 2: The Analysis Process



Assessment report

The assessment report consists of six chapters. **Chapter 1** presents the introductory information, setting out the objectives, methodology and limitations of the study. **Chapter 2** provides background information on the ECOWAS region and the ECOWAS Commission. **Chapter 3** examines the trends in TIP in West Africa. **Chapter 4** provides information on the existing anti-trafficking legal and policy framework at international, regional (ECOWAS) and national level. **Chapter 5** elaborates on the international and regional cooperation on TIP cases. This chapter presents the existing regional anti-trafficking institutional framework (main stakeholders), suggests good practices in international cooperation on TIP cases, and discusses the regional and international cooperation mechanisms currently active in the ECOWAS region and Mauritania for the protection of Victims of Trafficking (VoTs) and prosecution of TIP cases. The chapter concludes with the elaboration of gaps and challenges in this field encountered during the research. **Chapter 6** follows the same structure, but presents the main national anti-trafficking coordination bodies (stakeholders) and mechanisms, suggests international practices in this field, and discusses the gaps and challenges identified. **Chapter 7** focuses on the protection and social inclusion of TIP victims in the countries studied, by presenting the international standards for the protection of adult and child victims and discussing the available practices. A Toolbox compiling anti-trafficking practices that can be replicated in other countries in the region and beyond is included at the end of this report, in **Chapter 8**. The list of literature sources and annexes conclude the report.

Toolbox with transferable practices

The main purpose of the Toolbox is to present promising practices among Member States, which can be transferred to different national/regional contexts and replicated by other Member States. The assessment defines the transferable practices as responses, implemented nationally or regionally, which effectively prevent trafficking, protect trafficked people and increase prosecution of TIP cases. These practices are organised into four thematic groups: 1) prevention of TIP, 2) protection of victims, 3) prosecution of TIP cases, and 4) cooperation in combating TIP.

The practices were collected during the field research phase, whereby stakeholders identified either local practices that can be shared with other countries in the region or those which they would like to explore and implement, drawing on other countries' successful experiences. Their suggestions were then reviewed with a preliminary list of replicable practices from the desk research, leading to the selection of the five examples presented in this report.

Detailed information obtained from the anti-trafficking stakeholders implementing these practices was analysed against pre-set criteria for applicability and transferability, and synthesised in the Toolbox.

1.2 Limitations of the Assessment

The assessment has several limitations, mainly related to the availability of information sources.

One of the central challenges was the lack of detailed information on anti-trafficking responses and developments in Mauritania. For instance, as a non-member state, Mauritania does not produce an annual national report as submitted by MSs to the ECOWAS TIP Unit. Consequently, the collection of similar data of comparable volume as in the 15 other countries was rather limited. Also, the desk research revealed scant documentation on TIP issues related to Mauritania.

Lack of information is a common challenge found across the countries studied. The team found it particularly hard to obtain online documents and information on specific TIP-related topics, whilst, for almost all countries, access to governmental documents (reports, agreements, statistics, etc.) was rather limited. Nigeria proved to be somewhat of an exception.

Limited availability of online sources contributed to disproportion in the volume of data and its analysis between the six countries where the field research was conducted and the remaining ten countries.

A significant part of the information collected during the desk research, including that relating to national policy documents and regulations, was obtained from reports and web-

sites of IOs present in the region or large NGO networks. Reliance on documentation from third parties required sufficient sources to triangulate and verify the initial information.

Finally, the outbreak of the COVID-19 pandemic placed limitations on the final stage of this assessment, particularly in regard to shaping the Toolbox with transferable practices. Obtaining information from the anti-trafficking stakeholders in the five selected countries, at a time when the majority of the Member States were introducing quarantine measures, was delayed. However, the authorities contacted showed both support and cooperation, allowing the necessary information to be collected.

1.3 Working Definitions

These working definitions were developed on the basis of the relevant bibliography and international legislation on the topics of TIP, migration, children's rights, refugees and armed conflict.

Children

A **child** is any person younger than 18 years, according to the 1989 UN Convention on the Rights of the Child (CRC).

Child protection refers to measures to prevent and respond to all forms of violence, abuse, neglect or exploitation³ against children.

Best interests of the child generally defines the well-being of a child. It is a child rights principle, which derives from Article 3 of the CRC: *"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."*⁴

Determining the best interests of the child: *"The formal process with strict procedural safeguards designed to determine the child's best interests for particularly important decisions affecting the child. It should facilitate adequate child participation without discrimination, involve decision-makers with relevant areas of expertise, and balance all relevant factors in order to assess the best option."*⁵

3 UN General Assembly (1989), *Convention on the Rights of the Child*.

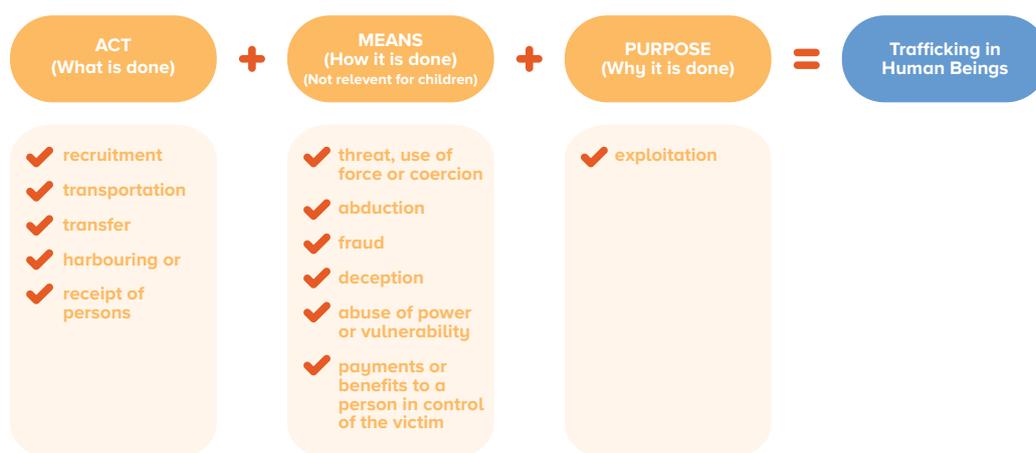
4 Ibid.

5 UNHCR (2008), *Guidelines on Determining the Best Interests of the Child*, p. 8.

Trafficking in persons

Trafficking in persons is **an offence** which *may* be committed by an **organised criminal group**, defined in accordance with the UN Convention Against Transnational Organized Crime (UNTOC), 2000 as: “*a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit*”.

Figure 3: Working Definition of THB



Trafficking in persons, as per Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (TIP Protocol), adopted in New York on 15 November 2000, is defined as: “*The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.*”

In the case of trafficking in adults, this can be broken down into a specific **act**, using certain **means**, for the purpose of **exploitation**.

Child trafficking is defined as committing a specific act for the purpose of exploitation; the means by which it is committed being irrelevant. Child trafficking occurs whether the child was moved voluntarily or by force. “*If during or soon after the child’s movement there are elements of force, violence, or unreasonable restriction of the child movement at their place of work, or other harmful effects of the work on them, it would be a strong indication that trafficking may have occurred.*”⁶

6 UNICEF (2007), *Note on the definition of ‘child trafficking’*.

Forms of exploitation: It is important to emphasise that the list presented below covers only the most common forms of exploitation and is not exhaustive. Other forms of exploitation certainly exist. For example, this assessment report presents a particular type of child exploitation, encountered during the desk research in the region (see *Chapter 3: TIP Trends in the ECOWAS Region and Mauritania*).

- ▶ **Sexual exploitation:** Obtaining financial gain or other benefits from the prostitution of another person or through sexual violence carried out against another person, including through pornography (adults) and child sexual abuse imagery (children).
- ▶ **Forced labour/labour exploitation:** “A work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” (ILO Convention No. 29, 1930).
- ▶ **Domestic servitude:** Subjecting a person to labour exploitation, excessive working hours, or to degrading working conditions in the domestic sphere.
- ▶ **Servile/forced/early marriage:** When a trafficked person is married to someone who promises a healthy marital relationship but who then obliges the person to carry out household chores and/or have sexual relations with them. Forced marriage is when a party does not validly consent to marriage. Early marriage is when a party has not yet reached the minimum legal age for marriage.
- ▶ **Removal of organs, tissue, cells or human body parts:** Exploitation by removing a trafficked person’s organs, skin tissue, cells or body parts, without their valid consent or that of their relatives.
- ▶ **Illegal adoption:** Exploitation of a child through their transfer to another person without observing the legal formalities of the adoption process.
- ▶ **Criminal activities:** Exploitation of a person forcing them to engage in criminal activities, such as transporting narcotics from one place to another, petty theft, etc.
- ▶ **Exploitation of begging:** The exploitation of various activities through which a person implores another to give money on account of their poverty or for the benefit of religious institutions or charity (classic begging). The sale of token items such as flowers, sweets, magazines, etc. (the price of which is often not in accordance with the value of the product) is also considered an act of seeking alms; offering small services such as washing car windscreens, parking vehicles, helping with shopping at the supermarket, performing circus tricks and playing musical instruments on the street may also be considered a form of begging (auxiliary begging activities).⁷

7 Healy, C. and Rogoz, M. (2012), *Report for the Study on a Typology and Policy Responses to Child Begging in the EU*, ICMPD.

- Exploitation in armed conflicts:** According to the Optional Protocol on the Involvement of Children in Armed Conflict, “armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years” (Art. 4).⁸ Any violation of this article may constitute child TIP for exploitation in armed conflict (child soldiering). If an adult is involved in armed conflict on behalf of non-state groups and any of the trafficking means are in evidence, then they may be a victim of TIP for exploitation in armed conflict.

Victim of Trafficking: A person whom is subjected to the crime of TIP. Alternative formulations that will be used interchangeably in this report include “trafficked person(s)”, “trafficked people”, “TIP victims”, “trafficked adults”, and “trafficked children”.

Presumed/potential victim of TIP: A person whom may be a victim of TIP, but whom has not yet been officially identified as such according to the identification procedures in place. Presumed victims are entitled to the same treatment as identified victims, from the beginning of the identification process.

Identification of victims of TIP: The first phase of a local, national or transnational mechanism through which a trafficked person is identified as a victim. This stage can be divided into three main phases: 1) Initial screening/assessment (first-level identification); 2) Initial/preliminary interview (preliminary identification, the presumed victim is given access to initial assistance and protection); 3) Formal identification process – conducted by the official authorities tasked by law or procedure with victim identification. Formal identification may be based on verification of the information obtained as a result of the initial interview and other evidence. This may result in the person being entitled to more comprehensive assistance and protection services.⁹

Indicators for identification of TIP victims: The purpose of the indicators is to support practitioners in making the first-level identification of a potential TIP case. This is the point of first contact between a practitioner and a potential victim of TIP and the process of detecting signs suggesting possible TIP. Indicators provide guidance on (a) spotting potential signs of trafficking, and (b) reporting suspicious cases for the protection of the presumed victims and further investigation.¹⁰

Protection of TIP victims: Measures, programmes and services aimed at the recovery of trafficked persons that might include, but are not limited to, medical, psychological and material assistance, legal counselling and assistance, educational, training and employment opportunities, and appropriate housing. The services vary according to the phase of protection – immediate support, short- and long-term assistance. They are provided

8 UN General Assembly (2000b), *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*.

9 ICMPD (2010a), *Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons in Europe: TRM EU*.

10 UNODC, *Human Trafficking Indicators*, see: www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf; ILO, *Operational indicators of trafficking in human being*, see: www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105023.pdf.

by non-governmental, governmental or international organisations in countries of destination, transit and origin.¹¹

International protection

A **refugee** is “any person who owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it”.¹² In 2011, in addition to the given definition, the United Nations High Commission for Refugees (UNHCR) recognised as refugees persons who are outside their country of nationality or habitual residence and unable to return there owing to serious and indiscriminate threats to life, physical integrity or freedom resulting from generalised violence or events seriously disturbing public order.¹³

Internally Displaced Persons (IDPs): “Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”¹⁴

Migration

Migration is the movement of individuals or groups of persons, either across international borders or within a state. It encompasses any kind of movement of people, whatever its length, composition or cause(s). It includes migration of refugees, displaced persons, economic migrants, and people moving for other purposes, including family reunification. It can be regular or irregular, forced or voluntary, or a combination thereof.

Migrant: someone who moves their place of residence from one locality to another (from the Latin *migrāre*, to change one’s abode). A migrant may also be any person whom has previously migrated and then returns to their place of origin, referred to as a return migrant.

Country of origin: The country from which an international migrant departs in order to take up residence in another country (the country of destination). The country of origin may be the migrant’s country of birth, or simply their country of habitual residence prior to migration.

11 Adapted from: Surtees, R. (2014), *Re/integration of trafficked persons. Working with trafficked children and youth*, NEXUS Institute.

12 UNHCR (1951), *Convention and Protocol on the Status of Refugees*.

13 UNHCR (2017), *Persons in need of international protection*, see: www.refworld.org/pdfile/596787734.pdf.

14 OCHA (1998), *Guiding Principles on Internal Displacement*.

Irregular border crossing or irregular entry: Entering a country other than that of one's citizenship or regular residence without the necessary legal permit or visa.

Irregular migration: Includes irregular entries, but also refers to a person residing in a destination country without authorisation, because their permit or visa has expired, or when a person works in a destination country without being authorised to do so.

Forced return: The return of a migrant to their country of origin or a third country against their will; also referred to as “deportation”.

Armed conflicts

Armed conflict: A dispute involving the use of armed force between two or more parties. International humanitarian law distinguishes between international and non-international armed conflicts.

Non-international armed conflict: Government forces are fighting against armed insurgents, or armed groups are fighting amongst themselves.

International armed conflict: War involving two or more states, regardless of whether a declaration of war has been made or whether the parties recognise that there is a state of war.¹⁵ A state of occupation or a war of national liberation also constitutes an international armed conflict.¹⁶

Non-state armed groups: Groups that have the potential to employ arms in the use of force to achieve political, ideological or economic objectives; are not within the formal military structures of states, state alliances or intergovernmental organisations; and are not under the control of the state(s) in which they operate.¹⁷

Terrorism: A unified international definition of “terrorism” does not exist. States use diverse definitions in their national legislation. In this assessment, we employ the working definition provided by the Organisation of African Unity (OAU) Convention on Prevention and Combating of Terrorism (1999), signed and ratified by nearly all of the countries studied (Cabo Verde has ratified but not signed the Convention, Sierra Leone and Côte d'Ivoire have signed but not ratified it):¹⁸

15 OCHA (2003), *Glossary of Humanitarian Terms in relation to the Protection of Civilians in Armed Conflict*.

16 International Committee of the Red Cross (2009), *Exploring Humanitarian Law – Education Modules for Young People*.

17 OCHA (2006), *Humanitarian Negotiations with Armed Groups – Manual*.

18 AU (2017), *List of Countries Which Have Signed, Ratified/Acceded to the OAU Convention on the Prevention and Combating of Terrorism*, see: https://au.int/sites/default/files/treaties/37291-sl-protocol_to_the_oau_convention_on_the_prevention_and_combating_of_terror.pdf.

Article 1 (3) *“Terrorist act means a) Any act that is a violation of the criminal laws of a State Party and which may endanger the life, physical integrity or freedom of, or cause serious injury and death to, any person, any number or group of persons, or causes, or may cause any damage to public or private property, natural resources, environmental or cultural heritage”...*

*“b) Any promotion, sponsoring, contribution to, command, aid, incitement, encouragement, attempt, treat, conspiracy, organizing or procurement of any person with the intend to commit any act referred to in paragraph (a), (i) to (iii)”.*¹⁹

19 OAU (1999), *Convention on Prevention and Combating of Terrorism*, adopted in 1999, entered into force in 2002.



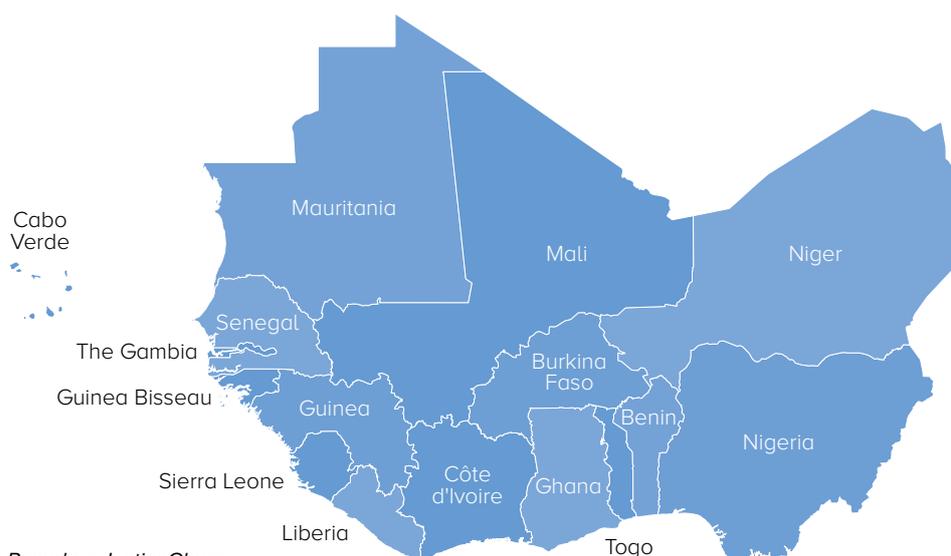
2. Background Information

ECOWAS was created as a mechanism for promoting regional economic integration and development among the countries of West Africa. Founded in 1975 by the Treaty of the Economic Community of West African States (Treaty of Lagos), it is the oldest of the eight Regional Economic Communities recognised by the African Union (AU).²⁰

The Community includes fifteen member states – different in their geographical size, nature of economies, economic development, population size, linguistic and cultural background:

Benin	Côte d'Ivoire	Guinea	Mali	Senegal
Burkina Faso	The Gambia	Guinea-Bissau	Niger	Sierra Leone
Cabo Verde	Ghana	Liberia	Nigeria	Togo

Figure 4: ECOWAS Region and Mauritania



Source: Based on JusticeGhana
www.justiceghana.com

²⁰ The other seven are: the Arab Maghreb Union, the Common Market for Eastern and Southern Africa, the Community of Sahel-Saharan States, the East African Community, the Economic Community of Central African States, the Intergovernmental Authority on Development and the Southern African Development Community, see: <https://au.int/en/organs/recs>.

Mauritania was one of the founding members of ECOWAS in 1975. In December 2000, the country withdrew its membership from the Community.²¹ However, in August 2017, a new Association Agreement between the country and ECOWAS was signed. The same year, Morocco officially requested to join ECOWAS.²²

As of 2020, the ECOWAS region comprised 376.79 million people – nearly 5% of world population.²³ The Community has three official languages – English, French and Portuguese, but the population uses well over a thousand local languages. With a fast-growing, young and increasingly urban population, the region is undergoing rapid changes in its population dynamics. The region is characterised by immigration, emigration and transit migration flows, and occasionally faces population displacements. The large majority of immigrants in West Africa (83%) come from within the region. The flow is predominantly towards the West African coastal areas.²⁴

TIP in West Africa has its roots in poverty, lack of prospects or decent employment, natural disasters, armed conflicts, refugee-producing situations and the vulnerabilities of children, young people, women and girls. The fight against trafficking in persons is a priority for the ECOWAS Commission and its Member States, as clearly captured by the statement “Combating human trafficking is a moral and humanitarian imperative”, expressed in the ECOWAS Common Approach on Migration, adopted in 2008.

The present assessment is a concrete follow-up on the outcomes of the **Roundtable discussion in Preparation for the Fifth Euro-African Ministerial Conference**, held in Brussels on 24 April 2017 on the topic of combating human trafficking;²⁵ as part of the consultations ahead of the fifth Euro-African Ministerial Conference of the Euro-African Dialogue on Migration and Development (Rabat Process), which took place the following year. It contributes directly to the implementation of the Marrakesh Political Declaration and its Action Plan, and responds to the specific needs expressed by the Rabat Process partners during the Senior Officials’ Meeting held in Ouagadougou, Burkina Faso in February 2019.

The assessment also contributes to the implementation of the Joint Valletta Action Plan (JVAP) and its Domain 4: “Prevention of and fight against irregular migration, migrant smuggling and trafficking in human beings”. On several occasions, and as part of the follow-up on JVAP, the Rabat Process partners identified that the main priority issues continue to be sharing and optimising use of information and data, and strengthening networks of focal points.

21 ECDPM (2017), *ECOWAS: Political traction with Africa’s oldest regional organisation*.

22 Okanla, K. (2019), “Like a Magnet”, Development and Cooperation, 15 February 2019, see: <https://www.dandc.eu/en/article/ecowas-has-made-considerable-progress-still-has-ample-room-improvement>.

23 WorldData.info, “ECOWAS – Economic Community of West African States”, see: <https://www.worlddata.info/alliances/ecowas-economic-community-of-west-african-states.php>.

24 Leonard, P. (2014), *Public Information – Baseline Assessment, FMM West Africa*.

25 The Roundtable brought together experts from selected civil society organisations, international and regional organisations, and academia to examine anti-trafficking priorities in the previous Rome Programme of the Rabat Process, identify gaps and needs, and provide suggestions for the new programme.

The assessment also complies with the main **EU and ECOWAS priorities** related to TIP: “To intensify a coordinated and consolidated response, both within and outside the EU” is the third priority of the European Commission communication ‘Reporting on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions’, released on 4 December 2017.

The completion of this assessment could not be more timely as it coincides with the preparation of the new **EU Pact on Migration and Asylum**, which will be “a whole-of-route approach”, acknowledging that the internal and external aspects of migration are inextricably linked.²⁶ The Work Programme of the European Commission for 2020 also envisions the development of a new strategy with Africa to boost economic relations and create jobs on both continents, as well as a new EU Security Strategy highlighting the need for closer trans-border cooperation in the fight against organised crime and other security threats.

In late 2017, ECOWAS adopted the fifth **regional Action Plan against Trafficking in Persons 2018-2022**. This assessment is designed and conducted to allow the ECOWAS Commission, its Member States and Mauritania, as well as other Rabat Process Partners, to capitalise on the achievements of West Africa in the area of anti-trafficking response by optimising resources, creating synergies between initiatives, and providing a robust knowledge and Toolbox for anti-trafficking practices throughout the Rabat Process region.

26 European Commission (2020), *Commission Work Programme 2020*, see: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:37:FIN>.



3. TIP Trends in the ECOWAS Region and Mauritania

This chapter presents a snapshot of the latest TIP developments in the ECOWAS Member States and Mauritania. It begins with analysis of the factors influencing and facilitating TIP in the region. Sub-chapter 3.2. explains the different TIP routes and the connection between victims' countries/areas of origin and their countries/areas of exploitation. It then moves to elaborate on the main types of exploitation reported in the region, presenting and discussing the various vulnerable groups and general victim profiles. The chapter concludes by providing insight into the modus operandi of the traffickers.

3.1 Factors that Influence TIP

This section covers the four major factors influencing TIP in the region identified through the study. It is important to mention that these factors cannot, and should not, be viewed as separately impacting elements. On the contrary, they represent different, intertwined circumstances, which drive in a complex way the TIP phenomenon – by influencing the methods of trafficking, the level of vulnerability to exploitation, the types of exploitation, the groups of people that become vulnerable, etc.

Socio-economic factors

The West Africa region includes the greatest number of countries where more than 30 percent of the population live on less than US\$1.90 a day.²⁷ Despite the notable positive trend in many West African countries, such as those seen in Côte d'Ivoire, Senegal, and Ghana (who were among the ten fastest-growing economies in the world in 2018²⁸), the rapid population growth has actually increased the absolute number of people living in extreme poverty.²⁹

27 Hallum, C., and Obeng, KW. (2019), *The West Africa Inequality Crisis*, Oxfam, see: <https://reliefweb.int/sites/reliefweb.int/files/resources/bp-west-africa-inequality-crisis-090719-en.pdf>.

28 Hollinger, F. and Staatz, JM. (eds) (2015), "Drivers of Structural Change in West African Agriculture", in *Agricultural Growth in West Africa: Market and Policy Drivers*, ADB and FAO, see: https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/Agricultural_Growth_in_West_Africa_-_Market_and_policy_drivers_-_OSAN.pdf.

29 Beegle, K. et al., *Poverty in a Rising Africa*, World Bank, see: <https://www.un.org/africarenewal/sites/www.un.org.africarenewal/files/Poverty%20in%20a%20Rising%20Africa%20Overview.pdf>.

In an attempt to escape extreme poverty and provide for themselves and their family, many people are forced to take risky journeys, unclear employment offers, or to work for very low wages and endure inhuman conditions. Families often send their children far away to people unknown, hoping that they will have a better chance of earning an income and accessing education. Places that naturally draw people in search of better life opportunities are urban settlements with larger populations, regions/cities with developed industries – agriculture, mining, construction, etc., and tourist/vacation regions. The economically booming regions and cities naturally create demand for more (and often cheaper) labour. Traffickers use these opportunities to recruit and exploit people by taking advantage of their vulnerable life circumstances.

Migration regulation and migration routes

The TIP phenomenon is directly linked to the general migration of people. The existing migration policies and regulations can either allow or prevent human exploitation and trafficking of people on the move.

Free movement of people within the West Africa region

In May 1979, the ECOWAS Member States adopted the Protocol Relating to the Free Movement of Persons, Residence and Establishment. It stipulated the right of ECOWAS citizens to enter, reside and establish economic activities in the territory of other MSs and offered a three-step roadmap of five years each, so as to achieve freedom of movement of persons after fifteen years. In order to facilitate the free movement, and in implementing the first step of the roadmap, the MSs established in 2000 a common passport to exempt holders from intra-regional visa requirements and to function as an international travel document.³⁰ Free movement across the region is the right of every citizen and is listed as a guiding principle in the ECOWAS Common Approach on Migration.

However, facilitation of the movement has its consequences in the context of TIP. On the one hand, the opportunity for a legal, easy way to move from one country to another eliminates the necessity of resorting to irregular or illegal means, such as forging of personal and travel documents or irregular border crossing. People travel safer, and the possibility for abuse by criminal groups decreases. On the other hand, identification of potential victims of TIP becomes harder, as detecting false passports at border checkpoints is one of the most common ways of identifying potential or actual TIP cases, whilst having fewer border checks exacerbates this effect

Migration routes to Europe

The well-established migration routes within West Africa also facilitate the TIP process. Nobody wants to be exploited, but many people want to migrate using the available and

30 UNECA (2016), "ECOWAS – Free Movement of Persons", see: <https://www.uneca.org/pages/ecowas-free-movement-persons>.

proven channels. TIP occurs along these migration routes because of the generally vulnerable position of the people on the move. They are reliant on their guides, smugglers and their own financial resources. *"Restrictive migration policies constitute a risk factor in terms of increased border controls and the restriction of legal channels for transiting, entering and residing in the countries..."*³¹

People traveling from West African countries to Europe mostly use two main routes – the so-called Western and Central Mediterranean migration routes. In 2019, 10% of registered arrivals by sea in Italy (11,471) were from Côte d'Ivoire. Similarly, in 2019, citizens of Mali and Guinea constituted 18% (9% each) of those persons registered as arriving in Spain, almost the same numbers seen in 2018. To the south, Malta has been reporting huge increases in the number of arrivals. For example, in 2019, a total 3,405 persons were registered, of which 7% were citizens of Nigeria and 5% of Côte d'Ivoire. Heading east, Cyprus typically receives predominantly people from East African countries, the Middle East and Asia (Eastern Mediterranean route), but in December 2019, a 5% share of the 481 persons registered (approximately 24 persons) hailed from Nigeria.³²

Armed conflicts

Armed conflicts, the operation of rebel groups and escalating civil unrest fosters insecurity and thus may increase the population's vulnerability to different forms of abuse, exploitation and TIP. According to the leading study on the subject, *"Armed conflicts amplify the social and economic vulnerabilities of the people affected. In addition, the erosion of the rule of law, which safeguards and protects individuals in peacetime, is one common consequence of armed conflict. Forced displacement is another factor that contributes to an individual's vulnerability to trafficking. Displaced persons may have limited access to education, financial resources or opportunities for income generation. This provides a fertile environment for traffickers to promise safe migration routes, employment and education or skills training, and deceive them into exploitative situations. Children who are displaced or separated from their families without support networks are particularly vulnerable to becoming targets for traffickers... Armed groups use trafficking as part of their strategy to increase their military power and economic resources, but also to project a violent image of themselves and instil fear in local populations."*³³

Vulnerability to exploitation affects people who live at the epicentre of the conflict and so must adapt their lives to the prevailing insecurity, and people who are forced to flee their homes in order to survive (IDPs, refugees). The most common forms of exploitation are forced labour, forced marriages, sexual exploitation, and the training and use of children as soldiers and for terrorist activities.³⁴ *"People who [...] consider that the least bad option is to try to move outside the region, and have the means to do so, are faced with a situ-*

31 Forin, R. and Healy, C. (2018), *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*, ICMPD.

32 IOM (2019a), *Mixed Migration Flows in the Mediterranean. Compilation of Available Data and Information*.

33 UNODC (2018a), *Trafficking in Persons in the Context of Armed Conflict*.

34 Ibid.

ation of irregular migration and dependence on migrant smugglers that can also render them more vulnerable to being exploited.”³⁵

The US State Department’s Trafficking in Persons Report 2020 highlights an alarming increase in the number of IDPs on the territory of Burkina Faso. *“As of February 2020, an international organization reported there were 765,000 IDPs in Burkina Faso as a result of instability due to terrorist attacks, a significant increase compared to 145,000 IDPs as of April 2019.” “Violent extremist groups exploited women and youth, including IDPs, in forced labor and sex trafficking [...and] allegedly coerced individuals to carry out attacks and otherwise act as accomplices.”³⁶*

During the field research, the team came across information about possible cases of TIP in IDP camps in both North-Eastern Nigeria and the Sahel region, as well as among the population fleeing from the Anglophone Crisis in Cameroon. Vulnerability to human trafficking is present also due to the large concentration of IDPs in the Middle Belt of Nigeria as a result of the Herders-Farmers Conflicts and the conflicts in the southern regions (the Niger Delta).³⁷

Climate change

Events due to uncommon and/or severe weather are often reason for people to permanently flee their homes in search of new livelihood opportunities. Many such events are a result of the ongoing and rapid climate change taking place: exhaustive droughts, floods, air and water pollution, soil erosion due to extensive deforestation and mining, rivers and lakes drying up, etc. All these leave people from traditionally agricultural regions with limited or no means of income or food. Once the living conditions become unbearable, people are forced to leave their homes. At its most severe, the situation is similar to forceful displacement due to armed conflict, as it endangers human lives. However, states often take no significant measures to protect the people affected. *“More often than not, this movement of people have [sic] not been conducted in an officially organized manner and often is not regulated and controlled by relevant authorities.”³⁸*

An example of such climate change in the ECOWAS region is the shrinking of Lake Chad. The lake is a source of water and livelihood for 30 million people from Chad, Nigeria, Niger and Cameroon. According to the Global Resource Information Database of the United Nations Environment Programme, during the period 1963-1998, the lake shrank by 95%. *“It is threatened by a number of factors ranging from climate change to population explosion, poor conservation practices and other human activities.”³⁹* Over 2.4 million people are displaced because of this crisis. The ongoing violent presence of Boko Haram

35 ICMPD (2015), *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons – A Study of Syria, Turkey, Lebanon, Jordan and Iraq*.

36 US Department of State (2020), *Trafficking in Persons Report*.

37 Interviews conducted in Nigeria; interview codes NG01 and NG04.

38 Research and Counselling Foundation for African Migrants, “Why RECFAM?”, see: <https://recfam.org/about/>.

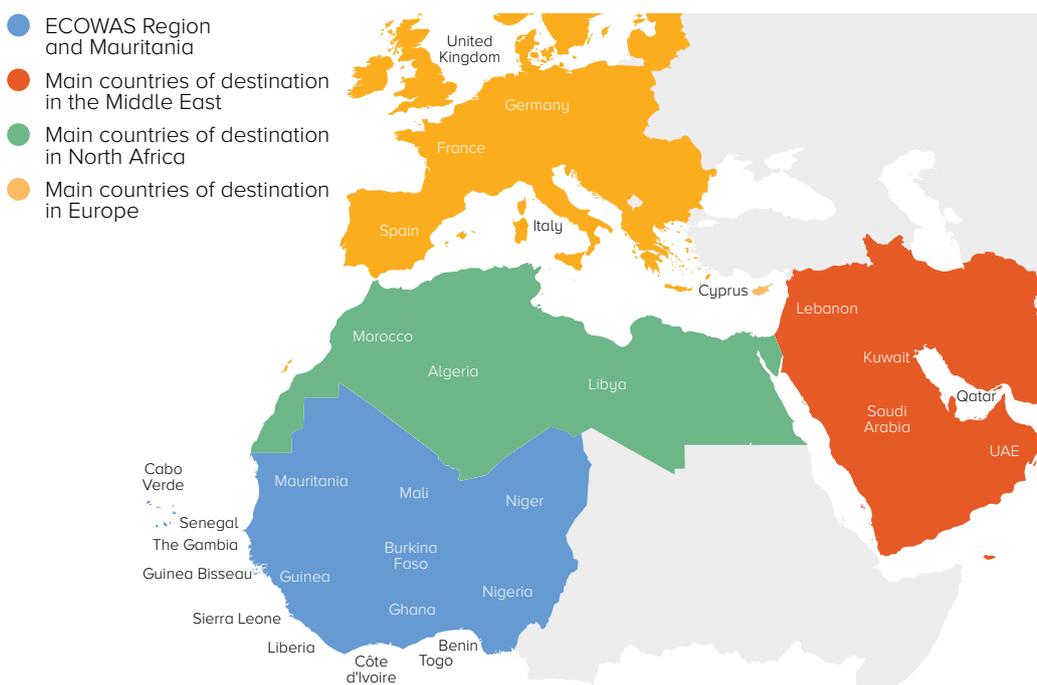
39 Hassan, T. (2012), “Nigeria: Helping to Save Lake Chad”, allAfrica, 24 May 2012, see: <https://allafrica.com/stories/201205240556.html>.

and the Islamic State of West Africa Province (ISWAP) in the area is another major factor contributing to instability. The majority of the displaced are sheltered by the local communities, which are among the poorest in the world. There are approximately 10.7 million people in need of immediate humanitarian assistance.⁴⁰ Alexander Carius, co-founder and managing director of Berlin-based think tank adelphi, writes that *“Climate change is feeding poverty, instability, hunger and violence in the Lake Chad basin[...] With little or nothing left to trade for vital resources like food, sexual exploitation (sex-for-food as it is known) has become the norm, even within the camps.”*⁴¹

3.2 TIP Routes

This sub-chapter provides an overview of and discusses the reasons behind the transnational (outside the ECOWAS region) and regional (within the ECOWAS region) TIP routes. It presents a brief overview of the internal TIP (within the national borders) dynamics in each ECOWAS Member State and Mauritania.

Figure 5: Transnational TIP Routes



40 Humanitarian Response (2020), “Lake Chad Basin: Crisis Overview”, see: <https://www.humanitarianresponse.info/en/operations/west-and-central-africa/lake-chad-basin-crisis-overview>.

41 Carius, A. (2017), “Lake Chad Basin: One long climate catastrophe”, Al Jazeera 23 September 2017, see: <https://www.aljazeera.com/indepth/opinion/lake-chad-basin-long-climate-catastrophe-170923075220951.html>.

Transnational Routes

National authorities and international organisations concur that the routes of TIP outside the ECOWAS region lead mainly to three destination regions – Central/Western Europe, the Middle East, and North Africa.

Central and Western Europe: According to UNODC, 15% of victims of TIP identified in Central and Western Europe are nationals of West African countries.⁴² Nigeria is among the countries with the highest number of victims identified in the European Union. However, this is the only prominent trend that can be observed across the countries of origin in West Africa and the countries of exploitation in Western Europe. TIP victims whom are citizens of West African countries are mostly identified in the following countries: **Italy** (with identified victims from Nigeria, Togo, Senegal, Guinea, Ghana and Sierra Leone); **France** (victims from Guinea, Togo and Côte d'Ivoire); **Spain** (Nigeria, Senegal and Sierra Leone), and **Germany** (Nigeria, Togo and Ghana).⁴³

Middle East: TIP to the countries of the Middle East, especially to the countries of the Gulf Cooperation Council were reported by some interviewees during the field research phase of this assessment as a relatively new phenomenon. The TIP cases are predominantly related to labour exploitation and domestic servitude, but cases of TIP for sexual exploitation are also reported.

It is possible that neither the phenomenon nor the route is new, but rather that the anti-trafficking stakeholders in the ECOWAS Member States have only recently started to pay it more attention. As reported by interviewees in Nigeria, advertisements for job opportunities with unrealistic remuneration in the Gulf States are spreading across the country, targeting men and women of all ages. Victims from West African countries, such as The Gambia, Ghana, Mali, Niger, Nigeria, Sierra Leone, Senegal, and Togo, have been identified in Saudi Arabia, Kuwait, Qatar and the United Arab Emirates. Additionally, Benin, Burkina Faso, Côte d'Ivoire, The Gambia, Ghana, Liberia, Mauritania, Senegal, and Togo all report that nationals have been identified as victims in Lebanon.⁴⁴

North Africa: North African countries are part of the TIP routes from West Africa to Europe, as transit countries on the Western and Central Mediterranean migration routes. Therefore, the majority of the TIP victims identified are migrants who became victims while waiting to be transferred to Europe from **Libya, Algeria or Morocco**; or on their way to these countries, whilst crossing Mali and Niger.⁴⁵ Burkina Faso, Côte d'Ivoire, The Gambia, Mali, Nigeria, Senegal and Togo have all reported citizens being identified as victims of TIP in Libya.⁴⁶

42 UNODC (2018b), *Global Report on Trafficking in Persons*.

43 ECOWAS (2018), *Annual Synthesis Report on Trafficking in Persons in West Africa*.

44 Ibid.

45 US Department of State (2019), *Trafficking in Persons Report*.

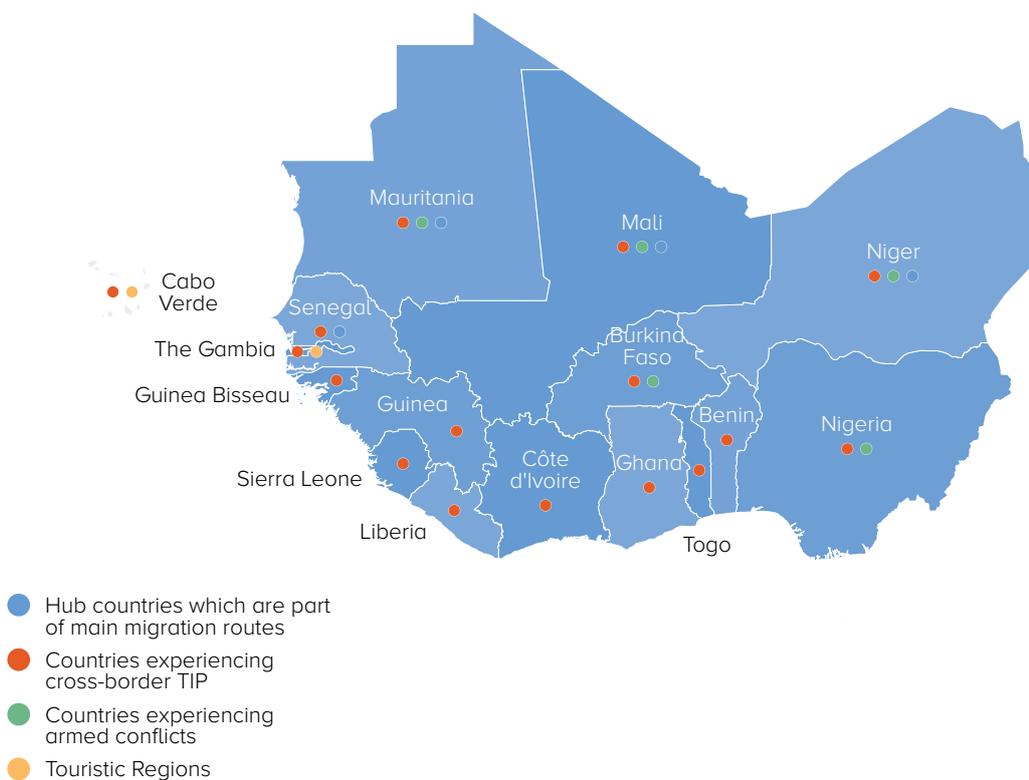
46 Burkina Faso, Côte d'Ivoire, The Gambia, Mali, Nigeria, Senegal, Togo (2017), *Annual Reports on the Implementation of the ECOWAS TIP Plan of Action*.

Other regions where citizens of the countries studied have been identified as victims of TIP include Sub-Saharan Africa (Gabon, Equatorial Guinea, Congo, Angola, Sudan, and Kenya). The studied countries also report citizens being identified as victims in countries in Asia (China, Sri Lanka, and Malaysia) and in the Americas (the USA, particularly from Sierra Leone, Guinea, Ghana, and Togo).⁴⁷

Regional routes

Trafficking of people also takes place within the ECOWAS region, with all Member States reporting citizens being trafficked to other Member States and/or citizens of other Member States being trafficked into the state.⁴⁸ The UNODC Global Report on Trafficking in Human Beings 2018 states that 99% of identified TIP victims whom are citizens of countries of Sub-Saharan Africa are trafficked within the same sub-region and no particular country can be identified as predominantly destination or origin countries.⁴⁹ However, a closer look into the country reports provided by the National Focal Points on TIP to the ECOWAS Commission does reveal the existence of specific trends. The following trends within the region can be outlined:

Figure 6: Regional TIP Routes in ECOWAS region and Mauritania



47 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

48 Annual Reports on the Implementation of the ECOWAS TIP Plan of Action (2017 and 2018) submitted by ECOWAS Member States.

49 UNODC (2018b), *Global Report on TIP*, op. cit.

Hub countries on main migration routes

These countries attract people as they have key settlements where migrants gather in order to start or continue their journey. Niger plays a particularly important role as a hub for both TIP and irregular migration. Victims come from Benin, Cameroon, Gabon, Ghana, Mali, Nigeria, Senegal and Togo and are transported to either the Maghreb countries or Europe (Spain, Italy). The routes are used for trafficking of both adults and children.⁵⁰ Mali is another key country of transit for people trafficked from the ECOWAS Member States to Central Africa, North Africa and Europe. People trafficked along these routes are mainly from Côte d'Ivoire, Burkina Faso, Guinea, Senegal, Niger, Liberia, Ghana, Nigeria, Togo, Benin, or Sierra Leone and are trafficked to Europe (mostly France, Italy and Spain) and North Africa.⁵¹ As part of the Western Mediterranean Migration Route, Senegal reports trafficked people from Nigeria, Guinea and Mauritania transiting the country on their way to Europe (Italy, Spain).⁵²

Children arriving from other countries of the region, such as Guinea-Bissau are identified as potential victims of trafficking for forced begging.⁵³ Mauritania also experiences people from other Sub-Saharan countries being exploited in the coastal region of the country while en route to Morocco and Europe.⁵⁴

Neighbouring countries

All the countries studied report TIP exploitation of nationals in neighbouring countries, or in border regions.

Burkina Faso reports identifying trafficked children from immediate neighbouring countries – Côte d'Ivoire, Mali, and Niger, as well as from Guinea and Nigeria. Togolese children are trafficked and exploited in neighbouring countries in search of seasonal employment. Nigerian victims are identified in Niger, Ghana, and Côte d'Ivoire. Nigeria also sees a number of adult and child victims trafficked to the neighbouring countries outside the ECOWAS region – Cameroon, Gabon, Equatorial Guinea – and to South Africa.⁵⁵

A noteworthy cross-border phenomenon is the exploitation of children sent by their parents to Quranic schools posing a national-level challenge for many countries in the region. Cases have been identified where children were sent by teachers to beg on the streets in order to provide for the schools. Some of the schools are concentrated in border provinces and therefore are attended by children across the region. Examples are seen in northern Nigeria, where schools receive children from Nigeria, Mali and

50 Niger (2017), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

51 Mali (2017), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

52 Senegal (2017), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

53 Interview conducted in Senegal; interview code SN09.

54 US Department of State (2020), *TIP Report*, op. cit.

55 US Department of State (2020), *TIP Report*, op. cit.

Niger;⁵⁶ in Côte d'Ivoire, receiving children from Burkina Faso, Nigeria, Mali and Senegal; and in Senegal, where children are received from The Gambia, Guinea, Mali and Guinea-Bissau.⁵⁷

Countries experiencing armed conflicts

There are several ECOWAS Member States that are currently experiencing armed conflicts or the operation of armed groups on their territories. These conflicts are seen and reported by country officials and international organisations as fuelling TIP and exploitation of people in general. An extreme example is the operations of Boko Haram and ISWAP on the territories of Nigeria, Mali and Niger. The groups are known to abduct women and children for different forms of exploitation: heavy labour, domestic servitude, forced marriage, sexual slavery and sexual purpose. Children are recruited or kidnapped, and forced into becoming soldiers or used in terrorist activities.⁵⁸

Malian children are used as child soldiers by Malian rebel groups. Often, they are recruited directly at refugee camps in south-eastern Mauritania.⁵⁹ Indeed, TIP (especially for sexual exploitation) in areas of unrest also occurs within the territories of IDP and refugee camps; for example, within both the state-managed and informal IDP camps in north-eastern Nigeria. Traffickers use the desperation of the displaced and their wish for better opportunities for themselves and their children to lure people into forced labour, sexual exploitation, child marriage, illicit activities, forced begging, etc.⁶⁰

The information collected during the field research in Nigeria indicated possible TIP cases in the border area between Nigeria and Cameroon.⁶¹ These are related to the ongoing Anglophone Crisis in north-western Cameroon, as a result of which more than 530,000 people have been internally displaced, and tens of thousands have become refugees since 2017.⁶²

Tourist regions

Regions that have developed touristic services attract people due to the demand for cheap labour. This demand, coupled with the relatively unregulated and informal market for services, fosters conditions rife for labour exploitation. Since there is also increased demand for purchasing sexual services, many girls, women and boys are trafficked to such regions for sexual exploitation. For instance, sex tourism in The Gambia is reported to primarily target minors, with traffickers hosting tourists (mainly from Western Europe and North America) in private residences outside the commercial tourist areas. A similar situation and the sexual exploitation of children (girls and boys, some as young as 12)

56 Interview conducted in Nigeria; interview code NG07.

57 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

58 UNODC (2018a), *Armed Conflict*, op. cit.

59 US Department of State (2019), *Trafficking in Persons Report*.

60 UNODC (2018a), *Armed Conflict*, op. cit.

61 Interview conducted in Nigeria; interview code NG10.

62 International Crisis Group (2019), *Cameroon's Anglophone Crisis: How to Get to Talks?*

and women by tourists is reported on the islands of Cabo Verde. The national report also indicates cases of women being forced to transport drugs.⁶³

Table 1: TIP within the ECOWAS region and Mauritania⁶⁴

TIP within the ECOWAS region and Mauritania, 2017 and 2018	
Exploitation in	Country of origin of the identified foreign victims of TIP
Benin	Togo
Burkina Faso	Togo, Benin, Niger, Côte d'Ivoire, Mali, Nigeria, ⁶⁵ Ghana, Guinea
Cabo Verde	Nigeria, Senegal
Cote d'Ivoire	Togo, Nigeria, Ghana
The Gambia	Sierra Leone
Ghana	Nigeria, Togo, Benin, Niger, Ivory Coast, Mali
Guinea	Mali, Côte d'Ivoire, Senegal, Liberia, Sierra Leone, Nigeria, The Gambia, Togo
Guinea-Bissau	The Gambia, Guinea, Senegal
Liberia	Sierra Leone
Mali	Côte d'Ivoire, Senegal, Burkina Faso, Guinea, Niger, Nigeria, Liberia, Ghana, Togo, Benin, Sierra Leone.
Mauritania	Mali, Senegal, Nigeria, Côte d'Ivoire
Niger	Benin, Mali, Nigeria, Togo
Nigeria	Benin, Togo, Niger, Ghana, Sierra Leone
Senegal	Nigeria, Guinea Bissau Mali, The Gambia, Sierra Leone
Sierra Leone	Guinea, Liberia, Côte d'Ivoire, Nigeria, The Gambia
Togo	Benin, Ghana, Burkina Faso, Mali, Niger, Côte d'Ivoire

National routes

TIP routes within the countries studied mirror internal labour migration routes and are influenced by the same factors that facilitate the international and regional routes. Capital

63 US Department of State (2020), *TIP Report*, op. cit.

64 The information has been collected mainly from the *Annual Reports on the Implementation of the ECOWAS TIP Plan of Action, 2017 and 2018, submitted by the Member States*.

65 Information provided during interview conducted with an anti-trafficking stakeholder from Burkina Faso; interview code BF01.

cities and other urban areas are key destinations, together with mining and gold panning regions, plantations and fishing areas. The general rural-to-urban/suburban migration routes are often also used for TIP, with industrial and tourist regions as destinations for exploitation. In many cases, however, victims may also originate from capitals and other busy commercial centres.

Benin:⁶⁶ Victims of TIP mainly originate from Zakpota, Djougou, Waké, Bassila, Matérie, Adjohoun, Aguégoués, Comé, Lalo, or Aplahoué. They are trafficked to the capital city Cotonou, and to other major cities like Porto-Novo, Parakou, Natitingou, Kandi, Lokossa, Ouidah, Abomey, Bohicon.

Burkina Faso: The main region of origin of victims exploited in gold panning mines is the Mossi plateau. The Sahel is the origin of *talibé* children,⁶⁷ whom are often exploited for begging. The country's South-West Region and the Boucle du Mouhoun Region are origin places for victims exploited in the service sector and in domestic work in large urban centres like Ouagadougou, Bobo, and Koudougou; and in the agricultural regions (West, Boucle du Mouhoun, East, East Central and West Central), and in the gold mining industry (South-West, North, Central Plateau, West Central, North Central).

Côte d'Ivoire: Generally, victims of internal TIP come from Daloa, Vavoua, Séguéla, Man, Issia, Zokougbeu, Méagui, San Pédro, etc. and are exploited in the capital Abidjan and its environs.

Cabo Verde: The majority of cases are victims of sexual exploitation trafficked to tourist areas on the islands of Brava, Santiago, Boa Vista, Fogo, Sal and Sao Vicente.⁶⁸

The Gambia: The main areas of origin for internal TIP are provincial rural areas. The main points of destination are the busy commercial centres like Banjul, and coastal and tourist areas.

Ghana: Victims come mainly from the coastal belt, which includes Winneba, Mankesim, Elmina, Ada, Keta, Peki, and Sanga. Victims are usually recruited in the country's three northern regions and exploited in the Upper and Lower Volta communities. In the Upper East Region, mainly young adults and children are involved in domestic work and head portage⁶⁹. Children from Central Region and Greater Accra are trafficked to Lake Volta

66 Country-specific information is gathered from the *National Annual Reports on the Implementation of the ECOWAS TIP Plan of Action* (2017 and 2018) and international reports, during the field research phase of this assessment.

67 A *talibé* (originating as a term for a student or disciple) is a child, usually a boy, whom has been sent by their family to live and work in a *daara*, a type of Islamic school.

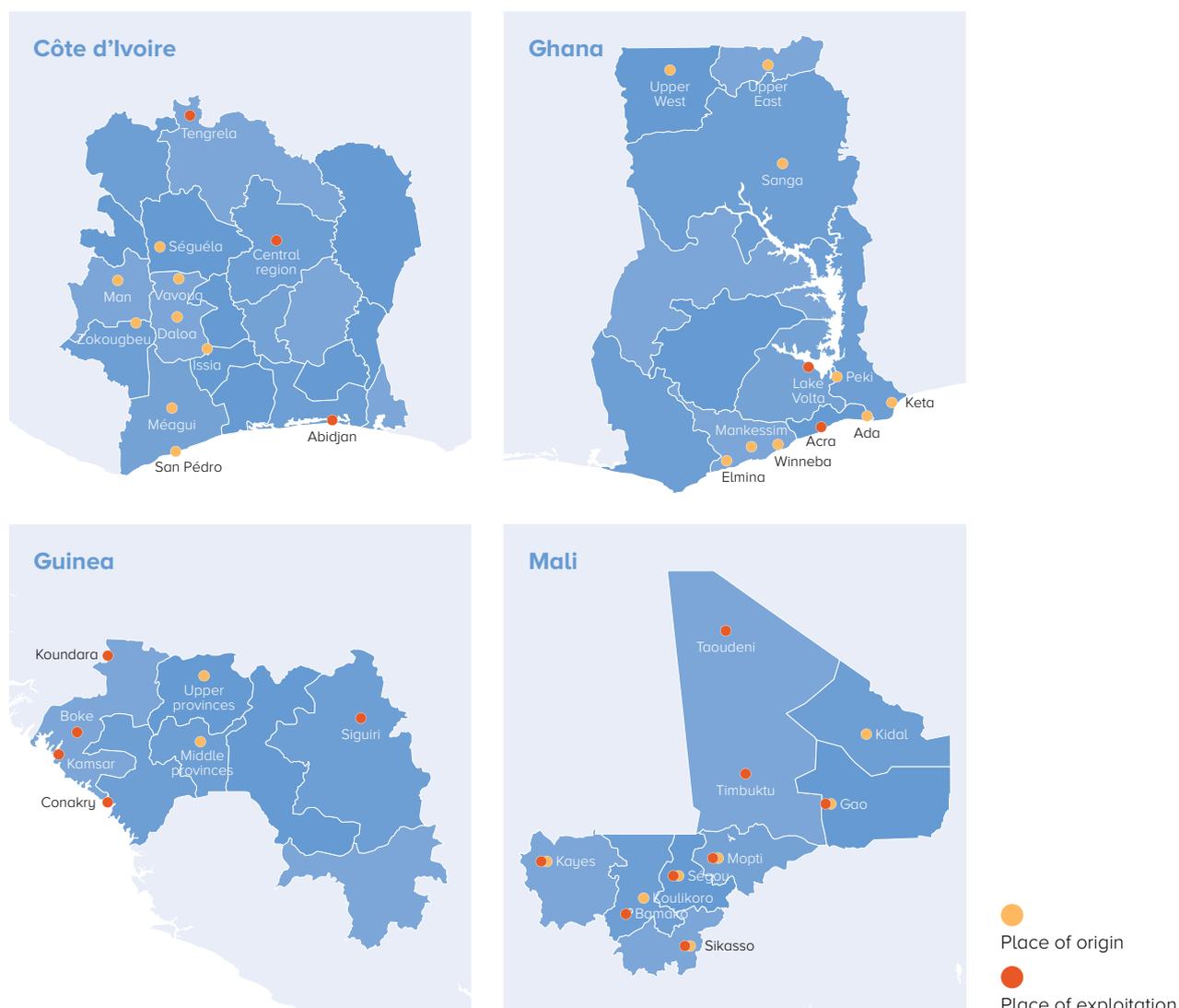
68 US Department of State (2020), *TIP Report*, op. cit.

69 Often young girls who transport (particularly agricultural) goods to and from markets in a large pan placed on their heads, using a moistened coil of cloth as a buffer. They are “*unskilled, uneducated migrant girls and women, aged 7 and above. Most are from poverty-stricken families of northern Ghana who move down to southern Ghana for work.*” (Madueke, E. (2017), “Advocating for porters in Ghana”, Global Sisters Reports, 17 December 2017, see: <https://www.globalsistersreport.org/column/justice-matters/migration/advocating-young-women-porters-ghana-50886/>.)

and exploited in the fishing industry. Children for domestic servitude, begging, sexual exploitation and head portage have been identified in the capital Accra.

Guinea: Victims originate from Upper and Middle Guinea and are trafficked to major cities like Conakry, prosperous industrial areas, mining districts such as Kamsar, Lero, or Siguiri, or the coastal region of Boke. The north-western town of Koundara is recognised as a transit point for traffickers.⁷⁰

Figure 7: Examples of national TIP routes in Côte d'Ivoire, Ghana, Guinea and Mali



Guinea-Bissau: The main origin areas are the regions of Bafatá and Gabú, while the main destinations are the large cities – the capital Bissau, but also Gabu, Bafatá and Farim.

70 US State Department (2020), *TIP Report.*, op. cit.

Liberia: Internal TIP takes place from rural places like Bong and Nimbia counties and Central Liberia to the capital Monrovia. The victims are mostly children.

Mali: Malian nationals are also trafficked from rural to urban areas in their attempt to escape poverty and search for better life opportunities. The main regions of origin are Kayes, Koulikoro, Sikasso, Ségou, Mopti, Gao and Kidal. Bamako, Kayes, Sikasso, Segou, Mopti, Timbuktu and Gao appear to be the main destinations for internal trafficking in the country. Traffickers exploit men and boys, primarily of Songhai ethnicity, in a long-standing practice of debt bondage in the salt mines of Taoudeni in northern Mali.

Mauritania: Local women and girls, especially those from traditional slave castes and Afro-Mauritanian communities are lured into and exploited through domestic servitude in larger cities like Nouakchott, Nouadhibou and Rosso. In some border areas of the country, there have been cases of children recruited to traffic drugs. Recruitment of victims of TIP also takes place in refugee camps.⁷¹

Niger: The main areas of origin of trafficked people are Kantché (Zinder), Maradi and Konni (Tahoua) for exploitation in forced begging, and Agadez for sexual exploitation. In the capital Niamey, children exploited in begging, domestic servitude and prostitution have been identified.

Nigeria: The main cities of origin of people internally trafficked are Benue, Oyo, Enugu, and Ogun. Internal trafficking occurs mostly for sexual exploitation and child domestic labour. Victims are exploited in the cities of Lagos, the Federal Capital Territory, and Kano.

Senegal: About 90% of the TIP cases identified in Senegal involve Senegalese victims, especially persons from poor areas of the countryside.⁷² Victims are trafficked from Dakar, Mbour, Kédougou, Tambacounda, Kaolack, Diourbel and Saint Louis to Kédougou, Dakar, Mbour, Thiès and Saint Louis. The most identified case types are victims recruited for child begging, victims of sexual exploitation, and victims forced into domestic servitude.

Sierra Leone: The main areas of origin of people trafficked internally are Kono, Kailahun, Tongo Field, Kenema, Koindu, Kambia, Pujehun, Makeni, Port Loko, Magburaka, Kambia and Mile 91. Victims are exploited in the capital Freetown, as well as in Bo, Kenema, Makeni, Kono, Lungi, Tongo Field, Lunsar and Bumbuna.

Togo: Identified victims come from Tsévié, Vogan, Anfoin, Atakpamé, Sokodé, Kara, Dapaong, Bassar, Dankpen, Kéran, Tchamba, Kéto, Pagouda, Kougnohou, Elavagnon, or Afagnan, and other towns in the remote parts of the country. The main areas where exploitation is taking place are the larger cities and towns like Lomé, Kpalimé, Atakpamé, Sokodé, Kara and Dapaong.

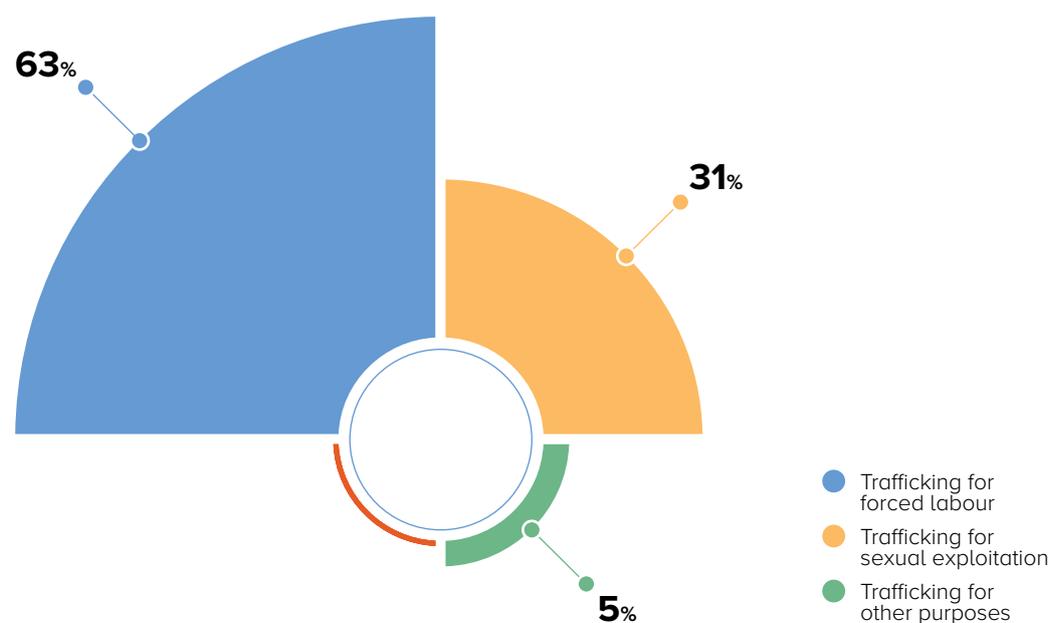
⁷¹ Ibid.

⁷² Interview conducted in Senegal; interview code SN01.

3.3 Types of Exploitation

This section presents the most common types of exploitation of adults and children in the region, identified during the course of the study.

Figure 8: Types of Exploitation



Source: UNODC (2018b), *Global Report on TIP, Sub-Saharan Africa. Forms of exploitation.*

The 2018 UNODC Global Report estimates that 63% of TIP victims identified in the countries of Sub-Saharan Africa were trafficked for **forced labour**, while less than one third were recruited for **sexual exploitation**.⁷³ In the past years, the ECOWAS countries have reported predominantly cases of child trafficking. In fact, Benin and Burkina Faso have identified *only* cases of child trafficking.



Child trafficking is detected in West Africa more often than in the rest of Sub-Saharan Africa. Girl victims are rarely detected in East or Southern Africa, whereas in West Africa, they represent the most frequently detected victim profile.⁷⁴ An explanation of this fact could be the TIP legislation in place in some West African countries. In the studied context, the anti-trafficking legislation criminalising child trafficking was introduced before that criminalising trafficking of adults. By way of illustration, the Togolese anti-TIP legislation covers only cases of children, whilst Benin only recently criminalised the trafficking of adults.⁷⁵ As a result, more child than adult cases of trafficking are identified.

73 UNODC (2018b), *Global Report on TIP*, op. cit.

74 Ibid.

75 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

Another explanation for the phenomena may be the large proportion of youth in the region: West Africa is now inhabited by over 400 million people, with a median age of 18.2 years.⁷⁶ Consequently, the number of cases involving children (persons below 18 years) may be significantly higher than in regions with different demographic structures. Finally, the widespread tradition of sending children to richer households in a more developed area of the country, to perform housework in return for the opportunity to attend school and earn money for their families is yet another practice which contributes to children's increased vulnerability and risk of exploitation.

According to the information provided by the ECOWAS TIP Unit,⁷⁷ the most common forms of TIP in the region are cases of labour exploitation, sexual exploitation, domestic servitude, child labour, and child begging. Other forms of exploitation have also been reported by the anti-trafficking authorities across the region, but the number of officially identified cases is relatively small, especially compared to the numbers for the cases of exploitation in the areas listed above. The presence of other types of exploitation, including child exploitation by armed groups, the harvesting of organs, and ritual homicide, have also been reported. However, such information remains largely unsubstantiated as no cases have been officially identified.



Trafficking in persons for labour exploitation happens at all three levels – domestic, regional and international. Domestically and regionally, people are trafficked and exploited in farms and plantations, as cattle herders, in the fishing industry, put mining for gold, diamonds or granite, and in stone quarries. Children are trafficked and exploited mainly in the agricultural sector (especially in seasonal farm work) and in factories (in industrial regions). In Côte d'Ivoire, Togo and Benin, children are often exploited in farms, factories, handicraft manufacturing, markets and mines. Specific sectors with heavy labour demand also figure disproportionately in terms of TIP victims, these include cocoa and rubber production (Côte d'Ivoire, Ghana) and artisanal mines (Burkina Faso, Ghana), as well as “cultural dancers” (The Gambia). Ghana and Mauritania see cases of trafficked children in the fishing industry.⁷⁸ Côte d'Ivoire also sees cases of child exploitation linked to drug trafficking and petty crime.⁷⁹ Children in The Gambia are forced into commercial sexual exploitation and forced begging.⁸⁰

In the international context, TIP for labour exploitation mainly involves adults, for construction work, farming and (especially) domestic servitude in the Gulf States and the countries of the Middle East,⁸¹ with the process for the latter often involving fake recruitment agencies.⁸² A Gambian anti-trafficking stakeholder suggests that unethical recruit-

76 Worldometer (2020), “West Africa Population”, last accessed 15.07.2020, <https://www.worldometers.info/world-population/western-africa-population/>.

77 Interview conducted in Nigeria; interview code NG01.

78 Interviews conducted in Nigeria and Togo; interview codes NG03 and TG01 respectively.

79 Interviews conducted in Côte d'Ivoire; interview codes CI08 and CI09.

80 United States Department of Labor (2018), *Child Labor and Forced Labor Reports. The Gambia*.

81 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

82 Interviews conducted in Nigeria; interview codes NG01, NG02 and NG04.

ment in the labour market also occurs due to the lack of proper labour migration policies.⁸³ Traffickers recruit people from IDP camps, taking advantage of their vulnerability and lack of (any) resources for survival.



Domestic servitude predominantly affects women, most of them minors. This particular form of labour exploitation is widespread throughout the region. Children are sent by their families to big cities and richer parts of the country in order to work in households. This practice is often seen as the only opportunity for children from poor families to receive

some kind of education, to have a home and to earn money to support their family back home. Distant family members are often involved in the recruitment. Once at the destination, the children are handed over to the families, leaving them dependent on their hosts and exposed to increased vulnerability to exploitation and abuse.⁸⁴ Children are reported as being exploited in domestic service within the borders of Benin, Burkina Faso, Côte d'Ivoire, Ghana, and Nigeria, with children also being sent abroad. For example, Beninese children have been subjected to domestic servitude and other forms of forced labour in Nigeria, Gabon, the Republic of the Congo, and other West and Central African countries.⁸⁵ Domestic servitude is one of the most common forms of exploitation of victims from the ECOWAS region in some Gulf states (Kuwait, Qatar, and the United Arab Emirates).



Trafficking of persons for sexual exploitation is the second-most identified form of exploitation in the West Africa region. Normally, the demand for such services is higher in tourist areas, big cities, capitals, and IDP camps. Often the places of exploitation, such as bars, night parlours, hotels, are owned by the same criminal group recruiting the

victims. Kidnapping women and girls and forcing them into marriage, sexual exploitation or sexual slavery is common practice by the armed groups operating in the region, spreading fear and controlling the local population. The number of boys sexually exploited in The Gambia is increasing.⁸⁶

Internationally, TIP for sexual exploitation happens in destination countries of Western Europe (Italy, Germany, France, and Spain), North Africa (Morocco and especially Libya), Lebanon and the Gulf States.

There is no evidence of the use of children in pornography (child sexual abuse imagery), but with the expected technological development in the region, such a threat may materialise in the near future, making cybersecurity the next anti-trafficking frontier. Currently, the authorities have a weak capacity to monitor cyberspace for cases of sexual exploitation.⁸⁷

83 Interview conducted in The Gambia; interview code GM03.

84 This phenomenon was mentioned often during the field mission to Nigeria; interview codes NG01, NG02, NG04 and NG10.

85 US Department of State (2020), *TIP Report*, op. cit.

86 US Department of State (2020), *TIP Report*, op. cit.

87 Interview conducted in Nigeria; interview code NG01.



Child begging is a problem reported by all ECOWAS Member States. Children are forced to beg on the streets in the big cities and tourist areas. They are organised by criminal groups and begging often takes the form of selling cheap goods or washing cars at crossroads.⁸⁸

An alarming phenomenon related to child begging is the abuse of children who attend religious schools, where they also temporarily live (sleep and eat). They are often sent by their teachers to beg on the streets in order to provide money for the school. The problem exists in each of the countries studied. However, there seems to be several areas where these schools are larger and attract children not only from the surrounding area but the entire region. In northern Nigeria, the Quranic schools (*Almajiri*) attract children from neighbouring Niger and Mali. Senegal reports children from The Gambia, Guinea, Guinea-Bissau and Mali attending the religious schools (*daaras*). As for the schools in northern and central Côte d'Ivoire, children from Burkina Faso, Niger, Mali and Senegal are reported (although the estimated numbers are much smaller than those for Nigeria and Senegal).⁸⁹

Example: *Almajiri* children⁹⁰

These are children sent from their homes to learn Islamic teachings. The *Almajiri* system of education, for children often below the age of ten, is a practice particularly predominant in northern Nigeria. The nature of their journeys often places them under the guidance of scholars far away from home. However, these scholars often lack the capacity to fully support the children and make adequate provisions for their welfare since the *Almajiri* education is neither regulated nor subsidised by the state. As a result of the level of negligence present within this system, the basic rights of these children are often violated by widespread exploitation, most frequently street begging.⁹¹

The National Agency for Prohibition of Trafficking in Persons in Nigeria (NAP-TIP) has been involved in addressing this form of exploitation and discussions with local government have taken place. There has been an effort to empower the children by providing food, clothes, sanitation materials (brought to the schools), and medical services, delivered through outreach from a medical association. The government is trying to close the schools involved in the abuse and has already subsidised a modern *Almajiri* school that has a new approach – combining religious and general (secular) education.

88 ECOWAS (2018), Annual Synthesis Report, op. cit.

89 ECOWAS (2018), Annual Synthesis Report, op. cit; US Department of State (2019), *TIP Report*, op. cit.

90 *Almajiri* Children are students sent from their home to learn Islamic teachings. *Almajiri* is a system of Islamic education practiced in northern Nigeria. The word 'Almajiri' derives from an Arabic word, rendered 'al-Muhajirun' in English literal translation, meaning a person who leaves his home in search of Islamic knowledge.

91 ACRI, "Who Are the Almajiri Children?", Almajiri Child Rights homepage, see: <https://www.almajirichildrights.org/>.

An NGO in Nigeria has also set up the **Almajiri Child Protection Initiative** with the goal of establishing a supportive environment for these children. There is a tremendous need for advocacy, and the Initiative is trying to address this by bringing the attention of the authorities to the rights of the *Almajiri* children and by approaching parents and providing information about the problem and the potential risk of exploitation. The Initiative also recognises the importance of the local religious leaders, involving them in the awareness-raising process.⁹²



Exploitation of children by armed groups: Women, men and children are at risk of being trafficked for different purposes in affected areas, directly or indirectly, by armed conflicts. In sub-Saharan African conflicts, girls recruited by armed groups tend to be younger than boys. This may be due to the earlier maturity of girls and the type of exploitation they

are forced into, such as performing household chores. In addition, women and girls surviving sexual slavery and forced marriages during conflicts are, more so than men, fall victim to stigma and discrimination outside of the conflicts, upon returning to their communities.⁹³

Three of the interviewed anti-trafficking stakeholders in Nigeria shared information about children being used by military groups in the country. These signals were not officially reported and therefore, they are not part of the country's official statistics. Children previously recruited by armed groups but whom managed to escape were discovered through the child-friendly spaces of Save the Children Nigeria. Girls and boys as young as seven years old are used by armed groups as suicide bombers.⁹⁴ There are also cases of children recruited by Malian rebel groups from an IDP camp in Mauritania.⁹⁵

The report *Why 18 Matters*, released by Terre des Homme and other civil society organisations in 2018, addresses child military recruitment across the world and states that children have the right to be protected from military recruitment. The report “calls for every country worldwide to adhere strictly to the principle that only people over 18 can be recruited into the military”. Three of the countries studied for the present report – Cabo Verde, Guinea-Bissau and Mauritania – officially conscript persons younger than 18 years old.⁹⁶



Child marriages: Such arrangements exist in many parts of the world, but it continues to remain rather prevalent in West and Central Africa. Four of the ten countries with the highest rates of child marriage in the world belong to the ECOWAS region. About four in ten young women

92 Interview conducted in Nigeria; interview code NG07.

93 UNODC (2018b), *Global Report on TIP*, op. cit.

94 Interviews conducted in Nigeria; interview codes NG02, NG08 and NG10.

95 Department of State (2020), *TIP Report*, op. cit.

96 Terre des Hommes (2018), *Annual Report*.

in West Africa and Central Africa were married as children.⁹⁷ Poverty, lack of education, cultural practices, and insecurity fuel and sustain the practice. The statistics for child marriages in the countries studied are highlighted in Table 2 below.

Table 2: Top 20 countries with the highest prevalence of child marriages

	Country	%
1	Niger	76%
2	Central African Republic	68%
3	Chad	67%
4	Bangladesh	59%
5	Burkina Faso Mali South Sudan	52%
8	Guinea	51%
9	Mozambique	48%
10	Somalia	48%
11	Nigeria	44%
12	Malawi	42%
13	Madagascar Eritrea Ethiopia	41%
16	Uganda Nepal	40%
18	Sierra Leone	39%
19	Mauritania Democratic Republic of Congo	37%

Source: *Girls Not Brides*, www.girlsnotbrides.org/where-does-it-happen/atlas/



Baby factories: Pregnant women are reportedly kidnapped and abused for the sale of their new-born children on the black market. This type of exploitation repeatedly surfaced during the field mission in Nigeria as it coincided with the Nigerian police uncovering a location where women were kept to deliver babies.⁹⁸ The phenomenon is

97 Girls Not Brides (2017), “ECOWAS Adopts Framework to Strengthen Child Protection in West Africa”, 18 October 2017, see: <https://www.girlsnotbrides.org/ecowas-adopts-framework-strengthen-child-protection-west-africa/>.

98 One of the latest cases in Nigeria was reported by the BBC – “Nigeria police raid Lagos ‘baby factory’”, see: <https://www.bbc.com/news/world-africa-49877287>, as well as a case uncovered in 2018 – “Nigeria ‘baby factory’ raided in Lagos”, see: <https://www.bbc.com/news/world-africa-43905606>.

not widespread, but information on police raids and identified cases can be traced as far back as 2013.⁹⁹ This type of exploitation represents a particular demand (for new-born children), exploited by traffickers and organised criminal groups. Some studies suggest that the roots of this practice must be searched for in “*the stigma associated with infertility in parts of sub-Saharan Africa including parts of Nigeria, the lack of regulation of surrogacy, as well as poverty and lack of access to contraception or sexual health services*.”¹⁰⁰

3.4 Victims and Vulnerable Groups

There are many factors that can influence a person’s level of vulnerability or resilience to a situation of trafficking or exploitation; and these factors might change during the process of exploitation (from the moment of recruitment to the exploitation itself). In Table 3 below we present a simplified condensed model to explain the main physiological and socio-economic factors that tend to make one person or group more vulnerable than others.¹⁰¹

Table 3: Factors influencing vulnerability and resilience

	Resilience	Vulnerability
Age	Adult	Children
Gender	Male	Female
Health	Good health	Malnutrition Chronic diseases Psychological trauma Physically challenged Mentally challenged
Education	Graduate	Poor or no education
Vocational Training/ Profession	Professional skills Work experience	No professional skills No work experience
Family and Social Background	Support network of friends and relatives	Absent or problematic
Employment	Employed Previous employment	(Long-time) Unemployed

99 News24 (2013), “Nigeria frees 16 in ‘baby factory’ raid”, 20 June 2013, see: <https://www.news24.com/Africa/News/Nigeria-frees-16-in-baby-factory-raid-20130620>.

100 Hynes, P. et al. (2018), “*Vulnerability*” to human trafficking: A Study of Viet Nam, Albania, Nigeria and the UK.

101 The factors that influence a person’s vulnerability and resilience to TIP are explored in details in Healy, C. (2019), *The Strength to Carry On: Resilience and Vulnerability to Trafficking and Other Abuses among People Travelling along Migration Routes to Europe*, ICMPD.

Age and gender

Children are per se considered more vulnerable to TIP because of their lack of development or life experience. Child victims are often from poor homes and communities with less access to infrastructure or education. Children dropping out of school also become at risk as they are often recruited to engage in various jobs.

Women are next in the vulnerability line, mainly because of the gender inequality widespread throughout the region. For example, women in Nigeria constitute between 60% and 79% of the rural labour force, but they are ten times less likely than men to own their land. In neighbouring Niger, an estimated 70% of the poorest girls have never attended primary school. This level of inequality has negative impacts on women, including making them more vulnerable to gender-based violence and TIP. Some traditional and cultural practices may also exacerbate this phenomenon – child marriage, child domestic servitude, kidnapping girls for marriage, etc. *“Some women and young girls in Africa [...] find themselves compelled by these cultural beliefs to leave their home and family.”*¹⁰² Nigeria reported a particularly large number of girl victims. Women constitute the second largest group of victims (31%) trafficked for the purpose of sexual exploitation.¹⁰³

Men are considered less vulnerable than women, generally because of their resilience to abuse. They are more likely than women to have a steady income, to be able to find jobs, and be financially and socially secure. However, this widely shared assumption sometimes leads to an undeliberate type of gender-based discrimination. Recognising the vulnerability of children and women, anti-trafficking stakeholders develop services focused mainly with the needs of these two groups in mind. Thus, exploited men can end up in a situation with no services for recovery or support. The most obvious proof of this is the lack of shelters for male victims, a fact acknowledged and reported by Ghana.¹⁰⁴

Health

Poor health can be both a reason for somebody to end up in a TIP situation and a result of such a situation. The ECOWAS TIP Unit highlighted that physically disabled people are used to beg on the streets.¹⁰⁵ Disability puts these people in an unequal position in terms of well-being, employment, and livelihood opportunities, thus leaving them vulnerable to exploitation by traffickers. Similarly, people with mental disabilities, psychological trauma or psychiatric conditions can easily become victims of traffickers due to their lower capacity to protect themselves or fight back.

Experiencing a trafficking situation can also lead to serious health issues related to exploitation. The danger of contracting HIV, STDs, or Hepatitis C is a real threat for those

102 Msuya, NH. (2017), *Tradition and Culture in Africa: Practices that Facilitate Trafficking of Women and Children. Dignity: A Journal on Sexual Exploitation and Violence*. Vol.2(1), article 3.

103 UNODC (2018b), *Global Report on TIP*, op. cit.

104 Ghana, questionnaire sent to TIP NFPs.

105 Interview conducted in Nigeria; interview code NG01.

forced into sexual exploitation. The hard labour children are forced into in cocoa and rubber plantations, and artisanal mines and quarries, as reported by Côte d'Ivoire, Togo, Ghana and Benin and other countries in the region, leaves a permanent mark on their physical development. Child beggars are often left without enough food, suffering malnutrition.¹⁰⁶

Education, professional training and employment

Vulnerable populations at risk of TIP frequently lack formal education or basic identity documents (including birth certificates in the case of Mauritania¹⁰⁷). As reported by all the countries studied, the opportunity for education is one of the main reasons that pushes families to send their children for domestic work away from home.¹⁰⁸

Meanwhile, Nigeria also reports an increased number of educated women ending up in situations of labour or sexual exploitation in the Gulf States and countries of the Middle East, recruited by labour agencies.¹⁰⁹ They are looking for better opportunities abroad to earn money as well as gain living and traveling experience abroad.

Family and social background

The most striking example from the region in terms of how the absence of family, social network and support fuel vulnerability to exploitation are the cases of the *talibé*, *Almajiri* and all other children sent away from their families to study. The children are in a vulnerable position firstly because *they are children* and need a supportive environment to live and develop. An NGO in Nigeria reported children as young as 2-3 years old being sent to schools in the north of the country.¹¹⁰ Secondly, they are *away from their family's support network* and, thirdly, they are *forced to be on the street to beg or sell small items*.

106 Côte d'Ivoire (2017), Togo (2018), Ghana (2018), Benin (2018), *Annual Reports on the Implementation of the ECOWAS TIP Plan of Action*.

107 US State Department (2020), *Report on TIP*, op. cit.

108 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

109 Interview conducted in Nigeria; interview code NG04.

110 Ibid.; interview code NG07.

Table 4: General overview of the main types of TIP and victims identified in the ECOWAS region

State	Main Types of TIP	Gender of Victims	Age of Victims
Benin	Child trafficking for labour exploitation, domestic servitude and begging. Trafficking for labour exploitation, and sexual exploitation. ¹¹¹	Male & female, but mostly women & girls	Mostly children
Burkina Faso	Trafficking for labour exploitation – child domestic labour, work in gold mining sites, agriculture and drinking establishments. Trafficking for sexual exploitation – exploitation in prostitution and pornography.	Male & female, but mostly girls	Mostly children (often orphans)
Cabo Verde	Trafficking for sexual exploitation in tourist areas. Child sex tourism. Labour exploitation – in agriculture. Child begging, including street vending and car washing.	Women & girls; males rarely identified	Mostly children, but adult victims also identified
Côte d'Ivoire	Child trafficking for labour exploitation, particularly in cocoa production areas and clandestine gold panning. Child trafficking for begging. Trafficking for sexual exploitation.	Male & female, but especially boys	Mostly children (boys)
The Gambia	Trafficking for sexual exploitation. Child trafficking for forced labour – street vending, agriculture. Child trafficking for domestic servitude.	Male & female, but especially girls & women.	Adults & children
Ghana	Trafficking for labour exploitation – in fishing and agriculture, herding, domestic servitude and portering in market places. Trafficking for sexual exploitation.	Male & female	Children (5-16 years) & adults (19-25 years)
Guinea	Trafficking for sexual and labour exploitation. Child trafficking for begging, and for labour exploitation – in gold and diamond mines, cocoa and coffee plantations, etc.	Male & female	Children (4-17 years), adults (19-46 years)
Guinea-Bissau	Child trafficking for forced labour – at cashew farms and in domestic servitude – and for begging and sexual exploitation.	Male & female	Children (6-15 years)
Liberia	Trafficking for labour and sexual exploitation. Child trafficking for labour exploitation – street vending and domestic servitude – and for sexual exploitation.	Male & female, but mostly female	Children (5-17 years), women up to 25 years

111 Data from a presentation by the Ministry of Justice of Benin.

Mali	<p>Child trafficking for domestic servitude, and for labour exploitation – in agriculture (rice, cotton and corn cultivation), and industry (such as in salt and gold mines).</p> <p>Trafficking for sexual exploitation, labour exploitation and forced begging.</p>	<p>Male & female (prevalence of boys among children & women among adults)</p>	<p>Children (5-17 years) & adults</p>
Mauritania	<p>Hereditary slavery practices – people forced to work for free as domestic servants and cattle herders.</p> <p>Child trafficking for labour exploitation – in the fishing industry.</p> <p>Child trafficking for illicit activities – drug trafficking.</p> <p>Trafficking for sexual exploitation, forced marriage.</p> <p>Recruitment of child soldiers.</p>	<p>Male & female</p>	<p>Children & adults</p>
Niger	<p>Trafficking for sexual exploitation.</p> <p>Child trafficking for labour exploitation – in mines (salt, gold, trona, gypsum), stone quarries, and agriculture.</p> <p>Child trafficking for domestic servitude, and for begging.</p> <p>Trafficking for forced marriages (<i>wahaya</i> practice¹¹²).</p> <p>Recruitment of child soldiers and use of children for terrorist activities.</p>	<p>Male & female</p>	<p>Children & adults (mainly women)</p>
Nigeria	<p>Trafficking for sexual exploitation and forced labour.</p> <p>Child trafficking for domestic servitude, begging – <i>Almajiri</i> children.</p> <p>Trafficking for organ removal.</p> <p>Trafficking for “baby factories”.</p>	<p>Male & female</p>	<p>Adults & children</p>
Senegal	<p>Child trafficking for begging, and for forced labour – in artisanal gold mines and as domestic workers.</p> <p>Child trafficking for sexual exploitation – child sex tourism.</p> <p>Trafficking for domestic servitude and sexual exploitation.</p>	<p>Male & female</p>	<p>Mostly children, but adult victims also identified</p>

112 The “fifth wife”, or *wahaya* practice is when in addition to the four wives permitted by Islam, men take on additional, ‘unofficial’ wives who are treated as domestic and sexual slaves. The practice still persists in some areas in Niger and neighbouring countries. Young girls and women are sold to men, who treat additional wives as a symbol of their wealthy status. Fifth wives enjoy none of the rights of an official wife. No marriage ceremony takes place, and the woman or girl is essentially owned by their ‘master’. In 2019, following the court case of Hadijatou Mani, the Court of Appeals of Niger outlawed the practice (Anti-Slavery International (2019), “Niger: “fifth wife” slavery practice outlawed”, Anti-Slavery.org, 15 March 2019, see: <https://www.antislavery.org/niger-fifth-wife-outlawed/>).

Sierra Leone	<p>Trafficking for labour exploitation – in the mining industry (artisanal diamond and granite mining), fishing and agricultural industries.</p> <p>Trafficking for sexual exploitation.</p> <p>Child trafficking for sexual exploitation.</p> <p>Trafficking for forced marriage</p> <p>Trafficking for removal of body parts for rituals.</p>	Male & female victims, but mostly women & girls	Mostly children (under 18 years)
Togo	<p>Child trafficking for labour exploitation – in the agricultural sector (cotton, cocoa and coffee farms), stone and sand quarries, construction sites, as street vendors and porters.</p> <p>Child trafficking for domestic servitude and sexual exploitation.</p>	Male & female	Mostly children

3.5 Traffickers and their Modus Operandi

Traffickers operate in many different ways, using sophisticated to rudimentary tactics and channels to profile, recruit and exploit their victims, with profit usually being the main driving force behind their criminal activities. The following section provides a snapshot of this complex reality, by examining, in particular, the common recruitment and exploitation approaches identified in the studied region.

Most countries in the region report predominantly **male traffickers**. In Benin, in 2018, almost 77% of suspected traffickers reported were men.¹¹³ Côte d'Ivoire had a similar share in 2017, some 80%.¹¹⁴ Similarly, Guinea reports that in 2018 only two of the fifty-five traffickers convicted were female.¹¹⁵

Persons convicted for TIP are usually **citizens of the country** where they are convicted. Out of more than 180 people convicted in 13 different countries in Sub-Saharan Africa in 2016, 84% were citizens of the respective countries, while 16% were foreigners. The foreign traffickers were mainly citizens of other countries in the sub-region.¹¹⁶

Common approach towards potential victims

Traffickers may operate as part of **organised criminal groups** on a national or international level. These groups operate along established criminal routes and channels. Usually, the trafficking of persons is carried out together with other crimes: trafficking of drugs, guns, etc. The exploitation may occur in establishments that belong to the organised criminal network. Other traffickers operate on their own – 'lone' traffickers – or as part of a small group of traffickers. For example, massive displacement of people may give rise to a large number of opportunists, who take advantage of the crisis and the vulnerability of people forced to be on the move.

113 Data from a presentation by the Ministry of Justice of Benin.

114 Benin (2018), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

115 Statistics sent to ICMPD by the Anti-Trafficking National Focal Point of Guinea.

116 UNODC (2018b), *Global Report on TIP*, op. cit.

Traffickers may be friends or family members. In the cases of trafficked children, the traffickers are often members of the extended family or local community. Often the families become part of the trafficking chain by sending their children away, with or without the knowledge of the exploitation and abuse that will follow. For instance, in Benin and Nigeria traffickers use the promise of education or employment to recruit children from rural areas. They then move them to bigger cities and subject them to domestic servitude and forced labour in markets, farms, and handicraft manufacturing.¹¹⁷

An emerging trend in the ECOWAS region are **official employment agencies** allegedly offering attractive jobs abroad and acting as recruiters for TIP. Such recruiters are involved mainly in TIP for labour or sexual exploitation, as well as exploitation in domestic service, in countries in the Middle East, the Gulf States, and Western Europe. According to Nigeria's anti-trafficking official,¹¹⁸ this is not a new phenomenon, yet the agencies have only recently become the focus of anti-trafficking efforts.¹¹⁹ Traffickers sometimes present themselves as **informal employment agents**, operating in the countryside and recruiting men, women and often children to work in the big cities or the agriculture sector. Victims often end up in exploitative situations – in farms, bars or nightclubs. Children are used for *“domestic work in private residences, where house managers and families subject the minors to forced labour”*.¹²⁰ The majority of children are unaware of their being exploited. A Nigerian national anti-trafficking stakeholder stated that children sent to families in the big cities usually have a “Madam” – a person who arranges their tasks, or clients, in the case of sexual exploitation.¹²¹

The way in which the traffickers operate depends to a certain extent on the prevailing circumstances. Typical modus operandi for a trafficker operating in a conflict setting sees them exploit the urgency among refugees to move to a safe country. In such cases, the Smuggling of Migrants (SoM) and trafficking of people become interrelated. Refugees often have no better option than to trust the offer of the would-be smuggler for passage across different borders in exchange for payment. By legal definition, the smuggling ends with the crossing of the border and the payment for the service. The relationship between smuggler and the person crossing the border also ends once the person is on the territory of the country of disembarkation. In the case that the migrant wants to cross several countries one after the next, s/he uses the services of either a single smuggler or a chain of smugglers working together. In this way, the relationship continues and smugglers often use the vulnerable situation, caused by the irregular border crossing, to keep the migrant dependant. The migrant thus becomes vulnerable to all kinds of abuse, including exploitation and TIP.

117 Nigeria (2018), Benin (2018), *Annual Reports on the Implementation of the ECOWAS TIP Plan of Action*.

118 Interview conducted in Nigeria; interview code NG05.

119 However, already in 2011 the Human Capital Provider's Association of Nigeria, in collaboration with the Nigeria Employer's Consultative Organisation, the Federal Ministry of Labour and Productivity and ILO, developed the Code of Conduct for Private Employment Agencies. The document sets out the guiding principles and the responsibilities of the respective agencies, and describes the recruitment processes for Nigerian nationals whom want to work abroad – as well as for foreigners seeking work in Nigeria. The document also suggests sanctions for breaching the Code. To what extent this document is actually implemented remains a subject for further investigation.

120 US Department of State (2018), *TIP Report*, op. cit.

121 Interview conducted in Nigeria; interview code NG02.

Traffickers exploit poverty and the lack of education opportunities to recruit adults and children under impossible conditions, leveraging their victims' desperation and willingness to work for less and endure bad working conditions. Another way of deceiving victims is by arranging marriages. Traffickers may take advantage of conflict and insecurity to deceive families into committing their daughters to marriage. Some of these marriages are arranged by traffickers to facilitate sexual exploitation.¹²²

Ivorian authorities report that the most common method of recruitment in the country is done by telephone, with an external "partner" in liaison with the family of the victim. The transport to the exploitation site is provided by the trafficker via a partner trafficker abroad, with the trafficker in the country of exploitation receiving and accommodating the victim upon arrival.¹²³

122 UNODC (2018a), *Armed Conflict*, op. cit.

123 Interview conducted in Côte d'Ivoire; interview code CI08.



4. Anti-Trafficking Legal and Policy Framework

This chapter discusses the legal and policy framework of the anti-trafficking response in the ECOWAS region and Mauritania at three levels: international, regional and national. The first subchapter provides information and insight in regard to adoption of the main international legal and policy instruments regulating TIP, or those which relate to the activity, by ECOWAS Member States and Mauritania. Regional TIP regulations and anti-trafficking policies are then presented, and the chapter concludes with a detailed description of the national legal and policy instruments tackling human trafficking in the countries assessed.

4.1 International Level

The main international legal framework on TIP and the extent of its adoption by the countries in the region under study is presented in this section. Various international conventions related to migration, labour regulation, child trafficking and child protection are also reviewed, including two of the most recent (non-binding) international policy instruments related to migration, and therefore to TIP.

A. Legal Framework

The main international legal document on TIP is the 2000 *UN Convention against Transnational Organized Crime* and its *Supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*.¹²⁴ The Convention and the TIP Protocol set the standards for the legal framing by providing a definition of TIP, elaborating its elements, defining types of exploitation, and conceptualising the consent of victims, etc.

Both documents are strongly focused on the law enforcement aspects of TIP and serve as a basis for almost all national anti-trafficking legislation in the world. UNTOC has been signed and ratified by 13 ECOWAS Member States, while Ghana and Liberia have acceded to it (Ghana in 2012 and Liberia in 2004). Mauritania acceded to the Convention

¹²⁴ UN General Assembly (2000a), *Convention against Transnational Organized Crime*, signed in Palermo, Italy, in December 2000 (General Assembly Resolution 55/25 of 15 November 2000).

in 2005. The TIP Protocol has been signed and ratified by 11 ECOWAS Member States, and the remaining countries have acceded to it - Côte d'Ivoire and Ghana in 2012, Guinea and Liberia in 2004, and Mauritania in 2005.¹²⁵

In addition to the UNTOC and TIP Protocol, other international instruments not directly focused on TIP but on related areas such as women's rights and gender-based violence, child protection, migration, labour, etc. are also used as guidance in shaping the regional and national anti-trafficking legislation and responses. The 1990 *UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families* has been ratified by five ECOWAS Member States – Benin, Burkina Faso, The Gambia, Ghana, Guinea-Bissau, while six further states have acceded to it – Cabo Verde, Mali, Mauritania, Niger, Nigeria, Senegal, whilst three have signed the Convention but have not begun the ratification process – Liberia, Sierra Leone and Togo. Of the countries studied, Côte d'Ivoire is the only state that has neither signed nor ratified the Migrant Workers Convention. The 1979 *UN Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) has been ratified by all 15 ECOWAS Member States, although Niger lodged a number of reservations upon ratification.¹²⁶ Mauritania has acceded to the Convention.

Table 5 below provides a snapshot of adoption of the main international instruments against TIP and related areas, with particular emphasis on child protection in the respective countries.

¹²⁵ UN Treaty Collection, see the UNOTC at: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=_en, and its Supplementing TIP Protocol at: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&clang=_en.

¹²⁶ More information can be found on the UN Women Watch website: <https://womenwatch.unwomen.org/>.

Table 5: International legal instruments focused on TIP and related areas

	UN Convention against Transnational Organized Crime (UNTOC), 2000	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 1990	UN Convention on the Elimination of All Forms of Discrimination against Women, 1979	ILO Forced Labour Convention, 1930	ILO, Abolition of Forced Labour Convention, 1957
Benin	Ratified	Ratified	Ratified	Ratified	Ratified	Ratified
Burkina Faso	Ratified	Ratified	Ratified	Accession 1987	Ratified	Ratified
Cabo Verde	Ratified	Ratified	Accession 1997	Accession 1980	Ratified	Ratified
Côte d'Ivoire	Ratified	Accession 2012	No	Ratified	Ratified	No
The Gambia	Ratified	Ratified	Ratified	Ratified	Ratified	Ratified
Ghana	Accession 2012	Accession 2012	Ratified	Ratified	Ratified	Ratified
Guinea	Ratified	Accession 2004	Accession 2000	Ratified	Ratified	Ratified
Guinea-Bissau	Ratified	Ratified	Ratified	Ratified	Ratified	Ratified
Liberia	Accession 2004	Accession 2004	Signed 2004	Accession 1984	Ratified	Ratified
Mali	Ratified	Ratified	Accession 2003	Ratified	Ratified	Ratified
Mauritania	Accession 2005	Accession 2005	Accession 2007	Accession 2001	Ratified	Ratified
Niger	Ratified	Ratified	Accession 2009	Accession 1999 ¹²⁷	Ratified	Ratified
Nigeria	Ratified	Ratified	Accession 2009	Ratified	Ratified	Ratified
Senegal	Ratified	Ratified	Accession 1999	Ratified	Ratified	Ratified
Sierra Leone	Ratified	Ratified	Signed 2000	Ratified	Ratified	Ratified
Togo	Ratified	Ratified	Signed 2001	Accession 1983	Ratified	Ratified

127 The reservations submitted by the Government of Niger can be found in the UN Treaties Collection: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg_no=IV-8&chap-ter=4&clang=_en#top.

Table 6: International Conventions related to child trafficking and child protection

	UN Convention on the Rights of the Child (CRC), 1989	Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography, 2000	Optional Protocol to the CRC on the Involvement of Children in Armed Conflict, 2000	Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption, 1993	Convention on the Civil Aspects of International Child Abduction, 1980	ILO Convention No. 182 on the Worst Forms of Child Labour, 1999	ILO Convention No. 138 on the Minimum Age for Admission to Employment, 1973
Benin	Ratified	Ratified	Ratified	Ratified	No	Ratified	Ratified
Burkina Faso	Ratified	Ratified	Ratified	Ratified	Accession 1995	Ratified	Ratified
Cabo Verde	Accession 1992	Accession 2002	Ratified	Accession 2009	No	Ratified	Ratified
Côte d'Ivoire	Ratified	Accession 2011	Ratified	Accession 2015	No	Ratified	Ratified
The Gambia	Ratified	Ratified	Ratified	No	No	Ratified	Ratified
Ghana	Ratified	Ratified	Ratified	Accession 2016	No	Ratified	Ratified
Guinea	Accession 1990	Accession 2011	Ratified	Accession 2003	Accession 2011	Ratified	Ratified
Guinea-Bissau	Ratified	Ratified	Ratified	No	No	Ratified	Ratified
Liberia	Ratified	Ratified	Signed 2004	No	No	Ratified	No
Mali	Ratified	Accession 2002	Ratified	Accession 2006	No	Ratified	Ratified
Mauritania	Ratified	Accession 2007	No	No	No	Ratified	Ratified
Niger	Ratified	Ratified	Ratified	No	No	Ratified	Ratified
Nigeria	Ratified	Ratified	Ratified	No	No	Ratified	Ratified
Senegal	Ratified	Ratified	Ratified	Accession 2011	No	Ratified	Ratified ¹²⁸
Sierra Leone	Ratified	Ratified	Ratified	No	No	Ratified	Ratified
Togo	Ratified	Ratified	Ratified	Accession 2009	No	Ratified	Ratified

¹²⁸ The Government of Senegal declared in conformity with Article 5, paragraph 2 of the Convention that the provisions of the Convention "do not apply to traditional, pastoral or rural work without remuneration carried out in a family setting by children of less than 15 years of age and which aims at better integrating them in their social surroundings and the environment" (ILO (1973), Ratifications of C138 - Minimum Age Convention, 1973 (No. 138)).

The *UN Convention on the Rights of the Child* has been ratified by almost all Member States, with Ghana, Liberia. Mauritania has currently acceded to it. Cabo Verde, Côte d'Ivoire, Guinea, Mali, and Mauritania have acceded to the 2000 *Optional Protocol to CRC on the Sale of Children, Child Prostitution and Child Pornography*. Bearing in mind the scope of child labour in West Africa and the cases of child exploitation, it is important to mention that all 15 ECOWAS Member States and Mauritania have ratified *ILO Convention No. 182 on the Worst Forms of Child Labour* and, with the exception of Liberia, *ILO Convention No. 138 on the Minimum Age for Admission to Employment*. The third instrument, ratified by 14 of the Member States is the 2000 *Optional Protocol to the CRC on the Involvement of Children in Armed Conflict*. Liberia has signed the Protocol and not yet begun its ratification, while Mauritania has not yet started the signing process.

Only two ECOWAS Member States have ratified the 1993 *Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption* (Benin, Burkina Faso), while seven have acceded to it (Cabo Verde, Côte d'Ivoire, Ghana, Guinea, Mali, Senegal, Togo).¹²⁹

Guinea and Burkina Faso are the only ECOWAS Member States party to a further instrument for international protection of children – the 1980 *Convention on the Civil Aspects of International Child Abduction*.

Other relevant international legal instruments in the fight against TIP are the 1951 *Convention Relating to the Status of Refugees* and its 1967 *Protocol Relating to the Status of Refugees*. These international agreements provide the legal basis for the protection of refugees' rights. Domestic implementation and enforcement of these agreements are essential in limiting refugee vulnerability to TIP and exclusion from socio-economic opportunities in the host country; socio-economic exclusion may lead to attempts to migrate to countries that offer better opportunities via irregular migration routes. Among the countries studied, Benin has ratified the Refugee Convention, and thirteen other countries have either acceded or succeeded to it. Cabo Verde is the only country to not have signed the Convention. All countries under study have acceded to the 1967 Protocol.

The *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (UNCAT) adopted by the UN General Assembly in 1984 is an international human rights treaty, under the review of the United Nations, which requires states to take effective measures to prevent torture in any territory under their jurisdiction, and forbids states to transport people to any country where there is reason to believe they will be tortured. The Convention has been signed and ratified by eight of the countries under study – The Gambia, Ghana, Guinea, Guinea-Bissau, Nigeria, Senegal, Sierra Leone and Togo. The remaining states have acceded to it.

129 Hague Conference of Private International Law, *Declaration/Reservation/Notification*, see: <https://www.hcch.net/en/instruments/conventions/status-table/notifications/?csid=1352&disp=type>. There has been a specific case between Ghana and Greece. Due to Greece's objection to the accession of Ghana, the Convention has not entered into force between the two countries.

The 2006 *International Convention for the Protection of all Persons from Enforced Disappearance* prohibits states from depriving individuals of their liberty, while placing these persons outside the protection of the law and condemning states that do not act promptly if such actions are taken by non-state groups. Eight of the countries under study have ratified the Convention – Benin, Burkina Faso, The Gambia, Mali, Mauritania, Niger, Senegal and Togo; whilst Ghana, Guinea-Bissau and Sierra Leone have only signed it, and another three ECOWAS MSs – Côte d'Ivoire, Guinea and Liberia – are not among the signatories.

While acknowledging the importance of the fight against trafficking in human beings, international law sets limits on how much state authorities may curb the freedom of their citizens in their fight against trafficking. In this regard, the 1966 *International Covenant on Civil and Political Rights*, signed and ratified by Ghana, Guinea, Guinea-Bissau, Liberia and Senegal, and acceded to by the rest of the countries assessed, promotes freedom of movement. However, this right may be restricted by a particular country; for example, in order to prevent citizens from emigrating in search of work in receiving states where there is a history of human trafficking. A concrete example of this came in 2013, when Ethiopia banned labour migration to the Gulf States on the grounds of threats of physical and psychological trauma and “illegal human trafficking”.

B. Policy Framework

A non-binding instrument which has shown concrete result is the 2016 *New York Declaration on Refugees and Migrants*, as it was followed by the adoption of the *Global Compact on Refugees* and the endorsement of the *Global Compact for Safe, Orderly and Regular Migration* (in December 2018), which, among numerous cooperation objectives, details actions to combat TIP in the context of international migration. The implementation of the *Comprehensive Refugee Response Framework* (CRRF), as set out in the *Global Compact on Refugees*, is relevant to those countries featured in this report which bear the burden of hosting refugees. For instance, in 2018 Nigeria had 661,800 newly displaced people, of which an estimated 581,800 were displaced within its national borders. In total, the country's data for the same year is 2.5 million persons internally displaced, refugees or asylum-seekers.¹³⁰

4.2 Regional Level

At the heart of this assessment are three intersecting and overlapping regional areas with their own instruments directed at TIP: the African continent as a whole, West Africa, and the Arab region. Taken together, these systems have produced both binding instruments and non-binding resolutions and declarations that play a role in decreasing vulnerability to TIP.

130 UNHCR (2018), *Global Trends, Forced Displacement in 2018*.

The assessment presents a review of nine of the most prominent legal instruments – charters and conventions, tackling TIP and related areas implemented both across the continent and in West Africa specifically. It also presents four binding instruments and policy documents related to TIP developed and implemented by the countries in the Arab region. Particular emphasis is placed on the anti-trafficking policy developments within the ECOWAS region and efforts to develop a joint approach to combating TIP and implement joint standards for protection of victims.

A. Legal Framework

Continental legal instruments

The 1969 *Organisation of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa* provides a broad definition of the term ‘refugee’ and offers protection to a wider group of people, as well as to individual refugees. All ECOWAS Member States and Mauritania have ratified the Convention. However, comprehensive protection of refugees is only achieved if state parties to that Convention also accede to the 1950 Refugee Convention and its 1967 Protocol, as the 1969 OAU Convention itself recognises “that the United Nations Convention of 28 July 1951, as modified by the Protocol of 31 January 1967, constitutes the basic and universal instrument relating to the status of refugees and reflects the deep concern of states for refugees and their desire to establish common standards for their treatment” (Preamble, para. 9).

The 1981 *African Charter on Human and Peoples’ Rights*, also known as the Banjul Charter, aims at promoting human rights on the African continent. As a safeguard measure, the Charter also established the African Commission on Human and Peoples’ Rights to oversee the interpretation of the Charter, which has been ratified by all the countries under study.

The 1987 *Protocol to the African Charter on Human and Peoples’ Rights* established another institution aimed at guaranteeing that the rights enshrined in the Charter are respected: the African Court on Human and Peoples’ Rights. Only nine of the thirty States Parties have agreed to allow NGOs and individuals to submit complaints to the Court (including Benin, Burkina Faso, Côte d’Ivoire, The Gambia, and Ghana), while for the remaining countries it is only the African Commission on Human and Peoples’ Rights or member states who can file complaints. Eleven of the countries assessed have ratified the Protocol – Benin, Burkina Faso, Côte d’Ivoire, The Gambia, Ghana, Mali, Mauritania, Nigeria, Niger, Senegal, and Togo.¹³¹

The main regional legislative instrument used to combat TIP in the ECOWAS region is the African Union’s 1990 *African Charter on the Rights and Welfare of the Child*. It was the first regional treaty to address child rights and is conceived as being complementary to the Convention on the Rights of the Child. The Charter contains provisions on labour

131 African Court on Human and Peoples’ Rights, “Welcome to the African Court”, see: <https://en.african-court.org/index.php/12-homepage1/1208-welcome-to-the-african-court1>.

exploitation of children, harmful social and cultural practices, exploitation in armed conflicts, sexual exploitation, child abduction, sale and trafficking. The key provisions of the Charter pertaining to the improvement of child rights in Africa concern the definition of the child (age, Article 2), child marriage (Article 21(2)) and children and armed conflict (Article 22). The Charter explicitly prohibits child marriage and the betrothal of both boys and girls, also requiring compulsory registration for all marriages. Similarly, the Charter prohibits the recruitment of children under 18 in both international and internal armed conflicts.¹³² The Charter is ratified by 13 Member States, with Mauritania, Liberia and Guinea-Bissau having only signed the document.

The African Union's *Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)* addresses displacement caused by military conflicts, violation of human rights, natural disasters and large-scale developmental projects. The Convention reinforces the legal standard that the primary duty for lending support and ensuring and providing protection to IDPs lies with the signatory States.¹³³ Not acceding to this Convention represents a risk for the protection of IDPs, who are made vulnerable by displacement and the loss of their socio-economic networks. The only country under study which has not ratified the Convention is Cabo Verde. A further three states, Ghana, Guinea-Bissau and Senegal have only signed the Convention, whilst the remaining twelve countries have all ratified it.

The *Treaty Establishing the African Economic Community (1991)* officially established the African Economic Community and was the first treaty that focused on the free movement of people and capital to enhance regional integration and development. The Treaty has been signed by all the countries studied for this report.

The *2018 Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment* fosters the creation of free movement of persons in Africa, which would be beneficial in curbing SoM. The establishment of the free movement area comprises three steps: abolition of visas, right of residence, and right of establishment. Moreover, it envisions the right to seek and accept employment in another Member State without being subject to discrimination. The Protocol has been ratified by Mali and Niger, and signed by a further eight countries; of note in the present context is that Benin, Cabo Verde, The Gambia, Mauritania, and Nigeria have not yet signed it.

132 The relevant provisions are:

Article 15: Children should be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with their physical, mental, spiritual, moral, or social development.

Article 21: Governments should do what they can to stop harmful social and cultural practices, such as child marriage, that affect the welfare and dignity of children.

Article 22: Children should not be recruited as soldiers, nor should they take a direct part in fighting wars.

Article 27: Children should be protected from all forms of sexual exploitation and sexual abuse.

Article 29: Governments should take appropriate measures to prevent the abduction, the sale of, or traffic of children for any purpose.

133 Ojeda, S. (2010), *The Kampala Convention on internally displaced persons: Some international humanitarian law aspects*. *Refugee Survey Quarterly*, 29(3).

Other relevant instruments include the *Protocol on the Rights of Women in Africa* of 2003 – Niger and Sierra Leone have signed but not ratified the Protocol;¹³⁴ and the 2006 *African Youth Charter* – ratified by thirteen Member States and Mauritania. A further two states covered by the present assessment, Liberia and Sierra Leone, have signed but not ratified the Charter.¹³⁵

Legal instruments of the Arab States

Other relevant instruments necessary to mention here are those of the League of Arab States, of which Mauritania is a Member State. The League has developed human rights standards and a monitoring mechanism, the *Arab Charter on Human Rights*, which was adopted in 1994 and entered into force in 2008. The Charter prohibits slavery and trafficking in human beings (Article 10). It also establishes the states' reporting obligations on measures taken in order to give effect to the rights and freedoms recognised in the Charter, whereas the monitoring duty is carried out by the Arab Committee on Human Rights.¹³⁶

The League adopted the *Model Law to Combat the Crime of Trafficking in Persons* through the Council of the Arab Ministers of Justice and the Council of the Arab Ministers of Interior. The Model Law follows the definition of trafficking set forth in the Palermo Protocol, and provides guiding principles to the Member States for drafting national anti-trafficking legislation. Additionally, the 2006 *Arab Declaration on International Migration* calls for states to improve their protection of the most vulnerable individuals in the migration process. Yet another instrument is the *Marrakesh Declaration* of 2010, which calls for more efforts to decrease vulnerabilities and inequalities related to children in the region.

B. Policy Framework

In addition to the above binding instruments, the AU has adopted several non-binding instruments that guide its Member States towards better migration management. These instruments include:

► The 2006 Migration Policy Framework for Africa.

Together with the African Common Position on Migration and Development, this represents one of the main AU documents regarding migration on the continent. The Framework has several recommendations, including calls for establishing labour migration policies and harmonising the regional approaches; developing a free movement framework; enhancing the role of the AU in border management; strengthening policies to prevent and combat trafficking in human beings; creating standards for the return policy, safeguarding the human security of refugees and implementing the *non-refoulement* principle.

134 Information on the ratification status can be found here: <https://www.achpr.org/legalinstruments/detail?id=37>.

135 Information on the ratification status for AU states can be found here: <https://au.int/sites/default/files/treaties/7789-sl-AFRICAN%20YOUTH%20CHARTER.pdf>.

136 Information on Mauritania's status within the Arab Committee on Human Rights can be found here: <http://www.leagueofarabstates.net/ar/humanrights/Committee/Pages/MemberCountriesDetails.aspx?RID=19> (in Arabic).

▶ **The African Common Position on Migration and Development**

was developed and adopted at the AU Summit in 2006, at the same time as the negotiations for the Migration Framework. It had as its main aim the setting out of the ways in which migration management could contribute to the development of the continent. It also addresses the problem of child trafficking and the specific situation of migrant women.¹³⁷

▶ **The Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children**

introduced in 2006 aims at enhancing cooperation between the African Union and the European Union in the fight against TIP.

▶ **The 2008 Resolution on Combating Human Trafficking in Africa**

was supported by the Forum on the Participation of NGOs at the 44th Ordinary Session of the African Commission on Human and Peoples' Rights, which requested several actions from the latter, including promoting ratification of the Palermo Protocol.

In 2001, ECOWAS officially recognised TIP in the West Africa region as a priority and set about addressing the problem systematically. The Community adopted its *Initial Plan of Action against TIP 2002-2003* the year after its accession to the UNTOC (adopted in 2000).¹³⁸ The Initial Plan was followed in 2006 by the *Joint Plan of Action to Combat Trafficking in Persons for ECOWAS and the Economic Community of Central African States*, the *ECOWAS Plan of Action against Trafficking in Persons (2008–11)*, the *Strategic Plan of Action for the Combat of Trafficking in Persons in West Africa for 2010-2013* and the current ***ECOWAS Plan of Action against Trafficking in Persons in West Africa, 2018-2022***.

The Plan of Action sets common goals for all Member States and coordinates the efforts to implement the Plan at national level. Implementation of the Plan is monitored by the ECOWAS Trafficking in Persons Unit and reported on in the ECOWAS Annual Synthesis Reports on Trafficking in Persons.

A historical overview of the main anti-trafficking policy developments in the ECOWAS region since the adoption of the first Plan of Action is presented in Table 7 below.

137 Klavert, H. (2011), *African Union frameworks for migration: current issues and questions for the future (Discussion Paper 108)*, ECDPM.

138 FMM West Africa (2018a), *Counter Trafficking. ECOWAS Plans of Action. Assessing the Impact*.

Table 7: TIP policy developments in the ECOWAS region, 2001 to present

Year	Activity
2001	The ECOWAS Initial Plan of Action against Trafficking in Persons 2002-2003 is adopted.
2005	The TIP Unit is officially established at the ECOWAS Commission; in the new ECOWAS organigram (2019), the TIP Unit (Social Dimension of TIP) is part of the Division Human Security and Civil Society within the Humanitarian and Social Affairs Directorate.
2006	The joint ECCAS/ECOWAS Plan of Action against Trafficking in Persons, especially women and children in West and Central Africa is adopted.
2006	The Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa , together with the Economic Community of Central African States (ECCAS), is concluded.
2007	The Fourth ECOWAS Plan of Action against Trafficking in Persons 2008-2011 is adopted.
2007	The Decent Work Agenda in Africa 2007-2015 is adopted at the 11 th African Regional Meeting of the ILO (Addis Ababa, 24-27 April 2007). The Agenda calls on all countries in the region to implement National Action Plans to eliminate the worst forms of child labour by 2015. According to the ILO report, in response to the Agenda, the number of countries designing such action plans has been increasing steadily. ¹³⁹
2008	The ECOWAS Common Approach on Migration is adopted by ECOWAS Heads of State and Government, in response to the need for a coherent and comprehensive view of Migration within the ECOWAS region. It provides a framework for addressing migration and development issues in West Africa, based on six principles: 1) Free movement of persons within the ECOWAS zone is one of the fundamental priorities of the integration policy of ECOWAS Member States; 2) Legal migration towards other regions of the world contributes to ECOWAS Member States' development; 3) Combating human trafficking and humanitarian assistance are moral imperatives for ECOWAS Member States; 4) Harmonising policies; 5) Protection of the rights of migrants, asylum seekers and refugees; 6) Recognising the gender dimension of migration policies.
2009	The Regional Policy on Protection and Assistance to Victims of Trafficking in Persons in West Africa is officially adopted
2010	The Strategic Plan of Action for the Combat of Trafficking in Persons in West Africa for 2010-2013 is adopted by the ECOWAS Member States.
2012	The ECOWAS Regional Action Plan to Eliminate Child Labour, Especially its Worst Forms is adopted. ¹⁴⁰ The Plan follows the adoption of the Decent Work Agenda in Africa 2007-2015.

139 ILO (2013), *Accelerating Action against Child Labour in Africa – Building on Experience and Results*.

140 Rosati, FC. et al. (2016), *The twin challenges of child labour and educational marginalisation in the ECOWAS region. An Overview*, ILO.

2015	The ECOWAS Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants are validated and adopted, reflecting the previous version developed by the West Africa Network for the Protection of Children and Young Migrants (WAN). “ <i>The suggested actions in the document focus on the child as the centre of all concerns and his/her family/community as being of utmost importance for the development (Preface 3 and welfare of the child). In addition, the child is considered a whole person, and his/her resources, opinion and relationships are also considered.</i> ” ¹⁴¹
2017	The ECOWAS Plan of Action against Trafficking in Persons in West Africa, 2018-2022 is adopted.
2017	The ECOWAS Guidelines on Child Protection are adopted.
2018	The 9th Annual Review Meeting on Trafficking in Persons in West Africa is held at the ECOWAS Commission in Abuja.
	The ECOWAS Policy on Protection of Victim-Witnesses is put in place.
2019	The ECOWAS Policy on Protection and Assistance of Victims of Trafficking also comes into force.
	The 10th Annual Review Meeting on Trafficking in Persons in West Africa takes place at the ECOWAS Commission in Abuja.
2019	The ECOWAS Annual Synthesis Report on Trafficking in Persons in West Africa is released.

As shown in Table 7 above, the anti-trafficking response in the ECOWAS region is naturally occurring in the framework of migration-related regulations. The core documents are the 1995 *Free Movement of Persons, Right of Residence and Establishment Protocol* and its Additional Protocols, as well as the *ECOWAS Common Approach on Migration* agreed in 2008.

In addition, several other conventions are used in the common approach to TIP in the region and, more specifically, to facilitate the cooperation of judiciary and law enforcement agencies in the prosecution of TIP cases. One of these is the *ECOWAS Convention on Mutual Assistance in Legal Matters*, which has been signed but not yet ratified by Benin, Cabo Verde, Côte d’Ivoire and Sierra Leone; the ratification process is underway in Côte d’Ivoire and Sierra Leone.¹⁴² Another such instrument is the *ECOWAS Convention on Extradition* signed but not yet ratified by Benin, Côte d’Ivoire and Sierra Leone; its ratification process is continuing in Côte d’Ivoire and Sierra Leone.¹⁴³

141 ECOWAS (2015), *Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants*.

142 Information based on the 2017 *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*, submitted by the Member States.

143 Ibid.

4.3 National Level

Based on the relevant international and regional legal instruments, the studied countries have developed their own national anti-trafficking legal frameworks. This section discusses the main anti-trafficking legislation and national laws related to the TIP topic in each of the respective countries. The review of the national TIP policies focuses mainly on the existing Plans of Action on TIP and related areas (mainly in regard to child protection).

A. Legal Framework

Since 2003, 14 ECOWAS Member States and Mauritania have adopted specific anti-trafficking laws, while Guinea integrated its anti-TIP legislation into the Criminal Code in 2016.¹⁴⁴ Benin criminalised trafficking of adult victims in its Criminal Code in 2018.¹⁴⁵ Togo is the exception in this regard, where only child trafficking is criminalised, while Sierra Leone has introduced anti-trafficking legislation targeting only adult victims.

Togo has recognised that the concept of TIP must be extended in the national legislation to include the exploitation of adults, but the country has no structures ready to implement broader mechanisms or policies. The Togolese government recognises the need for more robust studies that would inform it on how to improve the available structures and prioritise appropriately.¹⁴⁶

Table 8 below provides information about the national anti-trafficking laws in the Member States and Mauritania, and on the types of victims and exploitation they cover.

144 Guinea (2017), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

145 Benin (2018), *ibid*.

146 Interview conducted in Togo; interview code TG05.

Table 8: National anti-trafficking legislation¹⁴⁷

	National Trafficking in Persons Law	Dedicated to		Covers all forms of exploitation listed in UN TIP Protocol	Other dedicated anti-trafficking legislation	Notes
		Child victims	Adult victims			
Benin	Law No. 2006-04 of 5 April 2006 on conditions for the travelling of minors and combating child trafficking. Decrees for Application of the Law, adopted by the Council of Ministers in October 2009.	Yes	Yes	No info	In 2018, the Penal Code of was amended and introduced provisions criminalising trafficking of adult victims. ¹⁴⁸	"The Criminal code criminalises trafficking in persons, and determines the sanctions applicable to the authors and accomplices of the offences related to this phenomenon in Benin, without distinction of sex, status and social rank." ¹⁴⁹
Burkina Faso	Law No. 029-2008/AN of 15 May 2008 on the Fight Against Trafficking in Persons and Similar Practices.	Yes	Yes	Yes		The law establishes special protection mechanisms for children. ¹⁵⁰
Cabo Verde	Legislative Decree No. 4/2015 of 11 November, adopted in 2015	Yes	Yes	No info		

¹⁴⁷ The information is collected from several sources and has been crosschecked – *Annual Reports of the Member States to ECOWAS*, 2017 and 2018; the UNODC *Global Report*, 2018 and the US Department of State *Trafficking in Persons Report*, 2019.

¹⁴⁸ US Department of State (2019), *TIP Report*, op. cit.

¹⁴⁹ Benin (2018), *Annual Report*, op. cit.

¹⁵⁰ Interview conducted in Burkina Faso; interview code BF01.

<p>Côte d'Ivoire</p>	<p>Law No. 2010-272 of 30 September 2010 on the Prohibition of Child Trafficking and of the Worst Forms of Child Labour. Decree 2014-290 of 21 May 2014 on the modality of application of Law No. 2010-272 prohibiting trafficking and the worst forms of child labour.</p>	<p>Yes</p>	<p>Yes</p>	<p>No</p>	<p>The legislation covers TIP for sexual exploitation and forced labour.</p>
<p>The Gambia</p>	<p>Trafficking in Persons Act of 6 September 2007 (amended in 2010 and 2011), approved by the President on 5 October 2007.</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	
<p>Ghana</p>	<p>Human Trafficking Act No. 694 of 5 December 2005.</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	<p>Human Trafficking Prohibition (Protection and Reintegration of Trafficked Persons) Regulations 2015 (L.I. 2219) passed by the Parliament in November 2015.</p>
<p>Guinea</p>	<p>Anti-Trafficking Law, incorporated into the revised Criminal Code, adopted in 2016.</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	<p>The Children's Code promulgated by Law L/2008/011/AN and adopted on 18 May 2008 includes Articles 385-396 on child trafficking. Article 323 of the Criminal Code specifies that "Trafficking in human beings is the act of recruiting, transporting, transferring, harbouring or accommodating a person for the purposes of exploitation".</p>
<p>Guinea-Bissau</p>	<p>Law No. 12/2011 of 2 May 2011 on Preventing and Combating Trafficking in Persons, in Particular Women and Children.</p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>	

Liberia	2005 Act to ban trafficking in persons within the Republic of Liberia, 14 June 2005	Yes	Yes	Yes	Criminal Code, Section 14.55 criminalises TIP, but the definition is not aligned with the UNTOC or the TIP Protocol.
Mali	Law No. 2012-023 of 12 July 2012 in relation to the fight against trafficking in persons and similar practices.	Yes	Yes	Yes	
Mauritania	Draft law amending Law 2003-025 of 17 July 2003 on the prevention and suppression of trafficking in persons and the protection of victims.	Yes	Yes	No info	Law 2007-048 of 3 September 2007 on criminalization of slavery and penalization of slavery practices. Ordinance 2005-015 of 5 December 2005 on the judicial protection of the child. ¹⁵¹ A draft law was approved on 12 March 2020. It provides for accompanying measures, strengthens the protection of victims and prevention, while proposing the harmonisation of penalties for TIP offences with those provided for in the Act criminalising slavery. ¹⁵²

¹⁵¹ Diouf, I. (2016), *Assessment of the Institutional and Legal Framework of the Fight against Trafficking in Persons in Senegal, Guinea, Guinea-Bissau, The Gambia, Mali and Mauritania*, MMD West Africa, ICMPD.

¹⁵² UNODC (2020), "Mauritania a step closer to criminalising human trafficking & smuggling with UNODC technical support", UNODC.org, 30 March 2020, see: <https://www.unodc.org/westand-centratrafrica/en/2020-03-30-mauritania-draft-law-smuggling-trafficking.html>.

Niger	Ordinance 2010-086 of 16 December 2010 on the fight against trafficking in persons.	Yes	Yes	Yes	Two decrees (No. 2012-082/ PRN/MJ and 2012-083/PRN/MJ) were issued on 21 March 2012 to operationalise the two TIP institutions in the country.
Nigeria	The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003 and 2015 – the Nigerian National Assembly re-enacted the previous Act.	Yes	Yes	Yes	
Senegal	Act No. 2005-06 of 10 May 2005 on the fight against trafficking in persons and similar practices and the protection of victims.	Yes	Yes	Yes	The Parliament is currently discussing a new bill, which will criminalise trafficking more specifically and differentiate between trafficking and smuggling according to the <i>Palermo Protocol</i> . The current legislation still has significant loopholes and is not sufficiently aligned with the international conventions. ¹⁵³
Sierra Leone	Anti-Human Trafficking Act of 18 August 2005, Act No. 7 to suppress the trafficking in persons and to provide for other related matters.	No	Yes	Yes	The country does not have particular legislation, dedicated to child trafficking.
Togo	Law No. 2015-010 of 24 November 2015 on the Criminal Code, Articles 317-326, on TIP. ¹⁵⁴	Yes	No	Yes	Trafficking of adult victims is not criminalised.

¹⁵³ Interview conducted in Senegal; interview code SN01.

¹⁵⁴ Interviews conducted in Togo; interview codes TG01 and TG02.

Other legal provisions enabling the prosecution of TIP

TIP is a complex crime, so the West African countries under study are implementing different legislative tools in addition to the main anti-trafficking act, in order to prosecute traffickers and protect victims. Elements of TIP may be criminal offences on their own – for example, participation in an organised criminal group, the forging of personal documents, forced labour, deprivation of liberty, torture, etc. The following (non-exhaustive) list presents the types of legislation that are most commonly used, together with the main anti-trafficking law, in the prosecution of TIP cases.

Legislation criminalising TIP

In some ECOWAS Member States, the Criminal Codes have specific provisions on TIP as a crime (Guinea, Togo, and Mali – on child trafficking). In others, the Criminal Code offers provisions related to crimes that can occur during a situation of TIP and which are part of the definition of the crime – indecent and sexual assault, abduction of a woman or child, rape, extortion, grievous bodily harm, torture, deprivation of liberty, slavery, forced abortion, sexual exploitation, profiting from sexual exploitation, pimping, prostitution, forced marriage, forced labour, use of children for sexual purposes or pornography, mistreatment of children, corruption, forgery, obstruction of justice, participation in organised criminal groups, money laundering, etc. Often anti-corruption and money laundering legislation (Benin, Ghana, Guinea-Bissau, Liberia, Sierra Leone, etc.), as well as counter-terrorism legislation (Niger, The Gambia),¹⁵⁵ offer articles related to and used in the prosecution of TIP cases.

Child protection legislation

Laws addressing child abuse and exploitation have been introduced in all ECOWAS Member States and Mauritania, with their provisions being used for prosecution of TIP cases. Child protection legislation related to TIP covers areas such as the protection of children against various forms of abuse (Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, Nigeria, Togo, and Mauritania), the sale and commercial use of children in prostitution or pornography (Burkina Faso, Cabo Verde, Guinea, Nigeria, Sierra Leone, Togo, and Mauritania), child labour or servitude (Burkina Faso, Cabo Verde, Guinea, Ghana, Nigeria, Sierra Leone, and Togo), early/forced marriage (Côte d'Ivoire, The Gambia, Ghana, Guinea, Sierra Leone, and Togo), and children travelling abroad. A specific authorisation is imposed in cases of issuing travel documents for children (Guinea-Bissau and Mali). Burkina Faso's child protection legislation also targets the protection of children in conflict with the law or in danger (Law No. 015-2014). The Children's Codes of Guinea, Liberia and Togo have specific provisions on child trafficking.

¹⁵⁵ Niger (2017), The Gambia (2017), *Annual Reports on the Implementation of the ECOWAS TIP Plan of Action*.

Labour-related legislation

Labour codes and related legislation in all Member States¹⁵⁶ criminalise forced labour of adults and children. In Guinea, child labour is subject to the Children's Code. Most commonly, the legislation that can be used in relation to trafficking in persons sets the minimum age for legal employment (Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Nigeria, Senegal, Sierra Leone, and Togo), and defines decent working conditions, hazardous labour, night labour, etc. (Burkina Faso, Cabo Verde, Côte d'Ivoire, Niger, Nigeria, Senegal, Sierra Leone, and Togo).

National constitutions

Most ECOWAS Member States have provisions in their constitutions that relate to TIP – slavery, slavery-like practices and servitude, torture, human rights, forms of indignity and degrading treatment, etc. (Burkina Faso, Cabo Verde, The Gambia, Ghana, Guinea-Bissau, Mali and Niger). The Constitution of Côte d'Ivoire explicitly lists TIP alongside other forms of “debasement of a human being”¹⁵⁷ as prohibited.

Further types of provisions

Numerous countries have adopted legislation related to gender-based violence issues that could potentially facilitate the prosecution of TIP cases. Accordingly, legislation targeting the prevention of violence against women and the protection of victims exists in Benin, Burkina Faso, Cabo Verde, Ghana, Guinea-Bissau, and Nigeria. Côte d'Ivoire and Senegal have both introduced special legislative measures against female genital mutilation. Various migration-related laws are also used in the prosecution of TIP cases, very often related to falsification of travel documents; in Cabo Verde and Ghana, for example.¹⁵⁸

B. Policy Framework

One of the main anti-trafficking policy documents at national level is the *National Plan of Action to Combat Trafficking in Persons*. It is a tool for sharing responsibilities and coordination of actions among the national anti-trafficking stakeholders. The Plan operationalises the objectives of the National Anti-Trafficking Strategy (where such a policy has been developed) into specific actions, and sets out the implementing stakeholder, the budget and the timeframe for implementation. A Plan of Action (PoA) facilitates results-oriented planning and implementation of a national anti-trafficking response in those countries which lack an established national strategy.¹⁵⁹ The time frame of a national PoA may vary, but most commonly it is from one to five years.

156 Information on Mauritania is not available.

157 Côte d'Ivoire (2017), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

158 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

159 ICMPD (2010b), *Monitoring and Evaluation Handbook for National Action Plans against Trafficking in Human Beings*.

With the exception of Burkina Faso and Togo, the ECOWAS Member States either have already or are currently implementing their national PoAs; Mauritania also makes the list of non-implementing states.¹⁶⁰ Due to differing national anti-trafficking legislation and the various approaches to TIP, some countries have introduced national PoAs in the thematic fields linked closely to TIP.

Table 9: Current anti-trafficking legislation in ECOWAS region and Mauritania

State	Status
Benin	2019-2025 National policy to combat TIP and its PoA are at the development stage. 2019-2023 National Action Plan to combat the Worst Forms of Child Labour is in the process of adoption.
Burkina Faso	No PoA against TIP. 2015-2019 National Programme to Combat Child Labour in Artisanal Mines.
Cabo Verde	National Plan against Trafficking in Persons 2018-2021.
Côte d'Ivoire	National Anti-Trafficking Action Plan 2016-2020.
The Gambia	National Anti-Trafficking Action Plan 2016-2020. National Child Protection Strategy 2016-2020 and the Child Protection Plan of Action 2016-2018.
Ghana	National Plan of Action for the Elimination of Human Trafficking in Ghana (2017-2021).
Guinea	Annual National Plan of Action 2018. ¹⁶¹
Guinea-Bissau	Plan of Action to prevent and combat human trafficking 2015-2018. ¹⁶²
Liberia	National Action Plan 2013-2018 validated and endorsed by the government. <i>Note: The five-year National Action Plan expired in 2018; a declaration was made by the Chair of the National Anti-Human Trafficking Taskforce, extending the operation of the National Action Plan for a period of six months (1 January – 31 June 2019). The new National Action Plan has already been developed. It was awaiting validation in April 2019.</i> ¹⁶³
Mali	National Action Plan to Combat Trafficking in Persons (2018-2022). ¹⁶⁴ National Action Plan for the Elimination of Child Labour in Mali (2011-2020), containing an anti-trafficking component.

160 The information was taken from the last ECOWAS Annual Synthesis Report, for 2018, and crosschecked with other sources of information to obtain the most up-to-date data.

161 Guinea (2018), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*. The country adopts its PoA on an annual basis, so it can be assumed that there was a PoA 2019 and currently a Plan of Action 2020. However, information to confirm these assumptions could not be obtained during the research.

162 Guinea-Bissau (2018), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*. Information on more recent PoA(s) could not be obtained.

163 Liberia (2018), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

Mauritania	National Plan of Action to combat Trafficking in Persons 2020-2022. ¹⁶⁵
Niger	National Plan of Action against Trafficking in Persons 2014-2018. New Plan developed and adopted in 2019.
Nigeria	National Plan of Action on Trafficking in Persons 2015-2018. Extended to 2019.
Senegal	Plan of Action to Combat Trafficking in Persons for 2018-2020.
Sierra Leone	Second National Action Plan on Trafficking in Persons 2015-2020.
Togo	A National Action Plan on prevention, prosecution, reintegration, capacity building, coordination and monitoring of anti-trafficking activities was in place from 2007 to 2011. No current Plan of Action is in place, but “the Togolese Government is elaborating a new Plan of Action against Trafficking, to cover adult trafficking as well as child trafficking”. ¹⁶⁶

Considering the above, it becomes clear that numerous efforts to legislate for TIP have been made in recent years, and that the anti-trafficking response in the ECOWAS region has gradually become stronger and more consistent. However, there remain many challenges ahead. In some cases, policy documents and PoAs are sometimes not (or are only partially) supported financially, despite official endorsement from the governmental anti-trafficking stakeholders. In addition, the development of anti-trafficking policies is rarely supported by research undertaken to better understand and analyse the issues addressed. Coordinating the implementation of activities under a certain PoA can pose a challenge, especially where the various anti-trafficking actors do not have enough trust in each other, or are not aware of the responsibilities held by their colleagues.

164 UNODC (2018c), “UNODC supports the elaboration of the new national action plan to combat trafficking in persons (2018-2022) in Mali”, UNODC.org, 30 July 2018, see: <https://www.unodc.org/unodc/en/human-trafficking/glo-act/unodc-supports-the-elaboration-of-the-new-national-action-plan-to-combat-trafficking-in-persons-2018-2022-in-mali.html>

165 UNODC (2020), “Mauritania a step closer”, op. cit.

166 Interview conducted in Togo in 2019; interview code TG02.



5. International and Regional Cooperation Mechanisms for the Protection of VoTs and Prosecution of Traffickers

Cooperation mechanisms are part of the essential tools needed for successful counter-trafficking actions. When cooperation requires the coordination of efforts between two or more countries, challenges may occur. Ineffective cooperation leads to frustration, unjustified expenditure of human, administrative and financial resources, ineffective prosecution, and to, most importantly, the inability to protect victims and provide them with the resources to recover. This chapter will explore the existing structures and methods of cooperation in the ECOWAS Member States and Mauritania, and presents the concept of the Transnational Referral Mechanism (TRM) – a model for successful referral of TIP victims between countries of exploitation and origin.

5.1 Institutional Framework

This section presents the main ECOWAS anti-trafficking stakeholders as well as four of the most active and prominent regional networks, active in the anti-trafficking response and in other related challenges in the ECOWAS Member States and Mauritania.

ECOWAS Commission TIP Unit

The ECOWAS Commission has within its Humanitarian and Social Affairs Directorate, Human Security and Civil Society Division a unit mandated to address TIP issues – Social Dimension of TIP.¹⁶⁷ This Unit shapes ECOWAS policies in the field of combating TIP and related areas. It has played an important role since its inception in assessing the

¹⁶⁷ The other three units are: Emergency Protection – IDPs, refugees, mixed migration, GBV, IHL; Women, Peace and Security and Civil Society; Child Rights, Child Protection and Child labour.

compliance of the national TIP legislation with the UN Protocol and other international legislative documents.¹⁶⁸ The Unit is responsible for establishing a common approach to TIP response in the region by developing regional guidelines and practices, as well as a Regional Plan of Action against TIP, following up on occurring trends, implementing capacity-building functions, and performing monitoring and evaluation tasks.

The ECOWAS TIP Unit is also responsible for coordination of the network of *National Focal Points on TIP*. NFPs serve as the liaison between the ECOWAS Commission and MS governments on the TIP topic. Since 2008, the ECOWAS Commission organises Annual Review Meetings (ARMs) whereby all NFPs gather to assess the implementation of the current ECOWAS Plan of Action on TIP and discuss the latest developments in the MSs and the region at large. According to Togo's NFP (within the Ministry of Justice), ARMs are a great opportunity for the countries of the region, but mostly those neighbouring each other, to share experiences, and discuss common issues and possible joint solutions.¹⁶⁹ The ECOWAS TIP Unit maintains that the creation of the network of NFPs has made it possible to bring all MSs onboard and learn from each other.¹⁷⁰

NFPs are responsible for the collection of information and compilation of *Annual National Reports* on the implementation of the current ECOWAS Plan of Action on TIP. These reports are collected by the ECOWAS TIP Unit and compiled in the *ECOWAS Annual Synthesis Report* on Trafficking in Persons in West Africa. The report presents the anti-trafficking developments in the ECOWAS Member States in four thematic areas: 1) Legal, Policy and Institutional Framework; 2) Trafficking Data and Trends; 3) Implemented Anti-Trafficking Activities; 4) Analysis and Assessment of national priorities, identification of good practices and analysis of identified challenges in the implementation of the anti-trafficking response. The latest report – the ECOWAS Annual Synthesis Report on Trafficking in Persons in West Africa 2018 – covers the period 2016-2017 and was compiled with the support of ICMPD.¹⁷¹

The *ECOWAS Regional Child Protection Working Group* was established in 2014 as a coalition of fifteen IOs and international NGOs working in the field of child protection in West Africa.¹⁷² The goal of the Group is to strengthen the protection of children in West Africa by accelerating the achievement of results in the implementation of the 2017 ECOWAS Strategic Framework for Strengthening National Child Protection Systems to Prevent and Respond to Violence, Abuse and Exploitation against Children in West Africa.

168 FMM West Africa (2018a). *Counter Trafficking. ECOWAS Plans of Action. Assessing the Impact*.

169 The information is obtained through conducted interview in Togo; interview code TG02.

170 The information is obtained through conducted interview in Nigeria; interview code NG01.

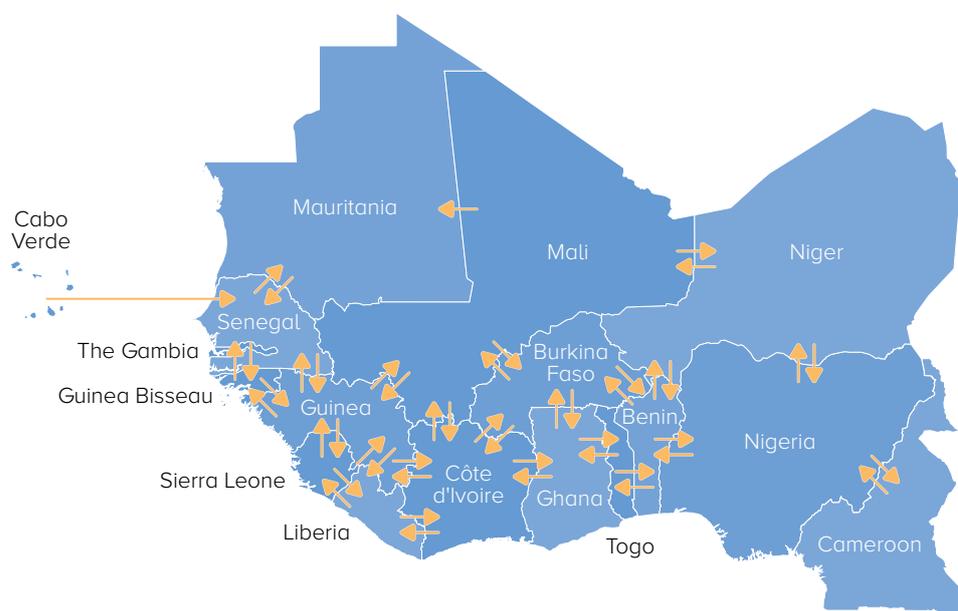
171 The report is available from ICMPD.

172 The members are: Save the Children, World Vision International, EDUCO, MAEJT, ENDA, Terre des hommes-Lausanne, Handicap International, Child Fund, Plan International, SOS Children's Village, ILO, IOM, UNODC and UNICEF.

Regional networks

The **West Africa Network for the Protection of Children and Young Migrants** connects West African child protection systems, allowing them to better identify, protect, monitor and reintegrate children on the move between countries in the region. During the adoption of the Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants in 2016, the ECOWAS Commission delegated to the network the task of serving as a referral mechanism for transnational cases of child trafficking.¹⁷³ The identification of trafficked children, their protection, repatriation assessment, and the provision of essential services is usually conducted by the WAN.

Figure 9: Migratory flows of vulnerable children and young people in West Africa



Source: WAN, www.rao-wan.com

The Network covers 16 countries – the ECOWAS Member States and Mauritania. Its mission is to mobilise and build national capacities to support minors travelling in vulnerable situations and ensure social, educational and professional reintegration. Besides working directly on family/community support, the WAN also works to build up a network for the child protection actors at national, transnational and regional level, contributing to cooperation between national protection systems and offering common procedures for child protection in vulnerable situations while on the move.¹⁷⁴

¹⁷³ ECOWAS (2016), *Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants*.

¹⁷⁴ See the WAN homepage: <http://www.resao.org/en/>.

The **Migration Dialogue for West Africa** (MIDWA) is a dialogue forum on migration in West Africa created in 2001 as a platform for encouraging the ECOWAS Member States to discuss in a regional context common migration matters with cross-national border implications. Since 2017, the MIDWA has had a Regional Secretariat within the ECOWAS Commission chaired by the ECOWAS Free Movement Directorate.¹⁷⁸ TIP is a topic of interest and is discussed in the framework of the Dialogue.

5.2 Good Practices in the Transnational Referral of TIP Cases

The concept of a *Transnational Referral Mechanism* for trafficked persons, established and used in practice by several countries in Europe and beyond, sets a positive example that could potentially be adapted and implemented by the competent stakeholders in the countries under study. Over the past two decades, the TRM model has been established in several European countries as a response to the emerging need for functional and effective cross-border coordination between anti-trafficking actors in handling trafficking cases.¹⁷⁹ The TRM neither replaces nor duplicates any existing national anti-trafficking structure. Rather, it builds upon the existing structures in each country, and upon those procedures already established at national, bilateral and multilateral level.

The TRM incorporates **Standard Operating Procedures (SOPs)** which reflect the main phases of the transnational referral process:

1. Identification, 2. First Assistance and Protection, 3. Long-term Assistance and Social Inclusion, 4. Return, and 5. Criminal and Civil Proceedings.

Each SOP includes several measures which answer four questions:

WHAT is to be done?

WHEN is action to be taken?

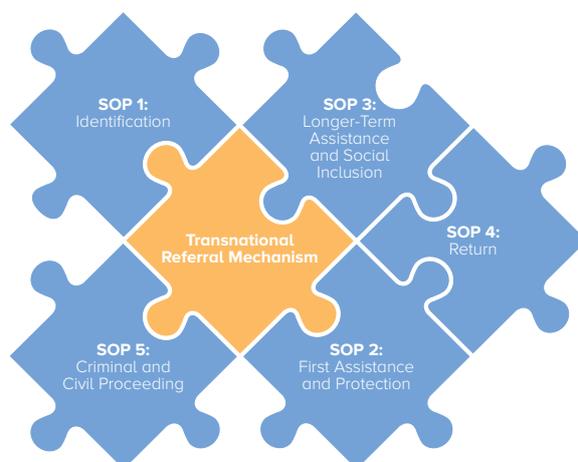
WHO should be involved?

HOW should the action be executed?

Accordingly, every action includes a step-by-step implementation guide, including a guide for transnational cooperation under each procedure.

178 di Cortemiglia, VL. et al. (2018). *Needs assessment study for the development and implementation of legislation and strategies to counter migrant smuggling covering Côte d'Ivoire, the Gambia, Guinea and ECOWAS*, IBF International Consulting.

179 ICMPD (2010a), *Guidelines for the Development of a TRM*, op. cit., "TRM is a co-operative agreement for the cross-border comprehensive assistance and/or transfer of identified or potential trafficked persons... It is based on the co-operation between governmental institutions, intergovernmental agencies and non-governmental organisations of countries of origin, transit and destination of the assisted trafficked persons."

Figure 11: Transnational Referral Mechanism SOPs

Source: ICMPD (2012), The Way Forward in Establishing Effective Transnational Referral Mechanisms in Trafficking Cases. A Report Based on Experiences in South-Eastern Europe.

As national anti-trafficking bodies are structured differently in each country, the exact composition of the actors involved can vary widely. The TRM can be based on various bilateral or multilateral instruments, portraying a comprehensive picture of the transnational cooperation landscape. National stakeholders can use only specific elements of the TRM, those measures which will contribute most to the effective handling of a particular case. For example, this could be cooperation between two or more countries on identity checks in the early identification phase, or support for the person to be socially integrated after return to their home country. Table 10 below illustrates some established practices by anti-trafficking actors in European countries that illustrate proper use of the TRM.¹⁸⁰

¹⁸⁰ ICMPD (2012), *The Way Forward in Establishing Effective Transnational Referral Mechanisms in Trafficking Cases. A Report Based on Experiences in South-Eastern Europe.*

Table 10: Established TRM Practices in European Countries

Identification	<p>Cooperation between police in the destination country and relevant officials (e.g. embassy staff of the country of origin) on confirming the identity of the presumed trafficked person.</p> <p>Cooperation between the case managers in gaining evidence for a trafficking situation (e.g. checking whether the child has been reported as missing).</p>
First assistance & protection	<p>In the case of a foreign-born child, the appointed authorities (usually the Ministry of Interior in cooperation with the Department of Social Services) of the destination country have a primary obligation to establish contact with the Ministry of Interior of the country of origin.</p>
Long-term assistance & social inclusion	<p>The case manager of the assisting agency of the destination country contacts the competent authorities or NGOs/IOs of the country of origin to request the transfer of certain documents (e.g. school certificates, etc.). The case manager in the destination country establishes and stays in close coordination with the authorities in the country of origin.</p>
Return	<p>To ensure the safe return of a trafficked person, the timely information flow between the sending and receiving organisations, as well as with possible other organisations in transit or at border crossings, is ensured. The following should be communicated: (a) Travel data (means of travel, carrier's name, etc.), date and time of arrival at the final destination; (b) Immediate confirmation sent to the receiving organisation, following the physical departure; (c) Name(s) of escorts, if applicable, and confirmation that the victim will be met at the arrival point and by whom (if applicable); (d) Confirmation that the victim arrived and was met at the point of arrival and point(s) of transit.</p>
Criminal & civil proceedings	<p>In the case of a foreign trafficked person returned home, s/he is prepared in the country of origin or resettlement at the request of the public prosecutor or judge from the destination country, where the trial will take place. The request is sent to the competent authorities in the country of residence through respective agencies, NGOs, IOs. Existing international/bilateral treaties envisaging mutual legal assistance in criminal matters are also taken into account.</p>

Through implementation of a TRM, state and non-state actors of different countries fulfil their obligations to protect and assist the trafficked persons by taking into consideration the human rights-based approach. This mechanism is an important tool that serves to encourage mutual trust and cooperation between the stakeholders in different countries when handling trafficking cases on the transnational level.

5.3 Existing Procedures and Practices in the ECOWAS Region

Regional cooperation on TIP cases is operationalised mainly through regional and bi- or multi-lateral *agreements for cooperation* between the ECOWAS Member States. These agreements cover the different areas of the anti-trafficking response – from the prosecution of traffickers to the protection of victims, and serve as the basis for an enhanced and coordinated anti-trafficking approach.¹⁸¹

Support to regional cooperation is also offered through implementation of *regional projects*, funded by external donors and usually channelled by international organisations with a presence in the region.

A formally established *referral mechanism* for victims of transnational TIP cases which operationalises and unifies the procedures for protection in both countries of origin and of exploitation either within or outside the ECOWAS region does not yet exist. Only in Nigeria is there underway a process of development and establishment of such procedures supporting the referral of (Nigerian) victims from the countries of exploitation back their country of origin. As a general practice, the return of TIP victims in the ECOWAS region is supported financially and logistically by IOM, and implemented in collaboration with the embassies of the countries of origin of the victims identified.

Regional cooperation agreements on combating TIP

The *Accra Accord* (2003) is a police cooperation agreement for West Africa aimed at fighting transnational organised crime. The agreement enables effective regional cooperation in the fight against trafficking in persons, especially children. According to a local practitioner's account: *"It made possible for several victims of TIP to be intercepted on the way to exploitation at various airports and land borders in the region."*¹⁸²

There are two main multilateral agreements related to TIP in the ECOWAS region – the 2005 *Multilateral Cooperation Agreement on the Fight against Child Trafficking in West Africa* (signed by all ECOWAS Member States) and the *Multilateral Cooperation Agreement on the Fight against Child Trafficking in West and Central Africa* (signed the following year by the ECOWAS and ECCAS Member States).

Bi- and multi-lateral cooperation agreements on combating TIP

Since the signing of the UNTOC and the TIP Protocol in 2000, a total of twenty one bilateral cooperation agreements for combating TIP have been signed, and more are under preparation (between ECOWAS Member States). The majority of these agreements focus specifically on child trafficking (see Table 11 below). Most of the bilateral agreements

181 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

182 Interview conducted in Côte d'Ivoire; interview code CI05.

have a geographic rationale in terms of trafficking routes and are therefore signed by countries that share a land border.

Table 11: Bi-and multi-lateral TIP agreements in West Africa

States Parties	Date	Name of Agreement
Côte d'Ivoire, Mali	10.09.2000	Bilateral Cooperation Agreement on Cross-Border Trafficking of Children.
All ECOWAS MSs	2003	ECOWAS Agreement on Cooperation in Criminal Police Matters.
Togo, Benin, Ghana, Nigeria	Dec. 2003	Quadripartite Agreement on Police Cooperation and Investigation
Mali, Senegal	22.07.2004	Bilateral Agreement against Cross-Border Trafficking and Smuggling of Children.
Burkina Faso, Mali	25.06.2004	Bilateral Cooperation Agreement against Cross-Border Trafficking of Children.
Benin, Nigeria	09.06.2005	Bilateral Cooperation Agreement to Prevent, Suppress and Punish Trafficking in Persons.
Guinea, Mali	16.06.2005	Bilateral Agreement against Cross-Border Trafficking of Children.
Benin, Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo	27.07.2005	Multilateral Cooperation Agreement on the Fight against Child Trafficking in West Africa.
All 26 ECOWAS & ECCAS MSs	07.07.2006	Multilateral Cooperation Agreement on Child Trafficking in West & Central Africa.
Benin, Republic of Congo	20.09.2011	Bilateral Cooperation Agreement on Combating Child Trafficking.
Burkina Faso, Côte d'Ivoire	17.10.2013	Bilateral Cooperation Agreement to Combat Cross-Border Trafficking and the Ouagadougou Declaration by the First Ladies.
Senegal, The Gambia	2013	Partnership Agreement (Memorandum of Understanding (MoU)) on Child Trafficking between the National Anti-Trafficking Coordination Bodies NAATIP and the National Committee against Trafficking in Persons (CNLTP).

Côte d'Ivoire, Ghana	13.09.2016	Joint Declaration of the First Ladies on Combating Cross-Border Trafficking and the Worst Forms of Child Labour.
	03.11.2016	Bilateral Cooperation Agreement on Combating Cross-Border Trafficking and the Worst Forms of Child Labour. Bilateral Agreement of the Elimination of Child Labour in the Cocoa Industry.
Guinea, Guinea-Bissau, Senegal	2016	Roadmap against Trafficking in Human Beings.
Guinea, Senegal	2017	Cooperation Agreement between the Child Protection Directorates of Senegal and Guinea for the Protection of Children on the move.
Senegal, The Gambia, Mauritania, Mali, Guinea, Guinea-Bissau	Oct. 2017	Protocol between the Anti-Trafficking Focal Points of the Six Countries (5+1 Network).
Togo, Gabon	Sep. 2018	Bilateral Agreement on Child Trafficking, especially on Victim Protection.
Benin, Burkina Faso, Togo	Dec. 2019	Tripartite Cooperation Agreement for the Protection of Children on the move.
Benin, Burkina Faso, Togo	Dec. 2019	Anti-trafficking Cooperation Agreement to Facilitate Law Enforcement Data Sharing and Repatriation Coordination.
Benin, Togo	Jan. 2020	Joint Strategic Actions Paper to Strengthen the Mechanism for Combating Cross-Border Human Trafficking.
Burkina Faso, Nigeria		Cooperation Agreement between Nigeria and Burkina Faso to Combat Trafficking in Persons – discussions are ongoing.
The Gambia, Ghana		Draft Cooperation and Mutual Assistance Agreement on the Protection of Children from Cross-Border Trafficking – to be adopted.
Guinea-Bissau, Guinea Guinea-Bissau, The Gambia Guinea-Bissau, Senegal		Three Bilateral Cooperation Agreements on the Subject of Combating Child Trafficking and the Cross-Border Flows of Children – currently being validated.
Ghana, Mali		Draft Bilateral Cooperation Agreement to Combat Child Trafficking – currently under discussion.
Guinea, Senegal Guinea, Sierra Leone Guinea, Liberia Guinea, Guinea-Bissau Guinea, Côte d'Ivoire		Proposed Bilateral Agreements.

A Bilateral Cooperation Agreement on combating child trafficking between an individual Member State of ECOWAS and an ECCAS Member State was signed in 2011 (between Benin and Republic of Congo). Similar agreements are under discussion between Benin and Gabon, and between Togo and Gabon.

The existing bilateral cooperation agreements on TIP in Nigeria are mainly with European countries – Italy, Luxembourg, the United Kingdom, Belgium, Spain, Switzerland and the Netherlands (for example, a labour migration agreement between Nigeria and Italy, facilitated by ILO¹⁸³). Nigeria’s Ministry of Foreign Affairs is also working on proposals for bilateral cooperation agreements between the country and Mali, Côte d’Ivoire, Benin, and Togo.¹⁸⁴ In addition, Nigeria’s National Agency on Prohibition of Trafficking in Persons has produced the *Protocol on Identification, Safe Return and Reintegration of Victims of TIP*; the document is in the process of being validated.¹⁸⁵ The Protocol describes the mechanism for referring a Nigerian victim of TIP exploited abroad: identification and immediate support, contact with the Nigerian embassy in the country of exploitation, return to Nigeria, contact with the National Referral Mechanism (NRM) for victims of TIP, reintegration.

Guinea, Mali and Sierra Leone also report cooperating with EU countries. Burkina Faso reports projects with Italy, Japan, Spain and Germany. In 2015, Ghana and the USA signed the Bilateral Child Protection Compact Agreement. Benin has signed a labour migration agreement with Kuwait, whilst Côte d’Ivoire has recently signed an agreement with Tunisia.¹⁸⁶

As mentioned above (in 5.1. Institutional Framework), the referral of child victims of TIP is mainly supported by the *West Africa Network for the Protection of Children*. The Network also promotes cooperation and information sharing between the countries. The WAN has established a network of national coordinators (focal points) in each country. The focal points have their national networks of NGOs which provide support to children and liaise with the state authorities on each trafficked child case.

Finally, there are scattered regional referral procedures of which some public institutions are part. Those regional mechanisms are institutionalised in the national legal frameworks and have not been specifically established for trafficking. In fact, each of those procedures is made for specific situations – for example, one for children victims of violence, another for children witnesses, etc.; different institutions have different procedures and services.¹⁸⁷

183 ILO support the drafting process, review the document, and upon request, support the monitoring of the Agreement’s implementation. ILO also facilitated the development of similar Labour Migration Agreement between Nigeria and Qatar, but the document was never finalised; interview conducted in Nigeria (interview code NG05).

184 Interview conducted in Nigeria; interview code NG06.

185 Based on an interview conducted in Nigeria in October 2019; interview code NG04.

186 Based on the information provided in the 2018 National Reports submitted by the ECOWAS Member States.

187 Interview conducted in Senegal; interview code SN04.

Cooperation with international organisations and NGOs

There is a number of international organisations that are key partners of ECOWAS Member States in their anti-trafficking work. In their 2017 National Reports to ECOWAS, the Member States reported cooperation on anti-trafficking actions on their respective territories with organisations such as IOM, UNODC, UNHCR, UNICEF, ILO, and ICMPD.¹⁸⁸

In addition, extensive partner networks in the ECOWAS region are maintained by Save the Children, Terre des Hommes, International Social Services, Plan International, and ECPAT. These are part of the organisations supporting the developments in the area of child protection and provide their expertise to the governments in the region. Other international NGOs that play an important role include World Hope International, Terre d'Asile, the Swiss NGO body the Platform for the Promotion and Protection of Human Rights (PPDH), Club des Amis du Monde, International Development Law Organization, Orphan Relief and Rescue, Defence for Children International, GOAL Ireland, TIMIDRIA, etc.

INTERPOL is another channel for international and regional cooperation on transnational cases of TIP. It has managed an intelligence system for West African police (WAPIS/SIPAO) which aims at sharing information on cases between police forces in the region. However, implementation of the system faces many operational, technical and legal challenges.¹⁸⁹

Regional cooperation initiatives funded by donors

International and regional cooperation within the ECOWAS region is also promoted through joint capacity-building activities and implementation of anti-trafficking projects. It is common that ECOWAS Member States implement joint anti-trafficking projects. Such initiatives are reported by all Member States in their National Reports to ECOWAS. Ghana, Guinea, Mali, Senegal and Sierra Leone also report anti-trafficking activities supported by funds from the United States government (Country reports, 2017), Nigeria reports activities funded by the French government, and Senegal provides information about technical and financial support provided through the Swiss Embassy in Dakar (Country report, 2017). One of the largest external donors continues to be the European Union.

The two most recent regional initiatives funded by the EU and implemented in the ECOWAS region are:

- ▶ *Support to Free Movement of Persons and Migration in West Africa* (FMM West Africa), aimed at maximising the development potential of free movement of persons and migration in West Africa by supporting the effective implementation of

¹⁸⁸ IOM is mentioned by Burkina Faso, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Nigeria, Senegal, The Gambia and Togo; UNODC by Guinea-Bissau, Liberia, Mali, Nigeria, Senegal, The Gambia and Sierra Leone; UNHCR by Niger and Senegal; national level cooperation with UNICEF is reported by Burkina Faso, Guinea-Bissau, Nigeria and Sierra Leone; ILO is mentioned as a partner by Mali, Niger, Nigeria and The Gambia; ICMPD by Burkina Faso, The Gambia, Nigeria, Senegal and Togo.

¹⁸⁹ di Cortemiglia, VL. et al. (2018). *Needs assessment study*, op. cit.

the ECOWAS Free Movement of Persons Protocols and the ECOWAS Common Approach on Migration. FMM West Africa was co-funded by the EU and the ECOWAS Commission, with a budget of over €26 million. It provided technical assistance and capacity-building support to the ECOWAS Commission, the fifteen ECOWAS Member States and Mauritania. Migration data management, border management, labour migration and counter-trafficking were the key areas covered by the project. All activities were steered by the ECOWAS Commission and implemented by a consortium, led by IOM in partnership with ILO and ICMPD.

The project implemented activities under three components targeting the regional, national and local levels, respectively, and covering the following specific objectives: 1) Strengthen the capacities of the ECOWAS Commission to lead an intra-regional dialogue on free movement and migration issues and act as a platform for policy development and harmonisation; 2) Strengthen the capacities of national institutions of ECOWAS Member States and Mauritania in the areas of migration data management, migration policy development, border management, labour migration and counter-trafficking; 3) Promote the active engagement of non-state actors and local authorities in information and protection activities for the benefit of migrant and cross-border populations in West Africa.

- The West African Response to Trafficking (OCWAR-T) is one of three interconnected actions tackling organised crime in West Africa, focusing on: 1) Human trafficking – OCWAR-T; 2) Money laundering/Financing of terrorism – OCWAR-M; and 3) Cybersecurity/Cybercrime – OCWAR-C. The project is funded by the EU under the 11th European Development Fund and the German Federal Foreign Office. With a total budget of €24.4 million, it is being implemented by the German Development Agency with the implementing partners including UNODC, UNDP, ICMPD, and the Mines Advisory Group.

The overall objective of the action is to strengthen the regional effort to prevent and manage conflicts and security threats in the ECOWAS region. The specific aim is to improve national and regional framework conditions and structures for combating trafficking in persons, drugs, firearms and other commodities as well as transnational organised crime and terrorism. Component 3 of the action “Prevention of TIP and protection of victims”, is implemented by ICMPD and addresses the lack of capacity and prevalent structural constraints on the national and regional level with regard to coordination and cooperation in the fields of prevention, investigation and prosecution of TIP, as well as the protection of VoTs.

At the regional level, the action provides technical and strategic advice to the ECOWAS TIP Unit in improving regional coordination, cooperation and networking and to strengthen the unit’s capacities to promote and monitor implementation of the latest ECOWAS Plan of Action against TIP 2018-2022. The action supports the Unit in the creation and operationalisation of a Regional Referral Mechanism (RRM) for victims of trafficking. This will be supplemented by the development of an implementation plan for the Regional Policy for Prevention of Crimes against the Person,

containing coordination structures and guidelines targeting groups vulnerable to TIP. At the national level, the action will establish a Demand Driven Facility fund to address the specific needs of the countries by improving and operationalising the National Referral Mechanism, and/or to setting up NRMs in countries which do not have them in place, which will also support the rollout of the RRM.

Example: **NIGERIA**¹⁹⁰

The National Agency for Prohibition of Trafficking in Persons in Nigeria has different methods of cooperating with foreign agencies on TIP:

1. Sharing intelligence sub-regionally – using day-to-day communication according to the different national regulations.
2. Exchange programmes – officers learning about other countries' experiences. Example: NAPTIP has shared experience with Ghana's Human Trafficking Management Board (HTMB), Niger's dedicated National Agency for Combatting Trafficking in Persons and Smuggling of Migrants (ANLTP/TIM), and The Gambia's National Agency against Trafficking in Persons (NAATIP), etc.
3. Cooperation on cases – responding to requests in cases of transnational TIP.
4. Local forum of police liaison officers based at the embassies of West African countries in Nigeria. In this forum, cases are presented, and challenges and practices are discussed. Since its establishment, the forum has had four editions, and it is perceived as a very useful and successful practice.
5. Capacity building – NAPTIP provides trainings for anti-trafficking authorities on both the national level and for other countries in West Africa, e.g. Nigeria-Cameroon transborder security meeting aiming at sensitisation of the relevant authorities on TIP and the monitoring of IDPs.
6. Joint investigations, e.g. joint investigation between Nigeria and Ghana on the case of Ghanaian girls kidnapped and trafficked to Nigeria to be exploited in "baby factories". The investigation did not uncover clear evidence of the purpose of exploitation.
7. Memorandum of Understanding – through the Ministry of Justice, NAPTIP has signed MoUs on TIP cases with Benin and Mali. In 2011, 100 TIP victims were returned from Timbuktu. In 2018, two fact-finding missions to Mali were conducted; approximately 20,000 Nigerian women had been trafficked to mining areas of Mali. The cooperation helped identification of the victims.

¹⁹⁰ Based on information obtained during an interview conducted in Nigeria; interview code NG04.

5.4 Gaps and Challenges

Considering the current state of affairs in the development and implementation of cooperation mechanisms for the protection of TIP victims and the prosecution of TIP cases at regional and international level in the countries studied – and based on the information and feedback collected, the following challenging areas can be highlighted.

Challenge 1: Communication

Insufficient amount of official cooperation agreements for combating TIP or other similar practices

The stakeholders interviewed repeatedly stated that communication with other countries within the ECOWAS region and beyond (countries of exploitation in Europe, the Gulf States, etc.) is poor or inefficient. This produces exacerbated tensions and lack of satisfaction when cooperating on TIP cases. Most importantly, inadequate communication often leads to unprofessional referral of victims. Sometimes there is no timely contact (or none at all) from the sending side (repatriating country), leading to poor preparation in the receiving country, and therefore inadequate or no protection services for the victims. Many of the cooperation mechanisms in place are informal and are facilitated by IOs or international NGOs. In the words of an Ivorian stakeholder, “*fully operational international cooperation is still a challenge*” and “*sharing of information among countries is done mostly through informal channels on a personal level*”.¹⁹¹ Adopting a common referral system could offer a solution to these challenges. As one of the Ghanaian counterparts succinctly put it: “*Having focal persons to deal with cases of trafficking in the various countries makes it easy to work*.”¹⁹²

Poor or inadequate official information sharing amongst destination and source countries

One of the areas which presents the greatest communication challenges is the joint prosecution of cases. The need for coordinated arrests requires simultaneous work in both countries of destination and origin, along with adequate, effective and fast sharing of information.¹⁹³ On the international level, the path for each request for collaboration is too long, and sometimes the needed information or support arrives too late.¹⁹⁴

The lack of a reliable system for information sharing between the countries under study (at regional level) therefore presents a significant challenge. One of the stakeholders interviewed added that sometimes the information sharing among ECOWAS MSs could be difficult and limited due to a lack of political will or/and resources.¹⁹⁵

191 Interview conducted in Côte d'Ivoire; interview code CI04.

192 Ghana, questionnaire sent to the TIP NFP.

193 Interview conducted in Côte d'Ivoire; interview code CI07.

194 Interview conducted in Senegal; interview code SN03.

195 Interview conducted in Côte d'Ivoire; interview code CI01.

Challenge 2: Funding

Insufficient funding seems to be a persistent challenge in each of the countries studied for this report. The funds available for anti-trafficking activities in each differ according to the type of funds – state budget, external donors, technical partners, international organisations, etc. Often the funding can be insufficient also because it is temporally limited and there is no stable continuation planned – for example, when certain cooperation actions are funded through an external project and the funding period ends upon completion of the project. There is also a lack of regular budget allocation for implementation of the international agreements already signed.¹⁹⁶

A specific challenge herein is the lack of demand-driven, flexible funding that is accessible on an ad hoc basis to meet newly emerging, immediate needs. Such funding would be extremely supportive for regional cooperation, where the phenomenon of TIP is highly dynamic and new trends appear fast. Therefore, the response and the available financial resources to fund the actions must be flexible and adaptable to the needs arising. This gap has been recognised by the ECOWAS TIP Unit and is targeted in the ECOWAS Plan of Action against Trafficking in Persons in West Africa 2018-2022, within which a component on lobbying for mobilisation of funds at regional and national levels is included.¹⁹⁷

Challenge 3: Capacity building

A further challenge to effective international cooperation is the lack of training for diplomatic personnel on TIP, and high staff turnover. The provision of regular TIP awareness and training of diplomatic staff is crucial, as they are usually the first point of contact for referral of victims in transnational TIP cases. In many countries, such training is not conducted or it depends on projects implemented by international organisations and NGOs. Thus, no sustainability can be ensured.¹⁹⁸ The sustainability of the conducted TIP training poses an additional challenge due to the high numbers of trained personnel leaving the institutions.

Other challenges encountered

- *Conceptualisation and national approaches to TIP.* Differences in the conceptual understanding of TIP among the assessed countries were also identified. Challenges emerge specifically when a victim identified as such in one particular country cannot be referred to the protection services in the country of origin due to a different legal interpretation of TIP in the latter. While these concerns were shared with ICMPD during the in-person interviews with the stakeholders, and they are theoretically possible, no evidence of such situations were found in the reports reviewed. For

196 Interview conducted Benin; interview code BN05.

197 Interview conducted in Nigeria; interview code NG01.

198 Interview conducted in Togo; interview code TG06.

example, an adult victim of trafficking from Togo cannot be referred to care or protection services for trafficked victims since the national legislation criminalises only child trafficking, limiting support to child victims of the crime. Such discrepancies in the national concepts of TIP often present a challenge to regional cooperation.

- ▶ *The official collection of information on TIP* in the region needs improvement. The ECOWAS Commission collects data on TIP from the official Member States' statistics wherever available and from country reports, prepared by NFPs for the annual review meetings. In response, the ECOWAS TIP Unit will begin to collect information from other sources as well, namely from the US TIP Report, the UNODC Global Report, NGOs, research reports, etc., in order to triangulate the official data and obtain a better picture and understanding of the statistics.
- ▶ *No follow-up mechanisms* to monitor implementation of international agreements. During the desk and the field research phases, the research team was not able to identify information about effective mechanisms or actions to monitor the implementation of the existing regional or bilateral agreements.¹⁹⁹

199 However, the research did not review the texts of these agreements and therefore the possibility that such mechanisms are set up in there should not be excluded.



6. National Cooperation Mechanisms for the Protection of VoTs and Prosecution of Traffickers

This chapter discusses the national level cooperation between the anti-trafficking stakeholders in the ECOWAS Member States and Mauritania. It first introduces the anti-trafficking coordination bodies in the countries by providing some basic information regarding their structure, functions and funding. The chapter then proceeds to explore international standards in the field of national cooperation on TIP cases, using these as a background for introducing the existing practices in this field in the Member States and Mauritania. The analysis also shapes gaps and challenges, which are listed and elaborated at the end of this chapter.

6.1 Institutional Framework: National Agencies, Committees and Task Forces on TIP

The majority of Member States have, at national level, a functional coordinating body on combating trafficking in persons, including dedicated agencies and units (The Gambia, Niger, Nigeria and Senegal), committees and commissions (Benin, Burkina Faso, Côte d'Ivoire, Guinea, Guinea-Bissau and Mali), secretariats and task forces (Liberia and Sierra Leone), or a secretariat and Human Trafficking Management Board (Ghana). Togo has a multidisciplinary working group on TIP.

These national coordinating bodies are funded through national budgets. Sometimes these budgets may be complemented with funding from UN agencies, international NGOs, foreign governments, other technical or financial partners, private donations, confiscation of assets related to TIP, etc.²⁰⁰

Table 12 below provides information about the national anti-trafficking institutions in the ECOWAS Member States and Mauritania, and their structures and functions.

200 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

Table 12: National TIP institutions in the ECOWAS Member States and Mauritania

State	Year	Institution	Funding	Structure	Functions
Benin	2006	National Unit for Monitoring and Coordination of Child Protection (CNSCPE)	National budget	The focal point and presidency of the CNSCPE comes under the Ministry of Labour and Public Service. The Permanent Secretariat of the CNSCPE is with the Directorate for Childhood and Adolescence. The CNSCPE includes the <i>National Technical Sub-Committee on Child Trafficking and Exploitation</i> . Ministries and NGOs are members of the Unit.	Coordinate and evaluate implementation of the child protection policy, strategy and Plan of Action; Perform centralised collection of information under relevant bilateral agreements; Meet at regular sessions (three times per year); Coordinate and monitor the activities of the different stakeholders in the field of child protection; Propose solutions to child protection issues; Organise an annual forum on child protection.
Burkina Faso	2009	National Committee for Vigilance and Surveillance	National budget, technical and financial partners	The Committee is composed of representatives from the Ministry of Social Affairs, Ministry of Territorial Administration, Ministry of Interior, Ministry of Health, Ministry of Education, Ministry of Agriculture, Ministry of Youth, community-based organisations, NGOs, local governments, and religious leaders.	Coordinate anti-TIP actions at the national level; Guide the designing, monitoring and evaluation of national action plans and programmes on TIP, child sexual exploitation in prostitution, begging, forced labour or services and other slavery-like practices; Promote lobbying activities for the effective application of laws and measures for protection, rehabilitation and social reintegration of victims; Promote lobbying and social mobilisation activities on combating TIP and exploitation, particularly of children.
Cabo Verde	2018	Observatory for Monitoring and Rapid Identification of Human Trafficking Situations	National budget	The chair of the Observatory is a representative from the Ministry of Justice and Labour. It has 21 members from the Ministry of Family and Social Inclusion, the Superior Council for the Judiciary, the Attorney General of the Republic of Cabo Verde, the Judiciary Police and the National Police, the Institute of Children and Adolescents, the Institute for Gender Equality and Equity, and NGOs.	Monitor all TIP activities and provide all governmental structures with technical and training support in order to be able to respond to TIP effectively.
Côte d'Ivoire	2015	National Committee for Combating Trafficking in Persons (CNLTaP)	National budget	The CNLTaP comprises the Council for Supervision and Strategic Orientation (CVOS) and the National Unit for Coordination of the Fight against Trafficking in Persons (CNCLTP). The Committee is presided over by representatives of the Ministry of Employment and Ministry of Child Protection. The members are representatives of another 15 Ministries, as well as representatives of the US Embassy, IOM, UN Women, the Superior Council of Imams, the Episcopal Conference, the National Commission for Human Rights, the International Federation of Human Rights and NGOs.	Design, coordinate and ensure the implementation of programmes and projects to prohibit and eradicate TIP and similar practices. The CVOS is the organ of surveillance and reporting of the CNLTaP, tasked with guiding actions, programmes and projects to combat TIP. The CNCLTP is the operational organ of the CNLTaP, charged with development, implementation and coordination of programmes and projects to combat TIP.

State	Year	Institution	Funding	Structure	Functions
The Gambia	2004: NTF	National Agency against Trafficking in Persons (NAATIP)	National budget	The NTF comprises Police, Immigration, the Department of Labour, Trade, the Ministry of Foreign Affairs, Social Welfare, the Women's Bureau, Gender-Based Violence, the Centre for Street Children, Child Trafficking Studies, the Child Protection Alliance, Child Fund, Customs, the Ministry of Justice and the Ministry of Interior.	The NAATIP administers the TIP Act of The Gambia and is responsible for overall coordination of anti-trafficking actions in the country. In addition, the Agency receives signals and investigates TIP cases. The NTF has policy-related tasks and support the functions of the NAATIP.
	2007: NAATIP	National Task Force (NTF)			
Ghana	2018	The Human Trafficking Management Board – previously functioning task force dissolved due to change in government	National budget, voluntary contributions, external donors, grants, assets confiscated in relation to TIP, other sources approved by the Ministry of Finance	Members of HTMB are a diverse group of representatives of the Ministry of Gender Children & Social Protection, Ministry of Education, Ministry of Health, Ministry of Interior, Ministry of Local Government and Rural Development, the Ghana Police Service, the Ghana Immigration Service, the Attorney General's Office, the Labour Department, the Office of National Security Coordinating Council, the Department of Social Welfare, the University of Ghana School of Medicine and Dentistry – Department of Psychiatry, the Select Committee on Health in Parliament, NGOs and private companies.	The HTMB makes recommendations for a national plan of action against human trafficking, and monitors and reports on the progress of the PoA through the Minister to the ECOWAS TIP Unit. It also advises the Minister on policy initiatives under the TIP Act, proposes and promotes strategies to prevent and combat trafficking in persons. The Board also has further operational functions: providing assistance on the investigation and prosecution of TIP cases and liaising with other national stakeholders to promote the rehabilitation and reintegration of victims. Another function of the Board is to conduct research on international and regional developments and standards on TIP and to prepare guidelines for the national and local authorities.
Guinea	2004	National Committee against Trafficking in Persons	National budget and external funding from UN agencies, international NGOs and national foreign embassies	The members are an extensive group of governmental representatives from the Ministry of Social Action, Ministry of Promotion of Women and Children, Ministry of Justice; Ministry of Security and Security Services Reform, Ministry of Foreign Affairs and Guineans Abroad; Ministry for International Cooperation, Ministry for Pre-University and Civic Education, Ministry of Administration of Territory and Decentralisation, Ministry of Tourism, Hotels and Crafts, Ministry of Technical Education and Professional Training; Ministry of Sports; Ministry of Fishing and Aquaculture, Ministry of Communication, Ministry of Agriculture, Ministry of Health and Public Hygiene, Labour Inspectorate, the National Employers' Council, the Network of Female Former Parliamentarian Ministers, NGOs and international organisations.	The CNLTP is tasked to elaborate and adopt national TIP policies; Perform coordination, monitoring and evaluation of all anti-trafficking activities in the country; Ensure the mobilisation of human, material and financial resources for anti-TIP actions; and Represent the country at sub-regional, regional and international meetings in the field of combating TIP.

State	Year	Institution	Funding	Structure	Functions
Guinea-Bissau	2008	National Committee for Preventing and Combating Trafficking in Human Beings, particularly Women and Children	Ensured through partnership between the government and UNICEF	The Committee is led by the President of the Institute for Women and Children. It consists of around twenty key governmental and non-governmental institutions and organisations working on protection: the Ministry of Women, Family & Social Cohesion, Ministry of Interior, Ministry of Civil Service and Labour, Ministry of Education, Ministry of Health, Ministry of Foreign Affairs, the Institute for Women and Children, the Drivers' Union, the National Commission for Refugees and Displaced, the General Directorate for Migration and Borders, the Judiciary Police, the National Committee for the Elimination of Harmful Practices, the National Islamic Council, and various NGOs.	The Committee's tasks are to coordinate the anti-trafficking actions, develop National Plans of Action, support implementation of the National Guidelines for Identification, Assistance, Protection and Reintegration of Victims of Trafficking, promote data collections and assessment studies, facilitate cooperation between countries of origin, transit and destination, implement capacity building and prevention activities, and evaluate and reformulate anti-trafficking actions implemented in the country.
Liberia	2006	National Anti-Human Trafficking Task Force	National budget	The members of the Task Force are: the Ministry of Labour (serves as Chair), Ministry of Justice (Co-chair), Ministry of Health and Social Welfare, Ministry of Interior, Ministry of Foreign Affairs, Ministry of Gender and Development; the Inspector General of the Liberia National Police, Commissioner of the Bureau of Immigration and Naturalization. In addition, TIP focal points are appointed in the Ministries of Education, Agriculture, Information, and Youth and Sports, as well as in the National Bureau of Investigation, the National Security Agency, the City Police, Port Security and more than 10 civil society organisations.	The Task Force is responsible for the development of National Plans for prevention of TIP as well as for the coordination and monitoring of their implementation. The Task Force coordinates the collection and sharing of data on cases of TIP among the government agencies, facilitates cooperation with foreign countries, and assists in support for TIP victims. The TIP Secretariat is responsible for the day-to-day activities of the Task Force and is involved in public awareness and capacity-building activities for law enforcement officers, Task Force members, the media, community groups, religious institutions, etc.
Mali	2011	National Committee on the Coordination of the Fight against Trafficking in Persons and Similar Practices	No specific funds allocated	The National Committee is under the competencies of the Minister of Justice and Human Rights, Keeper of the Seals. Its members consist of representatives from the National Director of Judicial Affairs; the Ministry for the Promotion of Women, Children and the Family, Ministry of Security and Civil Protection, Ministry of Territorial Administration, Ministry of Solidarity, Humanitarian Action and Northern Reconstruction, Ministry of Education, Ministry of Labour, Public Service and State Reform, Ministry of Employment and Vocational Training, Youth and Citizen Construction, Ministry of Equipment and Transport, Ministry of Culture, Crafts and Tourism, Ministry of Foreign Affairs, International Cooperation, Ministry of Malians Abroad, Ministry of the Digital Economy, Information and Communication, the National Children's Parliament, the Malian Association of Human Rights, the National Commission of Human Rights, NGOs and international organisations.	According to the Decree establishing the Committee, its functions are to develop and implement the national action plan to combat trafficking in persons and related issues, as well as to contribute to the mobilisation of the resources necessary for implementation of the actions.

State	Year	Institution	Funding	Structure	Functions
Mauritania				No anti-trafficking coordination body has been established.	
Niger	2012	National Commission for the Coordination of the Fight against Trafficking in Persons, National Anti-Trafficking Agency	National budget and contributions from technical and financial partners	The two agencies are established based on the national Anti-Trafficking Law. The members of the bureau are: President – the Ministry of Justice; Vice-President – the Ministry for the Promotion of Women and Protection; the Ministry of the Interior, Public Security, Decentralisation and traditional and religious affairs; Rapporteur representing the CSOs active in anti-trafficking. Members: Representatives of the Ministry of National Defence, the Bar Association, the Ministry of Primary Education, Literacy and the Promotion of National Languages, the Ministry of Employment, Labour and Social Protection; the Ministry of Community Development and Territorial Assignment, Ministry of Finance, Ministry of Foreign Affairs, African Integration and Nigeriens Abroad, the Commission of Human Rights Affairs; NGOs and women's associations; the Ministry of Commerce; the National Chamber of Notaries of Niger; the Ministry of Mines and Industry; the associations of the traditional leaders of Niger; the Ministry of Transport; and the Ministry of Communications.	The CNCLTP initiates and develops policies and programmes on TIP and submits them to the government. The ANLTP is the operational implementation structure for national policies and strategies and for the implementation of the National Anti-Trafficking Plan of Action.
Nigeria	2004	National Agency for the Prohibition of Trafficking in Persons and Other Related Matters	Government funds	The NAPTIP is a separate entity under the supervision of the Federal Ministry of Justice. A part-time Governing Board is established which consists of a Board Chairman, two representatives from civil society organisations, and representatives of the following institutions: the Federal Ministry of Justice, Federal Ministry of Women Affairs, Federal Ministry of Labour and Productivity, the Nigeria Police Force, the National Intelligence Agency, the Nigeria Immigration Service, and the National Planning Commission.	The NAPTIP is the Nigerian Federal Government response to TIP. It is a unique entity because it gathers all aspects of the anti-trafficking response – development and implementing anti-TIP policies and legislation, prevention, law enforcement, prosecution, and victim protection and support. The Agency has the power to: Investigate whether any person, body or entity has committed a TIP offence; Conduct searches; Arrest, detain and prosecute offenders under this TIP Act or any other law on trafficking in persons in Nigeria; Trace, seize, detain or retain in custody, for the purpose of investigation and prosecution; Seal premises upon reasonable suspicion of such premises being involved in, or used in connection with, TIP offences; Seek and receive information from any person, authority, corporation or company in relation to TIP cases. The Agency performs its functions through 8 Specialized Departments, 5 Units and 9 Zonal Commands covering all zones of the country.

State	Year	Institution	Funding	Structure	Functions
Senegal	2012	National Unit for Combating Trafficking in Persons	National budget and additional funding from international organisations	The Unit comprises the membership of various ministerial departments and NGOs.	The National Unit for Combating Trafficking in Persons coordinates the work of the Unit's Technical Committee (made up of the different institutional actors and civil society) and the Alert and Surveillance Committees, spread throughout the country and responsible for the identification of suspicious and potential TIP cases in the community.
Sierra Leone	2005	National Taskforce on Human Trafficking	National budget, Ministry of Social Welfare special budget line (since 2012), grants from external donors, gifts, donations	The members of the Taskforce are the Ministries of Social Welfare, Justice, Education, Health, Tourism, Information, Labour, Local Government, Foreign Affairs and Internal Affairs; the Police, Immigration, the Ombudsman, the Transnational Organized Crime Unit, the Office of National Security, the National Commission for Human Rights, the Labour Congress, NGOs and international organisations.	The National Taskforce on Human Trafficking coordinates the implementation of the Anti-Human Trafficking Act. It is mandated to coordinate the implementation of the TIP Act; Render assistance to victims of trafficking; Prevent trafficking through the adoption and encouragement of local initiatives aimed at improving the economic well-being and opportunities for potential victims; Receive and investigate reports of trafficking; Monitor immigration and emigration patterns for evidence of trafficking; Initiate measures to inform and educate the public, including potential victims; Cooperate with other governments in the investigation and prosecution of trafficking cases; Cooperate with NGOs; and Advise government on trafficking, including the need to cooperate in any international efforts against trafficking and economic alternatives to prevent and deter trafficking.
Togo	Set for 2019 or 2020	National Commission for Trafficking in Persons	Information is not available	In 2019, the Togolese government began the process of setting up the National Commission for Trafficking in Persons within the Council of Ministers. The Commission is to be led by the Ministry of Social Action, chaired by the Ministry of Justice, and with the participation of the Ministries of Foreign Affairs, Security and Immigration, and Territorial Administration, as well as civil society organisations. A decree establishing the Commission has been drafted. ²⁰²	No information available

201 Interviews conducted in Togo; interview codes TG01 and TG02.

6.2 Good Practices in the National Referral of TIP Cases

A coherent and coordinated approach by national anti-trafficking actors to tackle the TIP phenomenon effectively is reflected in the concept of the National Referral Mechanism, currently functioning in many countries in a formal or informal way.²⁰²

While the structure of NRMs, where established, varies from country to country, each is designed to formalise the cooperation between the respective anti-trafficking actors: government institutions, NGOs and IOs. As with TRMs, NRMs are not rigid structures but rather flexible mechanisms tailor-made to fit both each country's patterns of TIP cases and its prevailing social, political, economic, and legal environment. This is why NRMs are not built from a single, general blueprint but instead founded on careful assessment of country-specific needs and conditions. Such assessment can help determine which government agencies and civil society organisations are the key stakeholders in anti-trafficking activities, which of them should participate in an NRM, what kind of structure might be most effective in a particular country, and which issues require the most attention.

An NRM usually includes a National Coordinator, who is often a high-level government official, and a roundtable made up of senior representatives of government agencies and civil society who develop recommendations for national policy and procedures regarding VoTs. NRMs also often include ad hoc working groups that deal with specific issues relating to victims. These mechanisms are likely to be most effective if they are founded on a formal cooperation agreement between the participants – for example, an MoU – that sets out the specific role and duties of each.

Figure 12: How NRM function

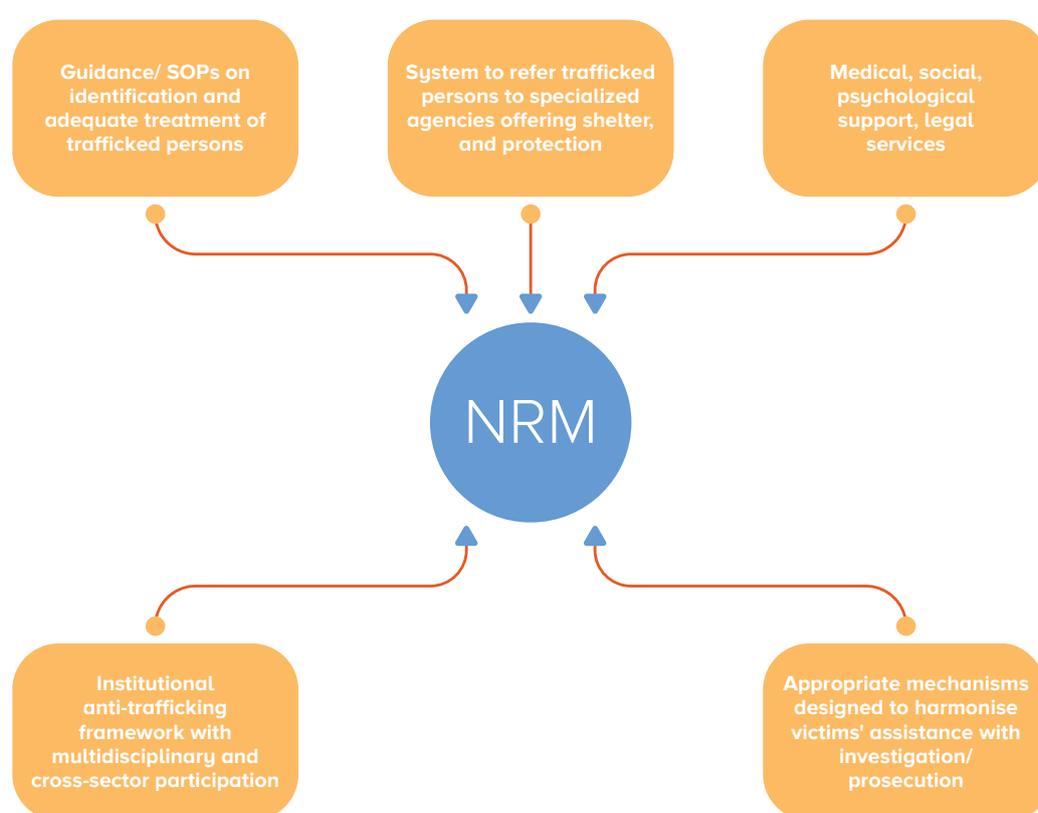


Source: Adapted from OSCE/ODIHR (2004), *National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook*

202 OSCE/ODIHR (2004), *National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook*. The Handbook provides guidance on how to design and implement sustainable national mechanisms and structures to combat human trafficking and support victims. Taking into consideration that a crucial prerequisite is building up and strengthening the relevant local and national institutions, as well as the multidisciplinary coordination between them, a set of such measures has been developed into the concept of an NRM, thus providing a practical tool for national authorities worldwide to meet challenges connected to TIP. The Handbook also provides guidance on how to monitor and build the capacity of such mechanisms and structures.

The NRMs existing in most of European countries are based on the cooperation between government agencies and civil society. These cooperation arrangements are either formal or informal. In some countries, such as, for instance, France and Hungary, the cooperation between the anti-trafficking actors is very informal but rather functional in practice.²⁰³ Often, victims of trafficking are first identified by law enforcement personnel, but it is civil society organisations that provide shelter and other services to the victims. Thus, an NRM can be an essential structure for referring trafficked persons. Internal monitoring, evaluation, and feedback are also continuous parts of NRM activities. NRMs usually incorporate the elements listed in the infographic below.

Figure 13: The elements of an NRM



Source: Adapted from OSCE/ODIHR (2004), *National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook*

203 Based on the 2020 *Study on Reviewing the Functioning of Member States' National and Transnational Referral Mechanisms*, prepared by ECORYS, ICMPD and the University of Warsaw, Human Trafficking Studies Centre, for the European Commission. The report is not publicly available but can be attained from ICMPD.

6.3 Existing Procedures and Practices

National mechanisms for referral of TIP victims and similar practices

Almost all ECOWAS Member States have established NRMs for victims of TIP or similar practices. In some MSs, the referral mechanism is elaborated by a formal document and established and made official by a legislative act. The anti-trafficking stakeholders responsible for implementation of the mechanism are usually listed in the document. Such an approach demonstrates an overall positive commitment of the state to deal with TIP victims in a coordinated and synchronised manner in order to ensure their well-being. Examples of such an approach can be found in the following countries:

- ▶
Côte d'Ivoire: There is a formal *national cooperation mechanism* provided for in Law No. 2016-1111 of December 2016. After victims are rescued from the place of exploitation, for the period of the investigation, they are referred to a social centre or transferred to an NGO and subsequently referred to the reception centres of Soubré and Bouaké. From there, IOM deals with repatriation to the country of origin, if needed, and further assistance and reintegration into society and family reunion.²⁰⁴
- ▶
Ghana: Sections 9–19 of Act 694 endorse a *referral mechanism* for victims of TIP. The mechanism includes steps and measures for filing a complaint with the police, police assistance, arrest by a police officer, arrest by a private person, victims rescue (only by an authorised person), provision of temporary care for victims, counselling of victims, family tracing, and the rehabilitation of victims. At every stage of the process, the institutions and organisations involved are expected to document information such as personal information (age, sex, etc.) and information on the case, especially before referring the victim to the next institution. In addition, supported by IOM, Ghana has adopted comprehensive national SOPs on TIP focused on children, wherein the role of each institution is officially set out.
- ▶
Nigeria: The *Guidelines on National Referral Mechanism for Protection and Assistance to Trafficked Persons* were developed in 2015. This is a framework for strategic partnerships among the anti-trafficking stakeholders in Nigeria. The Mechanism serves as a guide for those professionals providing assistance and protection to TIP victims. A Protocol on the identification, safe return and reintegration and SOPs for the coordination of law enforcement agencies in response to TIP have also been developed and implemented by the NAPTIP. In addition, the NAPTIP has developed its own internal rules and measures (SOPs) for the referral of cases within the Agency's departments. Every TIP case who enters the NAPTIP is assigned an investigation officer, a counsellor, and a legal officer who remain working on the case through to the end of its prosecution. According to the stakeholders, cooperation between the authorities on a national level became significantly more successful after the adoption of the NRM.²⁰⁵

204 Interview conducted in Côte d'Ivoire; interview number CI08.

205 Interview conducted in Nigeria; interview code NG05.

- Sierra Leone:** An *NRM* for protecting and assisting victims of TIP has been developed. All identified victims are referred to the nearest local police station or police post. However, after the identification of a victim s/he is then referred to a community leader, the Ministry of Social Welfare, the Ministry of Labour, the Ministry of Foreign Affairs, the Human Rights Commission, the Labour Congress, a service providing organisation, or another authority in the community, and immediate action is taken to provide protection and assistance to the victim. This ‘common sense approach’ is also applied where the victim urgently needs shelter and protection. The interview with the victim ideally takes place in such shelters. A TIP case referred to any ministry/agency/organisation other than the police is recorded. Later, the case is referred to the police, who ensure immediate action is taken to investigate the case and prosecute the perpetrator.

In other ECOWAS MSs, the collaboration on TIP cases between the anti-trafficking stakeholders is established either by means of different formal agreements or as an informal arrangement on the steps that the referral of victims should follow.

- The Gambia:** A type of *referral mechanism* is in place. Cases are referred to the Department of Social Welfare (DSW). An inter-agency collaboration is established between the Gambian Immigration Child Welfare Unit, the Police Child Welfare Unit and the Ministry of Justice Child Rights Unit. They deal with the legal aspect of the cases, while the DSW provide shelter, psychosocial support and counselling to the victims. Currently, IOM is preparing an SOP Manual for protection and assistance of VoTs, which will act as a referral mechanism.²⁰⁶
- Togo:** The referral of victims of TIP, including children, is done through the National Commission for Reception and Social Reintegration of Child Victims of Trafficking (CNARSEVT). A *procedure* for child protection and support has been developed in collaboration with UNICEF and ILO. The instrument has been operational since 2004 and was improved in 2009 to reflect UNICEF’s Guiding Principles in this area.
- Burkina Faso:** A detailed *guide* on protection, rehabilitation and reintegration of victims and case follow-up has been developed. The Burkinabe approach focuses on the protection of victims and support of their well-being.
- Guinea:** Partnership with community organisations facilitated the setting up of a *referral framework* for victims. The first line of response are the NGOs that have reception centres and receive children and women victims, identified by the communities. The Office for the Protection of Gender, Children and Morals, a police unit created under the Ministry of Security and Civil Protection to help victims of domestic violence, refers the identified cases to the competent courts. The Ministry of Social Action receives the victims on the premises of existing youth centres prior to their return to their families. A toll-free number is established to report cases of trafficking

206 Interview conducted in The Gambia; interview code GM03.

and other forms of violence against children. The divisions of the Ministry of Social Action play a surveillance role in cases of human trafficking. These divisions exist in 33 prefectures and include social workers who refer cases of trafficking to protection services on the central level. The organisations part of the child protection system may identify cases and refer victims to protection services.

- ▶ **Senegal:** Victims arriving at Senegalese borders are referred to UNHCR's Office of Social Orientation. After being attended to by this office, victims are referred to the Directorate of the Surveillance of the Territory (Ministry of the Interior) for in-depth investigation and assessment of their condition and the specifics of the case. In addition, there is a network of "Alert Committees" along the borders and villages in the countryside comprised by local residents and community leaders, who report any suspicious criminal acts to the authorities. The committees collect information on the children and monitor their well-being and school attendance, among other aspects. They are also mandated to report threats, and have the power to negotiate with authorities on whatever is needed to ensure child protection.

In **Niger**, a victim referral mechanism is foreseen to be implemented through the regional and local offices of the National Anti-Trafficking Agency, which is in charge of referral. In practice, these structures are not yet in place or operational. An identification and referral guide for victims of human trafficking is currently under development. This is a practical document detailing the referral mechanism for VoTs in Niger, adapted to the country's legal framework and its socio-cultural realities.²⁰⁷

No referral mechanism or similar practice for referral of victims of trafficking is established in **Mauritania**. Nor has any official referral mechanism been established in **Côte d'Ivoire**. The referral of victims is implemented by social workers and NGOs.

According to the latest National Report from **Liberia** submitted to ECOWAS (2018), an NRM for victims of trafficking has been finalised. However, no further information is provided, and no additional information about the document could be identified. The National Reports submitted by **Mali** and **Cabo Verde** provide no information concerning national referral systems; additional information on this topic in these two countries could not be obtained.

207 Niger (2017), *Annual Report*, op. cit.

6.4 Gaps and Challenges

Challenge 1: Capacity building

Key anti-trafficking stakeholders. All ECOWAS MSs report challenges and needs related to the professional capacity of the anti-trafficking stakeholders in their countries. Most of the countries report ongoing training activities and awareness raising among employees of their key anti-trafficking institutions. Nigeria shares in its report positive experience in training law enforcement agencies, but stresses the need for ongoing training programmes.²⁰⁸ Côte d'Ivoire is facing a lack of training for border guards on TIP.²⁰⁹ Inadequate training in data collection techniques is another gap that came to light during the course of the research.²¹⁰ Senegal reports a need for specialisation on TIP among the judicial system and law enforcement personnel.²¹¹

Victim support services is another area where the need for improvement is recognised by the majority of the ECOWAS Member States and Mauritania, specifically in a lack of: training on case management (Burkina Faso), a victim-centred approach and provision of services in shelters (Nigeria), sensitisation on TIP for lawyers (Nigeria, interview code NG03); while Mali recognises the need for advocacy trainings for civil society organisations.²¹² Often the lack of capacity is caused not only by insufficient training but also by the multi-layered mandates of the stakeholders. TIP often forms only one part of the portfolio/mandate of a certain institution, agency, etc. Therefore, the employees responsible have a number of tasks, and can often be overwhelmed and forced to prioritise their duties.

Local vs central authorities. An issue that is often discussed and brought up by the stakeholders and identified in the published reports is the better quality of services in the capital cities compared to the provinces and the often marginalised border areas. In rural areas, there is low awareness on TIP and low quality of response, or no services at all. Sometimes the anti-trafficking units operating at central level do not have local representations.²¹³ This could also jeopardise the effectiveness of the coordination and the quality of response on cases of trafficking. Therefore, more training and capacity building activities must be implemented with the respective local anti-trafficking authorities.²¹⁴

There are reports of local law enforcement personnel refusing to apply the anti-trafficking legislation because they do not see certain situations as exploitation or indicators of such. This happens especially with children are exploited for begging. These agents

208 Interviews conducted in Nigeria; interview code NG01.

209 Interviews conducted in Côte d'Ivoire; interview code CI05.

210 Burkina Faso (2017), Nigeria (2017), *Annual Reports on the Implementation of the ECOWAS TIP Plan of Action*.

211 Interviews conducted in Senegal; interview codes SN01 and SN06.

212 Mali (2017), *Annual Report*, op. cit.

213 Interview conducted in Côte d'Ivoire; interview code CI02.

214 Interviews conducted in Nigeria and Benin; interview codes NG01 and BN01 respectively.

may often act according to the local social and religious norms. This phenomenon is often evident among border police. In this regard, sensitisation and training activities are very important.²¹⁵

Challenge 2: Establishment of a comprehensive social support system

Some ECOWAS MSs have no established national systems for the provision of social services. Often the instruments used are the guidelines and standards developed by UNICEF, Terre des hommes, or other IOs and NGOs. The ECOWAS TIP Unit has made it a strategic goal to conceptualise the need for establishment or professionalisation of the care systems in all Member States.²¹⁶ Burkina Faso reported in 2018 that *“inadequacy or absence of consultation frameworks for child protection actors in certain locations causes difficulties to proper referral of child victims”*.²¹⁷ An NGO representative in Nigeria pointed out that there is only one shelter that accommodates children in the entire north of Nigeria.²¹⁸

Challenge 3: Victim-centred approach and services

The lack of a victim-centred approach is recognised by many MSs as a challenge for the provision of adequate care for the identified victims. These challenges can manifest in several areas:

- When the victim-centred approach is not set as a guiding principle of the victim support mechanism within a country, then it is very likely that many victims will not be identified, some of them will be identified as criminals and prosecuted, and others will not be willing to cooperate with the authorities or the TIP prosecution.
- Without adequate protection, the victim will not testify in court and, most importantly, will not receive the care and support needed to recover and continue their lives.²¹⁹
- The level of follow-up on cases after the victim is rescued and returned to their families is poor. This is one of the biggest challenges for ensuring the well-being of the victim and preventing their re-victimisation and re-trafficking.²²⁰

For example, the Anti-Trafficking Law of Togo provides for the prosecution of traffickers but not for the protection of victims, and no witness protection programme has been established. These facts contribute to the decrease in the number of cases of TIP volun-

215 Interviews conducted in Senegal; interview codes SN01, SN03, SN04 and SN06.

216 Interview conducted in Nigeria; interview code NG01.

217 Burkina Faso (2017), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

218 Interview conducted in Nigeria; interview code NG07.

219 Interviews conducted in Nigeria and Côte d'Ivoire; interview codes NG04 and CI05 respectively.

220 Interviews conducted in Senegal; interview codes SN0 and SN07.

tarily reported.²²¹ In addition, the weakness of the long-term supporting mechanisms for victims in Togo often jeopardises the investigation procedure. Investigators often cannot continue without the testimony of the victim, who usually returns to their country of origin before the end of the court case.²²² Identification and referral of adult victims in Benin remain limited.²²³

Challenge 4: Data collection

A pivotal element of an effective response to TIP is the coordinated collection of reliable data on cases at national level. Most ECOWAS Member States are facing the need to improve their national systems, or to create and implement such a system.²²⁴

Challenge 5: Funding

Insufficient funding of anti-trafficking activities is a challenge for each of the countries studied. The concern was clearly and repeatedly raised by stakeholders in Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Guinea, Nigeria, Senegal and Togo.²²⁵

The greatest effort is needed to guarantee a systemic allocation of resources on the topic of protection of vulnerable groups/victims and protection of human rights, as currently there is no sustained, holistic approach. Activities are carried out in a fragmented way, depending on the availability of resources and personnel (interview code SN06), and on non-governmental sources. Initial budgets planned for implementation of the national action plans, national strategies, etc. tend to be very ambitious and ultimately the national budget often cannot fully cover the required expenses. External funding is not reliable because it cannot be planned, yet in many cases the support from technical and financial partners becomes a significant financial source for implementation of the national anti-trafficking policies.

Another aspect related to the funding issue concerns the marginalisation of distant and rural areas (as seen from the capital and other big cities). The implementation of activities in the provinces or in remote areas often costs more because of the resources that need to be mobilised. At the same time, being in a marginalised position, these regions receive less funding. Centres for support and shelters often operate under challenging conditions. For example, in Togo the members of the local protection networks sometimes contribute their own financial resources toward the implementation of planned ac-

221 Interview conducted in Togo; interview code TG07.

222 Ibid.; interview code TG02.

223 US Department of State (2020), *TIP Report*, op. cit.

224 Interviews conducted in Togo; and Côte d'Ivoire: interview codes TG05; and CI01 and CI02 respectively.

225 Interviews conducted in Benin, Nigeria, Senegal and Togo; interview codes BN02, NG09, SN01 and TG03 respectively.

tivities.²²⁶ Similarly, funding (especially from external donors) can sometimes be focused in one particular area where the situation of TIP is emerging, for instance, Edo State in Nigeria,²²⁷ or on a particular topic.

Challenge 6: Poor coordination between stakeholders

Some countries recognise the existence of insufficient coordination between their anti-trafficking stakeholders.

A stakeholder from Côte d'Ivoire related poor information sharing within the institutions. It can happen that units of the same ministry do not communicate or share information. A similar situation is reported by Niger.²²⁸ In Senegal, the anti-trafficking stakeholders do not have the same level of independence in their actions (interview code SN01). Most forms of collaboration are ad hoc and informal (SN02), with engagement and collaboration depending on specific projects and funding for specific activities (SN06).²²⁹ Burkina Faso tackles the coordination challenge on the local level, by using the divisions of the National Vigilance and Surveillance Committee. Often the challenge to effective communication between different stakeholders stems from the constant change (due to rotation or leave) in TIP trained officials. The process of building trust and establishing good partner relations is thus long and prone to frequent disruption. This in turn causes delays and problematic coordination between the partnering agencies or organisations.

Challenge 7: Lack of an institutionalised response to TIP

A clear challenge in some Member States is the incomplete anti-trafficking legislation or absence of an anti-trafficking coordination body. Togo and Sierra Leone are still to adapt their legislation to cover both child and adult victims of TIP. Mauritania has not introduced any national plan of action or established a national anti-trafficking coordination body. A referral mechanism for victims is yet to be developed in Niger. Such an environment where roles and responsibilities are not defined often causes challenges to the implementation of the national response to TIP.

Challenge 8: Lack of awareness

Authorities also cite a lack of awareness among the general public on the risks of exploitation. More investment in awareness-raising campaigns and a better public communication concerning TIP and risk behaviours are thus needed.

226 Interview conducted in Togo; interview code TG03.

227 Interview conducted in Nigeria; interview code NG09.

228 Niger (2017), *Annual Report*, op. cit.

229 Interviews conducted in Senegal; interview codes SN01, SN02 and SN06.

Other challenges encountered:

- ▶ Many TIP cases are actually prosecuted as related crimes due to lack of TIP evidence. As a result, victims are often quickly repatriated without receiving adequate support.
- ▶ Similarly, victims can be penalised for the activities performed under exploitation. For example, in Senegal, women who are exploited for sexual activities are sometimes held responsible by police for not having the “sanitary card” required for such practices.²³⁰
- ▶ A further challenge is encountered when attempting to hold abusive *daara* teachers accountable for exploitation and child trafficking. There are several factors that contribute to such impunity, namely *“...the failure of many members of the police and judiciary to proactively open investigations, as well as the failure of many social workers and parents to report cases of talibé abuse to the police or prosecutor... The demonstrated tendency of judicial officials – public prosecutors and judges – to drop or amend charges or reduce sentences against Quranic teachers, in several cases due to political and social pressure... The lack of accessible legal aid services for vulnerable children, which hinders their access to justice. Finally, the national political will in Senegal to acknowledge abuses in daaras and push for justice has remained limited in recent years.”*²³¹

Observations concerning religious leaders with strong political power, which gives them leverage in court, were also shared by Senegalese stakeholders.²³²

- ▶ The free movement regime in the region poses a challenge to identification of TIP victims. During the field research, this challenge was discussed by stakeholders in several of the countries visited. According to interviewees from the Togolese Ministry of Social Solidarity, the free movement of persons in the sub-region (due to adoption of the Free Movement Protocol) leads to challenges regarding identification of child victims of TIP. Due to fewer border controls and the more dynamic transit of people, it has become more difficult to detect cases where children have become victims of exploitation. Similar concerns were also expressed by Gambian stakeholders.²³³

230 Interview conducted in Senegal; interview code SN03.

231 Human Rights Watch (2019a), “These Children Don’t Belong in the Streets”. A Roadmap for Ending Exploitation, Abuse of Talibés in Senegal”, 16 December 2019, see: <https://www.hrw.org/report/2019/12/16/these-children-dont-belong-streets/roadmap-ending-exploitation-abuse-talibes>.

232 Interviews conducted in Senegal; interview codes SN03 and SN06.

233 Interviews conducted in Togo; and The Gambia: interview codes TG01; and GM02, GM06 and GM09 respectively.

7. Protection and Social Inclusion of Trafficked People

The penultimate chapter of this assessment report moves further into the victim support process by examining more closely the available measures and practices for protection, support and social inclusion. The chapter first introduces the main international standards in the process of victim protection and support. These standards are further used as a reference to present and discuss the available practices at regional and national level. The focus is on the support for the immediate needs of the victims, the specific systems of protection of child victims, the systems for registration of victims, and the measures for repatriation and safe return.

7.1 International Standards for the Protection of VoTs

Over the past two decades, a comprehensive set of international standards has been developed, comprising international and regional treaties on the TIP phenomenon, as well as a broad range of soft law instruments relating to the protection of adult and child victims of TIP. The international community has invested extensive effort in the promotion of a *human rights-based approach* in the protection and assistance of trafficked persons. A human rights-based approach to TIP requires all anti-trafficking actors to integrate human rights into their response to TIP, as well as to consider the impact of the existing laws, policies, practices or measures on trafficked persons or persons vulnerable to TIP and their human rights.

In response to the need for practical human rights policy guidance, in 2002, the UN Office of the High Commissioner for Human Rights (OHCHR) developed the *Recommended Principles and Guidelines on Human Rights and Human Trafficking*,²³⁴ aiming to encourage national authorities and international actors to make use of these guidelines in their own efforts to prevent TIP and protect the rights of trafficked persons. The document provides practical, rights-based policy guidance on the prevention of TIP and the protection of

234 OHCHR (2002), *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, E/2002/68/Add.1.

trafficked persons with a view to facilitating the integration of a human rights perspective into national, regional, and international anti-trafficking laws, policies and interventions.

The *Recommended Principles* state that human rights “shall be at the centre of all efforts to prevent and combat trafficking and to protect, assist and provide redress to victims”.²³⁵ The document provides a whole set of guidelines dedicated to the identification of trafficked persons and traffickers, ensuring adequate legal frameworks and law enforcement response, access to remedies, and the prevention and protection of trafficked persons, including special measures to support child victims of trafficking.

Concerning the protection of TIP victims, the *Recommended Principles* highlight that “appropriate protection and support should be extended to all trafficked persons without discrimination”.²³⁶ Specifically, it advises the national authorities, intergovernmental and international organisations to, inter alia, consider the following: ensuring, in cooperation with non-governmental organisations, safe and adequate shelter that meets the needs of trafficked persons, regardless of their willingness to participate in criminal investigations; access to primary health care, counselling, legal support; provision of information about their rights; access to options for voluntary return to the country of origin and exploring the option of residency in the country of destination or, in specific circumstances, third-country resettlement, as well as adequate reintegration support.

The *Recommended Principles* also include separate *Guidelines for the Protection and Support of Child Victims of Trafficking*, stressing that “they should be dealt separately from adult trafficked persons in terms of laws, policies, programmes and interventions. The best interests of the child must be a primary consideration in all actions concerning trafficked children”.²³⁷

International standards for the protection of child victims of TIP are established in these *Guidelines on the Protection of Child Victims of Trafficking*.²³⁸ The *Guidelines* are based on international human rights instruments and look at the protection of trafficked children from their identification through to their recovery and (re)integration into society. At the national and regional levels, these *Guidelines* are used as a platform for devel-

235 Ibid.

236 Ibid.

237 Ibid. The *Guidelines* prescribe the following actions:

- ▶ Procedures for rapid identification of child victims of trafficking should be enforced.
- ▶ Children victims of trafficking must not be subjected to criminal procedures or sanctions for offences related to their situation as trafficked persons.
- ▶ Family reunion of trafficked children should be considered where it is deemed to be in their best interest.
- ▶ Adequate care arrangements that respect the rights and dignity of the trafficked child should be established.
- ▶ Ensure that a child who is capable of forming his or her own views enjoys the right to express those views freely in all matters affecting him or her.
- ▶ Adopt specialised policies and programmes to protect and support trafficked children by providing appropriate physical, psychosocial, legal, educational, housing and healthcare assistance.
- ▶ Adopt measures necessary to protect the rights and interests of trafficked children at all stages of criminal proceedings as well as protecting the privacy and identity of child victims.

238 UNICEF (2006), *Guidelines on the Protection of Child Victims of Trafficking*.

oping policies and practices, taking into consideration local circumstances, constraints and resources. The Guidelines are regularly updated in accordance to new international standards and good practices. The cross-border nature of TIP may necessitate fostering regional ownership where mechanisms can further the protection of child victims and facilitate implementation at the national level.

The *best interests of the child* is highlighted in the document as a primary consideration, as well as child rights, such as the right of non-discrimination, right to information and confidentiality, right to be protected and the right to respect for the child's views.

The Guidelines prescribe a set of principles that should be taken into account during all stages of the protection process in the countries of origin, transit and destination, and include proactive identification of child victims of TIP, the presumption of the age of the child, the appointment of a guardian by a competent authority to “*accompany the child throughout the entire process until a durable solution that is in his or her best interests has been identified and implemented*”,²³⁹ and also the regulation of the status of the child, individual case assessment, risk assessment, return, reintegration and participation of the child in criminal and civil proceedings.

The protection actions should be taken after considering the specific vulnerability of the children. In regards to the implementation of long-term support for children, the Guidelines recommend three options: local integration, voluntary repatriation, or reintegration into their country or place of origin (or resettlement and integration in a third country).²⁴⁰ In all three cases, children are entitled access to long-term care and protection including security, food, and accommodation in a safe place, access to healthcare, psychosocial support, legal assistance, social services and education with a view to their social reintegration.

7.2 Existing Procedures and Practices

A. Protection and Support of VoTs

The protection and support of TIP victims can theoretically be categorised into three phases: support of the immediate needs of the victim (short-term support), rehabilitation and recovery, and reintegration (long-term support). Victims have different needs that must be met during the different periods of the support process. The services should always be delivered and shaped according to every person's individual and actual needs. The essential measures and services for the protection of victims are:²⁴¹

239 Ibid.

240 Ibid.

241 The list is non-exhaustive.

- ▶ Accommodation (shelter or transit centre).
- ▶ Food and basic items for living.
- ▶ Health check-ups and healthcare.
- ▶ Psychological support.
- ▶ Social support – for administrative issues, facilitation of the communication with relevant state authorities, etc.
- ▶ Legal advice and support, ensuring representation in court (if necessary), claiming compensation, etc.
- ▶ Vocational training and education.
- ▶ Supporting in finding labour opportunities.
- ▶ Facilitation of the process and supporting the victim in establishing an independent life (socialisation), etc.

The majority of ECOWAS Member States have introduced specific measures for the protection of TIP victims at national level. In some cases, the national anti-trafficking legislation already contains provisions on victim protection. In other cases, the provisions of the anti-trafficking legislation are elaborated into concrete practical measures in the national plans of action, national strategies or other policy documents on protection of victims of TIP.

In **Benin**, the Centres for Social Promotion work with children victims of TIP, providing counselling. There is a social reintegration mechanism ensuring follow-up on cases of exploited children in order to prevent re-victimisation. This mechanism involves authorities at national, district and local levels and includes a protocol to harmonise the work of the state, its partners and civil society organisations. An inter-ministerial committee within the government runs three integrated care centres for victims of TIP where services are provided by psychologists, medical doctors, etc. There is a plan to open such centres in each of the 12 districts of Benin (interview code BN03). Benin also has 85 social protection centres which accommodate children. The centres focus on strengthening the resilience of trafficked and vulnerable children to prevent exploitation or re-victimisation.

Burkina Faso – According to the National Policy on Victim Protection, victims who are screened and identified need to be immediately taken to a shelter in order to be protected and start necessary psychosocial counselling or other treatment. Shelters provide accommodation for a period of up to six weeks (considering age and gender); psychosocial counselling, medical and legal services; recreational facilities; security; library services; further alternative care facilities in line with the national alternative care policy. Thirty-five transit centres for adult and child victims operate in the country. Articles 22-24 of the Anti-Trafficking Law foresees the possibility of closed court hearings, stipulates legal assistance and guardianship for victims, regulates the provision of residence permits for victims, etc. Other instruments used in the process of TIP victim support are the Procedural Guide for Victim Care and the General Principles for Interventions Involving Children.²⁴²

242 Burkina Faso (2017). *Annual Report*, op. cit.

In **Côte d'Ivoire**, NGOs run their own protection programmes in partnership with national authorities. For example, the AVSI Foundation runs projects to help victims exploited in Europe return to their countries of origin, particularly those from Côte d'Ivoire and Nigeria. The target groups of these projects are people residing in Europe whom have become especially vulnerable to exploitation and abuse after failing to legalise their status. AVSI refers victims to social centres and offers support through coordination with the authorities. Projects for the provision of education and alternative livelihoods for former victims and vulnerable people are also implemented by the NGO. AVSI also follows up on those children and young adults who were trained in the framework of their projects, supporting them for a specified period (interview code CI03).

In **Cabo Verde**, government-funded agencies like the Cabo Verdean Institute for Children and Adolescents (ICCA) and the Cabo Verdean Institute for Gender Equality (ICIEG) are directly involved in the provision of services (emergency services, temporary shelter, and psychosocial support) for groups at risk, including victims of trafficking. The ICCA operates a national network for assisting child victims of sexual abuse and receives the referrals for child victims of trafficking. Adult female victims are referred to the ICIEG and foreign victims to an international organisation. However, no official referral system exists, nor official guidelines for identifying victims of trafficking. Both the ICCA and the ICIEG operate shelters for victims of violence, but there is no dedicated shelter for TIP victims.²⁴³

The Gambian Department of Social Welfare operates a shelter for TIP victims, abandoned children, and victims of domestic violence. The capacity of the shelter is 75 persons. The shelter offers basic services such as housing, medical care, counselling to children and women, and family tracing. The shelter assists Gambian victims exploited abroad, after their repatriation, as well as both foreign and domestic victims exploited in The Gambia. The same Department also operates a drop-in centre for street children. In 2019, the DSW underwent an institutional change: from a department under the Ministry of Health it became part of the newly established Ministry of Women, Children and Social Welfare. The restructuring led to a major challenge – a lack of adequate resources assigned to the DSW. As a result, it relies mostly on donor support in order to operate the shelters.²⁴⁴ Currently, IOM is conducting a comprehensive assessment of the shelter in order to determine its urgent needs.²⁴⁵ In practice, there is good inter-agency collaboration between The Gambia Immigration Child Welfare Unit, the Police Child Welfare Unit and the Ministry of Justice Child Rights Unit.²⁴⁶

Guinea has established a consultation framework for the support of victims which brings together the Ministries of Foreign Affairs, Territorial Administration, and Social Action and IOM. This group of experts decides on measures for the integration of victims. The group also assesses the risk of repatriating Guinean nationals exploited abroad back to Guinea, while the National Service of Humanitarian Action is in charge of the reception of

243 US Department of State (2020), *TIP Report*, op. cit.

244 Interview conducted in The Gambia; interview code GM05.

245 Ibid.; interview code GM06.

246 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

victims.²⁴⁷ The country does not have any dedicated shelters or centres for victims of trafficking. An NGO (Sabou) runs a shelter that serves as a reference centre for children victims of TIP.

Guinea-Bissau's Anti-Trafficking Law (12/2011 of 2 May 2011) provides for the protection of victim-witnesses by guaranteeing their safety during the court proceedings. It also provides for the protection of vulnerable groups and the establishment of a non-punishment clause for trafficked people who were forced to commit crimes while in an exploitative situation. Article 21 foresees shelter accommodation, legal and psychological assistance, healthcare, and further education for victims. In 2016, the Council of Ministers approved the Code of Conduct for the Protection of Children and Teenagers in Tourism and Travelling.²⁴⁸

Mauritania's Ministry of Social Affairs uses the existing referral procedures for child victims of crime in order to refer child victims of TIP. The Ministry manages seven public day centres for the protection and social integration of children providing basic educational services. In addition, two of its day centres in Nouakchott can provide overnight and long-term care for children, including TIP victims. Government-funded shelters accommodate both Mauritanian and foreign victims under 18 years of age. There are no shelters for adult victims. Psychological support for trafficking victims is insufficient and long-term rehabilitative care is practically non-existent. In Mauritania, there are no formal, specific measures to identify, refer or support victims of trafficking.²⁴⁹

Niger's legislation on the fight against TIP deals with the protection of victims, determining the scope of the protection measures.²⁵⁰ The measures apply to victims regardless of their nationality or residence. In addition, the National Plan of Action promotes the assistance and protection of victims. In 2019, Niger opened its first reception centre for victims of TIP in Zinder. At the centre, potential victims can be properly identified and adequately assisted with medical and psychosocial support, as well as with socio-economic, administrative and legal assistance. To further support their recovery, victims also benefit from individual reintegration support in their countries or communities of origin as part of the EU-IOM Joint Initiative for Migrant Protection and Reintegration. The National Plan of Action sets out the plan to establish two further reception centres.²⁵¹

Nigeria's legal provisions for the protection of victims are included in the Trafficking in Persons Prohibition Enforcement and Administration Act of 2015. The NAPTIP operates **shelters** with a closed regime (accommodated victims cannot leave the shelter).²⁵² One shelter is located at NAPTIP headquarters and another nine within its Zonal Commands.

247 Guinea (2017), *Annual Report*, op. cit.

248 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

249 US Department of State (2020), *TIP Report*, op. cit.

250 Ordinance No. 2010-86 of 16 December 2010 on combating trafficking in persons, Articles 50 to 62.

251 IOM (2019b), Press release "*First Reception Centre for Victims of Trafficking Opens in Niger*".

252 The closed shelter system is come under intense criticism from various NGOs – see Human Rights Watch (2019b), "*You pray for Death*": Trafficking of Women and Girls in Nigeria", 27 August 2019, see: <https://www.hrw.org/report/2019/08/27/you-pray-death/trafficking-women-and-girls-nigeria>.

The State Ministry of Women Affairs and Social Development and civil society organisations – including Women Trafficking and Child Labour Eradication Foundation (WOTCLEF) – also operate shelters. In 2011, the government adopted the National Policy on Protection and Assistance to Trafficked Persons. It covers the areas of reception, identification, sheltering, medical support, counselling, family tracing, return/repatriation, integration, empowerment, follow-up/aftercare, and disengagement. In addition, the Policy sets out measures on prevention, rights and obligations of victims, referral of victims, etc. The review process of this policy started in September 2019. The NAPTIP provides only immediate (short-term) support to victims; for long-term care and reintegration, they are referred to NGOs. Children can be accommodated with members of their extended family. Each case is followed up for three months after the victim returns/settles. The follow-up is done by telephone or onsite visits.²⁵³

Similar to Guinea-Bissau are the cases of **Mali** and **Sierra Leone**. The Law on Trafficking in Persons and Similar Practices in Mali provides measures for the protection of victims. About ten shelters for adults and children operate in the country, run by civil society organisations with the agreement of the Malian state. The Anti-Human Trafficking Act of **Sierra Leone** instructs on the protection of victims' rights. The National Policy on Victim Protection and Assistance seeks a comprehensive approach to assisting victims of trafficking and related issues through the provision of relevant services and empowerment to effectively (re)integrate into society. These services include reception, identification, sheltering, healthcare, counselling, rehabilitation, family tracing, return/repatriation, integration, and empowerment, follow-up, aftercare and disengagement.²⁵⁴

In **Senegal**, once identified, victims are transferred to the Guindi Centre or to the structures of the Directorate of Supervised Education and Social Protection (the first Reception Centre). The Guindi Centre is fully funded by the government, but its budget is usually insufficient.²⁵⁵ It has the capacity to accommodate more than 400 children and women. There are other centres in the countryside. NGOs have structures to accommodate adult victims (Unies Vers'Elle, Caritas PARI). Victims are allowed to receive a residence card which also gives them the possibility of employment.²⁵⁶

Togo has established two state-run services for victims, including victims of TIP – the Agency of National Solidarity, and the Logope Centre (in collaboration with the Ministry of Security and IOM). In addition, a national hotline “Allo 1011” for reporting suspicious cases is active. The state has also adopted SOPs for national anti-trafficking stakeholders on referral of TIP cases (interview code TG01).

The Human Trafficking Act of **Ghana** (Act 694) provides measures for the protection of victims. Child and Family Welfare Policy and a National Gender Policy have been introduced by the Ministry of Gender, Children and Social Protection and used to support

253 Nigeria (2018) *Annual Report*, op. cit.; interview conducted in Nigeria (interview code NG04).

254 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

255 ECOWAS (2018), *Annual Synthesis Report*, op. cit.

256 Interview conducted in Senegal; interview code NG04.

victims. Guidelines on how to apply ‘the best interests of the victim’ approach are disseminated among all protection agencies and institutions in the country. The supporting policy on protection of victims and vulnerable migrants was developed in cooperation with IOM. Ghana has two state shelters, one for adults and one for children. There are also ten NGO-run shelters accommodating victims of TIP.²⁵⁷

Examples of capacity building initiatives

Guinea-Bissau offers a training programme for shelter staff on child victim protection. Nigeria promotes training on psychosocial support to victims of human trafficking and child labour/abuse. Ghana provides training on victim assistance and protection targeted at social workers, members of law enforcement and relevant ministerial staff. Sierra Leone has invested in curbing cross-border TIP by offering a training course on “identifying and providing assistance to vulnerable citizens, including potential child victims” to 50 border personnel at its border crossing points with Guinea and Liberia.²⁵⁸ Côte d’Ivoire has invested in trainings, capacity building and sensitisation activities for their law enforcement authorities. International organisations and external donors have been contributing to the implementation of the activities, due to limited government budget.²⁵⁹

Examples of compensation of TIP victims

Based on the national annual reports for 2017 and 2018, submitted by the TIP Country Focal Points to the ECOWAS Commission, four Member States have developed a **National Trust Fund** or similar mechanism for the compensation of victims of trafficking in persons – Ghana, Niger, Nigeria and Sierra Leone. In Guinea, the Ministry of Justice is examining a draft decree on legal aid.

Ghana has established its Human Trafficking Fund under Section 20 of the Human Trafficking Act, providing details on the sources of funds and the Fund’s objective, as well as on its management and the execution of payments. In Niger, the Trafficking in Persons Ordinance (Article 97) stipulates a fund for

257 Ghana (2018), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

258 The information is based on the Member States’ *Annual Reports on the Implementation of the ECOWAS TIP Plan of Action* for 2017 and 2018.

259 Interview conducted in Côte d’Ivoire; interview code CI02.

compensation of victims of TIP. The fund is managed by the National Agency for the Fight against Trafficking in Persons. The draft decree for the establishment of this fund is currently in the process of adoption by the government.²⁶⁰ In Sierra Leone, the Trust Fund for Victims of Human Trafficking was formally launched in 2017. A Special Task Force Sub-Committee was set up to administer the Fund. The purpose of the Fund is to support the victim rehabilitation process, including in regard to temporary accommodation, counselling, education, specific health needs, etc.

B. Special Protection Provisions for Trafficked Children

In 2016, ECOWAS introduced its *Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants*. The initial content of the document was elaborated by the West African Network for the Protection of Children.²⁶¹ The Network has members – organisations dealing with child protection issues – in all ECOWAS Member States and Mauritania. Elements of the Standards are incorporated into the ECOWAS Child Protection Monitoring and Evaluation Framework and its Guidelines for Implementation for the Specific Protection of Children on the Move. The ECOWAS TIP Unit has expressed interest in encouraging and supporting the MSs in their implementation of these Standards.²⁶²

In addition, in October 2017, ECOWAS adopted the *Strategic Framework for Strengthening National Child Protection Systems*. The Member States thus agreed to strengthen their legislation and take concrete measures to protect children from violence, abuse and exploitation.²⁶³ The Strategic Framework was approved by the ECOWAS Heads of State and Government in December 2017.

260 Niger (2017), *Annual Report*, op. cit.

261 ECOWAS (2016), *Support Procedures and Standards*, op. cit. (updated in 2016).

262 This information was obtained through group discussions conducted in Nigeria (interview code NG01).

263 Girls Not Brides (2017), op. cit.

Child-friendly spaces in ECOWAS

Currently, ECOWAS is developing the ***YOU ARE SAFE Initiative***.

The goal is to make available child-friendly spaces where children in need can seek help and protection in any situation of danger. The distinctive sign (seen here to the right) will be provided to all child protection institutions, NGOs and other organisations in each ECOWAS Member State, so that these places can be easily recognised by children. Personnel will be trained and vetted so as to be able to provide support.²⁶⁴



The quality approach of the WAN

Serving as an (unofficial) regional referral mechanism for children victims of TIP, the West African Network has developed a quality approach towards the work with children. The essence of the approach is that the focus of all efforts is the child and that the child must be included at all stages of the support process. The child's best interests must be assessed with their participation, and therefore the best decisions to be taken. This approach assumes eight steps in the process of providing support to affected children – from identification to reintegration, to case monitoring and strengthening the socio-economic capacities of the family and/or community. It aims to harmonise the procedures for child protection and cross-border mobility, ensuring the welfare of the child during the whole process.²⁶⁵

As noted in Section 4.3. of this report, the general child protection legislation is often used to address cases of child trafficking. In addition, specific legislation on child trafficking (laws, policy documents and mechanisms, etc.) exist in fifteen of the countries studied.²⁶⁶ Despite the fact that only nine of these countries (Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, Ghana, Guinea, Mali, Senegal and Togo) have acceded to or ratified the 1993 Hague Convention on Protection of Children and Co-operation, the main principle followed in the respective national legislations of all is “the best interests of the child”.

The countries studied reflect different levels of established services for trafficked children; examples of more prominent practices are presented below.

264 Interview conducted in Nigeria; interview code NG01.

265 WAN, see: <https://www.rao-wan.com/en/about-rao>.

266 Sierra Leone is the only country studied that has no dedicated legislation on child trafficking.

Ghana: The Ministry of Gender, Children and Social Protection is mandated to ensure that counselling services and medical support are provided to child victims. The Ministry is also authorised to support those social workers operating within rescue, rehabilitation and re-integration programmes, in order to maintain high professional standards. Shelters where children are accommodated must obtain a care order through the social welfare officers in the district courts. This measure was introduced in order to ensure the safety and quality of the support provided. The social welfare officers and shelter staff ensure that proper medical care is given. Medical screening is carried out at the Police Hospital. Once the child is recovered, or in cases where hospitalisation is not needed, NGOs or the shelter personnel take over responsibility for the child. Private hospitals also assist in the process.²⁶⁷

Senegal: The Alert and Surveillance Committees are part of the national strategy for the protection of children. They receive support from national authorities and international NGOs. However, most of the resources come from within the community. The United States Agency for International Development (USAID) has implemented a successful project with local communities in the Senegalese countryside to reduce the prevalence of child begging and children exploited for begging. In some communities, the number of children on the streets was reduced by 80%. They have achieved these results by supporting families financially and transferring ownership of the mechanisms developed within the project to the community. This underlines the important role played by local residents, and the Alert and Surveillance Committees as being more sensitive and better trained to spot cases of child exploitation. The community also reports abuses to the authorities and continues anti-exploitation activities autonomously after the project ends.²⁶⁸

The Gambia: In 2016, the government funded programmes aiming at elimination or prevention of child labour, including its worst forms.²⁶⁹ That same year, it launched the National Child Protection Strategy 2016-2020, developed with technical and financial support from UNICEF. The Strategy, along with its Plan of Action, is the result of a series of consultations and engagements led by the Department of Social Welfare, with critical input from the Child Protection Sub-Committee and a wide range of child protection actors, community members, caregivers and children.²⁷⁰

C. Centralised Registration of VoTs

The development and establishment of systems for the centralised registration of victims is crucial for the follow-up of cases, case monitoring, analysis of trends and, moreover, obtaining an overview of the actual situation in the country. The availability of a centralised registration system shows a certain level of commitment and trust between anti-trafficking stakeholders, as well as the unification of the legal and administrative background of the different (especially governmental) stakeholders to enable data sharing.

267 Ghana (2018), *Annual Report*, op. cit.

268 Interviews conducted in Senegal; interview codes SN05 and SN06.

269 The Gambia (2017), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

270 UNICEF (2016), "UNICEF Launch Child Protection Strategy 2016-2020", UNICEF The Gambia, 6 December 2016, see: <https://reliefweb.int/report/gambia/gambia-unicef-launch-child-protection-strategy-2016-2020>.

Experience shows that such systems are often separated – between collection of information on victims and on perpetrators. Furthermore, the depositories of the two systems are often maintained by different organisations – the system collecting information on perpetrators is usually based at a law enforcement agency, while the victims system is kept either by a ministry in charge of the social welfare portfolio, or an NGO involved in the support of victims. Nine of the countries under study have established various types of registration system, which are not necessarily centralised.

Table 13: TIP victim registration systems in the ECOWAS Member States and Mauritania

Member State	Database / Depository
Benin	Central Office for the Protection of Minors (formerly the Minors Protection Brigade) within the Ministry of the Interior, Public Security and Religious Affairs. The Observatory of the Family, Women and Children within the Ministry of the Family, Social Affairs, National Solidarity, Handicapped People and People of the Third Age – their databases are at the central, local and community level.
Burkina Faso	The National Vigilance carries out registration of victims based on the reports submitted by the regional Surveillance Committees, which are, in turn, summaries of the reports of the provincial and departmental committees. The Directorate for Combatting Violence against Children is the Secretariat of the Surveillance Committees. The Directorate collects reports on the various anti-trafficking activities carried out, in order to compose the national report on TIP.
Cabo Verde	The Child Protection Case Management System to identify and track child victims of exploitation and trafficking has been developed and is expected to become fully operational during 2020. ²⁷²
Côte d'Ivoire	Currently, there is no centralised data collection system dedicated only to TIP victims. Social services collect data in the framework of an integrated data collection system on <i>child labour</i> – the System for the Observation and Monitoring of Child Labour. This is a digital database containing data on child exploitation only, and is currently operational, following a pilot phase. The system is used for the collection of data on child trafficking cases. The Inter-Ministerial Committee on Child Trafficking, the Unit to Combat Child Trafficking and Exploitation, the Sub-Directorate to Combat Child Trafficking and Juvenile Delinquency and the Directorate for Child Protection all collect data which is centralised by the Inter-Ministerial Committee and the National Surveillance Committee for Actions to Combat Trafficking and Worst Forms of Child Labour. No data on adult victims of trafficking is collected.
The Gambia	The NAATIP employs a database officer who inserts all data related to TIP in the NAATIP database.

271 US Department of State (2020), *TIP Report*, op. cit.

Ghana	<p>Ghana has no centralised registration point for victims of TIP. The Human Trafficking Secretariat will host the national database once it becomes operational. Ghana has a National Database on trafficking-related issues, but it has not been updated recently.</p> <p>The Ministry of Employment and Labour Relations, through the National Program for the Elimination of Child Labour in Cocoa, developed the Ghana Child Labour Monitoring System that collects, collates and analyses data on child labour, including child trafficking. The security agencies have a record system for victims of crime, including TIP victims. The Department of Social Welfare also has records of victims of TIP to whom the Department has provided support.</p>
Guinea	<p>The System of Centralised Registration of Trafficking Victims at the Office for the Protection of Women and Children. The organisations that contribute to the collection of statistical information are the Office for the Protection of Women and Children, the IOM office in Guinea and civil society organisations.</p>
Guinea-Bissau	<p>A working meeting routine is established between the Committee to Combat Trafficking in Human Beings and IOM to improve the quality of data collection and systematisation.</p>
Liberia	<p>The TIP Secretariat at the Ministry of Labour; a centralised database to record TIP cases and other sexual and gender-based abuses has also been established.</p>
Mali	<p>There is no centralised system for registering victims of TIP in Mali. However, a network of NGOs, state structures and international organisations work in synergy to register victims using a database.</p>
Mauritania	<p>There is no centralised system.</p>
Niger	<p>There is no centralised registration system. However, with the referral mechanism validated on 13 February 2019, and the creation of reception and victim protection centres, as well as the Special Victims Compensation Fund, the ANLTP/TIM will begin to centralise data henceforth, in accordance with the law.²⁷³</p>
Nigeria	<p>Uses ISS WAN Case Data System focused on transnational cases.</p>
Senegal	<p>There is a data collection system set up by the Anti-Trafficking Committee (Systraite). A Rapid Pro system is used by those NGOs providing protection to victims.</p> <p>Currently, the Ministry of Justice is developing a database with information exclusively on TIP, which will be fed into by prosecutors. The system is being tested in five jurisdictions as a pilot project, and gathers data only from the judicial system (interview code SN01).</p>
Sierra Leone	<p>Upon referral of a victim from the National Task Force on Human Trafficking Secretariat, those organisations providing protection services complete a referral form that is shared with the Task Force Secretariat. This is considered an official registration of the victim. Currently, all relevant information on registered victims is stored in an Excel database at the TIP Secretariat, for the purposes of analysis and report preparation.</p>
Togo	<p>The National Commission for the Reception and Social Reintegration of Child Victims of Trafficking is the body centralising information on child victims of TIP.</p>

272 Niger (2018), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

D. Repatriation and Risk Assessment

Repatriation or return of victims of trafficking from the country of exploitation to the country of origin is a complex, multi-layered process where the victim's needs and rights must be secured and safeguarded. To this end, OSCE/ODHIR has elaborated principles to guide this process:²⁷³

- a) Return must be safe;
- b) Return should not result in a violation of any of victim's rights, including the right to due process of law;
- c) When return is not an option the states must grant additional protection measures;
- d) Special protection measures for return of children. All decisions taken with respect to a child victim, regardless of whether or not they are unaccompanied, must take the child's best interests as a primary consideration;
- e) Durable solution without further harm. If trafficked victims are at risk of re-victimization, including prosecution, retaliation against them and/or re-trafficking upon return, then it may not be possible to ensure their safe return;
- f) Access to effective remedies;
- g) Co-operation and monitoring. The safe and, preferably, voluntary return of trafficked persons requires co-operation between the returning and receiving states. Both the returning and receiving countries should monitor the return of victims of trafficking.

The requirement that repatriation (return) is conducted with regard for the safety of victims and their families imposes an obligation upon state authorities to conduct a *pre-return risk assessment* with the participation of the victim, service providers and authorities in order to assess the safety of return.²⁷⁴ Risk assessment is part of the process of counselling the victim while planning the victim's return to their country or region of origin. It requires good cooperation between the anti-trafficking stakeholders in the country of exploitation working on the case, as well as good operational cooperation with the anti-trafficking authorities in the country of origin. The risk assessment focuses on the following areas:

- a) Analysis of a victim's history.
- b) Researching additional information about the country of origin relevant to the process of re-socialisation of the victim.
- c) Shaping different security scenarios.

273 OSCE/ODIHR (2014), *Guiding Principles on Human Rights in the Return of Trafficked Persons*.

274 OSCE/ODIHR (2014), *Guiding Principles*, op. cit.

The risk assessment facilitates the prevention of re-trafficking or other harms and violations of human rights in cases of voluntary and safe return of a TIP victim to the country of origin.²⁷⁵

Table 14: Risk assessment institutions in the ECOWAS Member States and Mauritania

Member State	Organisations Responsible for Risk Assessment and Return
Benin	The Central Office for the Protection of Minors, supported by social services, civil society organisations and the West Africa Network. Children are sometimes sent back to their countries without taking into account possible alternatives, child protection guidelines or the best interests of the child.
Burkina Faso	Social workers, with the support of the WAN, conduct interviews and social inquiries with their counterparts in countries of origin, so as to ensure that the child will be in a safe environment upon arriving back to her/his country of origin.
Cabo Verde	Risk assessment is not compulsory.
Côte d'Ivoire	Upon receiving a request, the competent government service or the WAN, with support from social services, is responsible for conducting a social inquiry to assess risks and determine the best interests of the child before any repatriation can take place.
The Gambia	The Department of Social Welfare is responsible for the risk assessment of victims. Immigration officers and social workers carry out repatriation in partnership with the WAN focal point. The institutions responsible for receiving the repatriated survivors/victims are the Ministry of Foreign Affairs, the Department of Social Welfare, the Ministry of Health and the NAATIP.
Ghana	Risk assessment is a cooperative effort between officers from the Department of Social Welfare and Police/Immigration or any other agency involved. Ghana has adopted SOPs for all institutions ensuring that "the best interests" principle is applied. In cases of internal trafficking, the decision is made by the Ghana Immigration Service, the Anti-Human Trafficking Unit of the Ghana Police Service and the Department of Social Welfare in collaboration with relevant stakeholders. The final decision is taken either by the courts, the police or the Ministry of Gender, Children and Social Protection, following an assessment visit to the home of the victims. IOM Ghana and UNICEF also support the process by providing expert advice. The victim's decision on whether or not to leave the country is paramount for repatriation.
Guinea	The state is responsible for the assessment through anti-trafficking NGOs. Social workers from the Ministry of Social Action in collaboration with the immigration services assess the risks related to the repatriation of victims. An interview with the victim facilitates the risk assessment.
Guinea-Bissau	WAN conducts the repatriation of children victims of TIP. At the national level, there is an organisation responsible for carrying out risk assessment before the return.
Mauritania	No information could be obtained.

275 LEFOE (2011), *Quality standards for risk assessment and the safe return and reintegration of trafficked persons*.

Mali	The Ministry for the Promotion of Women, Children and the Family, in cooperation with NGOs and IOs (UNICEF and IOM) is responsible for risk assessment. However, it is not systematic. For trafficked children, the National Direction for the Promotion of Women, Children and the Family, through its local services and partner NGOs, conducts an identification mission to the family and community setting for reception of the victim. The Ministries for Justice, Security, Social Action, Education and International Cooperation are also consulted. The Ministry for Malians Abroad (for adult victims of TIP) and the Ministry for the Promotion of Women, Children and the Family (for child victims) are responsible for receiving Malians repatriated from back to the country.
Niger	Conducting a risk assessment before every repatriation is obligatory. The institution responsible is the Ministry of Interior, the Centre for Reception and Protection, and the State Prosecutor or Presiding Judge, once a judicial case has been opened.
Nigeria	The NAPTIP is the agency responsible for delivering the risk assessment, but the National Investigation Service, the Nigeria Intelligence Agency and the Ministry of Foreign Affairs (together with the embassy of the victim's country in Nigeria) also play a role. The assessment considers the legal framework in the country of origin, the childcare services available, and the social protection organisations working with trafficked people. The partners for cases of transnational TIP are IOM and the WAN (interview code NG02).
Senegal	The responsible stakeholders are Caritas, representatives from the Ministry of Foreign Affairs abroad, IOM, and the Directorate of Air and Border Police. In cases of child trafficking, the child's consent to their return to their family is taken into account. A victim who wishes to return to their family in the country of origin is supported by NGOs and the WAN, who organise and facilitate their return.
Sierra Leone	It is mandatory to conduct a risk assessment in order to establish whether repatriation is safe. Repatriation from the country is mostly done by IOM and NGO partners. They normally use their field staff in the countries to which the trafficked victims are returning, or pay for staff to visit these countries so that they can speak to relevant community and family members to ensure that returning is safe. The repatriation of Sierra Leoneans exploited abroad is mostly carried out by the Ministry of Foreign Affairs and International Cooperation, the Ministry of Social Welfare, Gender and Children's Affairs, IOM and civil society partners within the National Task Force on Human Trafficking.
Togo	The Directorate of the National Police and the Ministry of Foreign Affairs are responsible for the risk assessment in cases of foreign children identified in Togo. In cases of Togolese children identified abroad, the risk assessment for repatriation is made by the General Directorate of Child Protection, the Directorate of the National Police, NGOs and the National Commission for the Reception and Social Reintegration of Child Victims of Trafficking. CNARSEVT is the institution in charge of receiving repatriated children victims of trafficking. There is no such equivalent institution established for adult victims of TIP.

8. Transferable Practices – Toolbox

The transferable practices presented in this toolbox are nationally or regionally implemented responses that effectively prevent TIP, protect trafficked persons, increase the number of TIP cases prosecuted and/or enhance the cooperation between the anti-trafficking stakeholders. Good practice in the context of victims who are minors places the child at the centre of the intervention, providing effective access to his/her rights.

During the process of collecting information for the present assessment, suggestions for good practices that could be considered transferable in the field of combating TIP were identified. They have been collected from those anti-trafficking stakeholders interviewed and the NFPs who responded to the questionnaire, as well as being identified during the desk research.

The collected practices are grouped into four sets: prevention of TIP, prosecution of TIP cases, protection of victims, and cooperation between anti-trafficking stakeholders.

Each practice was evaluated against the pre-defined criteria set out in Table 15 below, based on whether or not it meets each criterion (entirely or partially), or whether the evaluation was unclear.

Table 15: Evaluation criteria

Protection	Were potential risks to the safety and well-being of adults and children thoroughly anticipated and addressed in each phase of the intervention?
Non-Discrimination	Were the most marginalised individuals reached by the intervention? Did the intervention put in place specific measures to reach out to, and proactively involve, affected adults and children? Is the practice gender-sensitive? Is the practice child-sensitive?
Effectiveness	Does the measure reduce vulnerability to trafficking/exploitation and/or effectively protect trafficked people?

Sustainability	Is the measure linked to a policy intended to prevent trafficking, protect victims and prosecute perpetrators in a sustainable and long-term manner? Is the financial cost of the measure sustainable and cost-effective?
Innovation	What is new or special about the practice in terms of prevention of trafficking, support to victims and/or prosecution of perpetrators that makes it of potential interest to others working in the same domain?

This evaluation has enabled the identification of five transferable practices, which were further examined in collaboration with the national anti-trafficking authorities in those countries where the practices were implemented, so as to determine their specificity, relevance, applicability and context.

8.1 Rating the Practices

	Protection	Non-Discrimination	Effectiveness	Sustainability	Innovation
1. Leveraging school education as the first-line response to prevent trafficking in persons. Country: Nigeria	✓	✓	✓	✓	✓
2. Centralisation of statistical data on trafficking in persons. Country: Burkina Faso	✓	✓	✓	✓	✓
3. Integrated child protection programme. Countries: Benin and Nigeria	✓	✓	✓	✓	✓
4. Decentralisation of criminal policy on trafficking in persons. Country: Niger	✓	✓	✓	✓	✓
5. Community-based response to combat forced child begging. Country: Senegal	✓	✓	✓	✓	✓

8.2 Presentation of the Practices

A. Practice 1: Leveraging school education as the first-line response to prevent trafficking in persons

Description of Practice	
Implemented in:	Nigeria
Focus of the practice:	Prevention of TIP
Objective	Using the state education system to maximise the reach of anti-trafficking awareness amongst Nigerian schoolchildren.
Geographical scope	Nationwide.
Implementing organisations	National Agency for the Prohibition of Trafficking in Persons (NAPTIP) Nigerian Educational Research and Development Council (NERDC) National Commission for Colleges of Education (NCCE) Ministry of Education
Actions	<ol style="list-style-type: none"> 1. MoU between the NAPTIP and the NERDC to mainstream TIP into the curricula of primary and secondary schools. 2. Identification of carrier subjects in the Curricula of Basic and Senior Secondary Schools for inclusion of the TIP topic: 1) English language; 2) Religion and national values (Civic, Security and Social Studies); 3) Physical and health education; and 4) Government. 3. Ten workshops with education specialists to facilitate the process of inclusion of the TIP topic into the subjects. 4. Development of Teachers' Guide to incorporate TIP-related topics into the four subjects identified. 5. Adding TIP as a separate topic to the Nigerian Certificate in Education (NCE) Minimum Standards. The expertise of curriculum experts from the NCCE, teacher-educators from Colleges of Education, and TIP specialists from the NAPTIP deployed. 6. Three National Trainings of Master Teachers on the new Curricula for the NCE Minimum Standards.
Results	<ul style="list-style-type: none"> ▶ TIP is included in four subjects taught to children aged 6-16 years in primary and senior secondary schools. ▶ Dedicated course on TIP introduced into Colleges of Education. ▶ Approximately 400 teachers from six geopolitical zones sensitised and trained on TIP-related topics, mainstreamed into the curricula of the NCE Minimum Standards. ▶ Approximately 17,800 students expected to be trained in 178 Colleges of Education per year. ▶ 50,000+ children from Basic and Senior Secondary Schools expected to be trained per year.²⁷⁷ ▶ Collaboration with the National Youth Service Corps (NYSC) established to sensitise 6,000 youths on TIP and the dangers of irregular migration.²⁷⁸ ▶ Jointly with the NYSC, a TIP Community Development Service (CDS) Group will be developed. TIP will be introduced into already existing CDSs.

276 NERDC curricula complies with the Universal Basic Education Commission at national level, and State Universal Basic Education Board at state level.

277 The NYSC is a scheme set up by the Nigerian government to involve university and polytechnic graduates in nation-building and development through one year of service.

Obstacles → Solutions	<ul style="list-style-type: none"> ▶ Certain level of bureaucracy and lack of synergy amongst the government agencies. → During discussions with the different institutions, the project team demonstrated how the project fits into the agencies' core mandate and will enhance inter-agency collaboration. ▶ Lack of funding to engage in activities that do not fall under their traditional mandated activities. → Solution being sought by the authorities.
Unintended side effects	<ul style="list-style-type: none"> ▶ The practice spurred the Federal Ministry of Education to develop the <i>Nigerian Education Sector Action Plan on Migration</i>. ▶ Teacher-educators became TIP ambassadors in various institutions and communities across six zones of the country. They have shared with the training team the significant impact of the training sessions organised across the country.

Practice	Checklist
Relevance: Is the practice significant for us?	
Targeted setting	
<ul style="list-style-type: none"> ▶ The overall goal of the practice is to decrease TIP cases in Nigeria. ▶ Wide-range TIP awareness-raising and empowerment initiatives are embedded in the national educational system. ▶ Children are educated and provided with the necessary knowledge and skills to recognise and protect themselves from potential situations of TIP. ▶ Mainstreaming of the TIP topic into the Minimum Standards for the Nigeria Certificate in Education ensures the sustainability of the approach. ▶ Teachers are also sensitised and understand TIP. 	<ul style="list-style-type: none"> ▶ Are the challenges/problems the same in your country? ▶ Are there similar needs for awareness raising among your young population? ▶ Is there a need for the same sort of approach – to embed TIP topic into the national education system? ▶ Is the geographical set-up relevant? Is there a potential for national-level coverage? ▶ Are representatives of all administrative units available for involvement?
Target group	
<p>Main target groups:</p> <ul style="list-style-type: none"> ▶ School children aged 6-16 years. ▶ Pre-service teachers, who conclude their NCE programme to become in-service teachers in Basic & Senior Secondary Schools in Nigeria. 	<ul style="list-style-type: none"> ▶ Are the same target groups relevant? ▶ What age group/s of children would you like to reach? ▶ Would you target teachers as well? ▶ Are there other target groups you are interested in reaching with this practice? Which?
Results	
<ul style="list-style-type: none"> ▶ Vast range of children are reached through the inclusion of TIP in the school curriculum. ▶ Teachers are provided with skills and knowledge to teach the topic. ▶ Sustainability and increased impact ensured by the institutionalisation of the approach. ▶ Inter-agency cooperation on cross-cutting topics is promoted. 	<ul style="list-style-type: none"> ▶ Are the results achieved by the practice relevant for your country's context and priorities on the anti-trafficking response? ▶ Can similar results be achieved?

Applicability: Can the practice work for us?	
Expertise and capacity	
<p>Three main implementing institutions:</p> <ul style="list-style-type: none"> ▶ NAPTIP - governmental institution established by the 2003 Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, further amended in 2005 and 2015. The Agency enforces and administers provisions of the Act. ▶ NERDC - the think tank of the Nigerian Education System established in 1988 by ACT No. 53. The Agency is responsible for developing the school curriculum. ▶ NCCE - established by Act No. 3 of January 1989 (further amended in 1993) to devise minimum standards for all programmes of teacher education and accredit their certificates and other academic awards. 	<ul style="list-style-type: none"> ▶ What expertise is available in your country? ▶ Is there TIP expertise? A national coordination TIP body, NGOs, others? ▶ Which institutions are responsible for the school curricula and the certification of teachers? ▶ Would these institutions be willing to work together? ▶ Would implementing this practice require any specific legislative provisions? ▶ Can a dedicated budget be assigned for implementation of the practice? ▶ How will new activities be incorporated into the tasks of the officials involved in implementing the practice? (Any administrative actions required?) ▶ Would implementation of the practice impose any technical challenges?
Geographical scope	
<ul style="list-style-type: none"> ▶ The practice is implemented nationwide by using the network of the Ministry of Education. 	<ul style="list-style-type: none"> ▶ Would nationwide implementation of the practice be possible? ▶ Could the practice be pioneered initially at regional level (in one or two regions)?
Context: Do we have similar circumstances?	
Policy and strategy	
<ul style="list-style-type: none"> ▶ The practice is aligned with the national strategies and policies in the field of education and combating TIP. 	<ul style="list-style-type: none"> ▶ Would it support implementation of the national anti-TIP policy? ▶ Would implementation require certain political decisions to be taken? ▶ Would advocacy actions be needed? Targeting whom?
Specific context	
<ul style="list-style-type: none"> ▶ The practice is related to the specific context prevailing in the country. ▶ Nigeria is considered a country of origin, transit and exploitation for TIP victims. The problem is recognised by governmental agencies at central and state level. Officials, together with religious and traditional leaders, are working to combat TIP by creating awareness and addressing harmful traditional practices. 	<ul style="list-style-type: none"> ▶ Is there a similar specific context in your country? If so, what is the scale of the problem? ▶ Who are the vulnerable groups to be targeted? Are children such a group? ▶ What is the main TIP profile of the country? (Origin, transit, exploitation..) ▶ How would this profile influence implementation of the practice? ▶ Are there any specific element(s) that would make the practice successful in the country?
Risk factors	
<ul style="list-style-type: none"> ▶ Limited financial resources allocated to the governmental agencies from the national budget. ▶ Pooling efforts are required by all involved actors, and at each possible level. 	<ul style="list-style-type: none"> ▶ Is funding a potential problem? ▶ Are there other financial resources available, different from the national budget? How can they be secured? ▶ Could there be any administrative risks or risks related to the commitment of the institutions implementing the practice?

Transferability

The practice of embedding **trafficking awareness in the national educational system** is particularly relevant in contexts marked by:

- ▶ High risk of child trafficking.
- ▶ The majority of children are reachable through the national educational system.
- ▶ Educational system that is flexible enough to allow children to be educated in social skills, resilience to violence, TIP, etc.
- ▶ Flexible and adaptive teacher training system.
- ▶ Understanding among governmental institutions that the multidisciplinary approach is crucial in preventing and combating TIP.
- ▶ Various governmental institutions ready to work together on prevention of TIP.

The practice is applicable in cases of:

- ▶ Available TIP expertise – national TIP coordination body, lead ministry in anti-trafficking response, prominent NGO or international organisation, etc.
- ▶ Available expertise related to the development of school curricula and training of teachers.
- ▶ Available budget.
- ▶ Assured nationwide reach of the practice.

Successful implementation of this practice requires certain prevailing conditions, such as:

- ▶ TIP prevention is a priority set out in the national anti-trafficking and educational strategies, Plans of Action, etc.
- ▶ Officials at the national and local level, as well as community and religious leaders, teachers, etc., are committed to work on prevention of TIP.
- ▶ Suitable administrative and financial frameworks and resources are available.

B. Practice 2: Centralisation of statistical data on trafficking in persons.

Description of Practice	
Implemented in:	Burkina Faso
Focus of the practice:	Cooperation between anti-trafficking stakeholders
Objective of the practice	<ul style="list-style-type: none"> ▶ Gathering and centralisation of TIP statistical data at the Criminal Justice Department. ▶ A team of specialists provides data analysis in order to guide authorities in their decision-making on TIP.
Geographical scope	Nationwide.
Implementing organisations	Prosecutors Investigative chambers of the investigating judges Focal Point within the Ministry of Justice responsible for the collection of statistical data on TIP Ministry of Justice
Actions	<ul style="list-style-type: none"> ▶ Each prosecutor in Burkina Faso sends a monthly report on the activities within their jurisdiction, including those related to TIP, to the General Prosecutor. ▶ The General Prosecutor transmits the received information to the General Secretariat. The General Secretariat assigns the information to the Directorate General of Criminal Policy for analysis and processing. ▶ The President of the Indictment Division of the Court of Appeal ensures the proper functioning of the investigation offices under its jurisdiction. A monthly statement covering all open cases, including TIP cases, is sent to each investigating office and further forwarded to the Focal Point at the Ministry of Justice for data processing and analysis.
Results	<ul style="list-style-type: none"> ▶ Statistics on TIP are sent regularly to the Ministry of Justice, which uses them to produce more effective policy-making. ▶ General guidelines on combating TIP are given to prosecutors with a view to better preventing and effectively combating the phenomenon based on the evidence.
Obstacles → Solutions	<ul style="list-style-type: none"> ▶ Some of the implementing actors faced challenges regarding the obligation to transmit data on time. → Official letters to remind them of their obligations. ▶ Representatives from implementing actors favour the social settlement of TIP cases and do not initiate litigation procedures against the traffickers. → An effective solution is still being researched by the national authorities.
Unintended side effects	<ul style="list-style-type: none"> ▶ Victims of trafficking are better protected. ▶ More TIP prosecutions and stricter sentences.
Evaluation of the practice	<ul style="list-style-type: none"> ▶ No external evaluation has been performed.

Practice	Checklist
Relevance: Is the practice significant for us?	
Targeted setting	
<ul style="list-style-type: none"> ▶ The overall goal of the practice is effective repression of the crime and protection of victims. ▶ The practice looks to identify priorities and reorient anti-trafficking actions, based on the analysis of centralised statistical data. ▶ Policies and legislation acts can be amended according to the provided analysis. ▶ All criminal courts are obliged to send statistical reports on TIP to the Criminal Justice Department. 	<ul style="list-style-type: none"> ▶ Are the challenges/problems the same in your country? ▶ Is there a need to centralise data collection by law enforcement? ▶ Is there a need for a similar approach – to appoint focal points responsible for the collection of statistical data on TIP within the Ministry of Justice? ▶ Is the need for evidence-based policies on TIP recognised by the authorities? ▶ Is the geographical set-up of the practice relevant? ▶ Are representatives of all administrative units available for involvement?
Target group	
<ul style="list-style-type: none"> ▶ Prosecutor General, Prosecutors and their deputies, presidents of the indictment chambers, magistrates, technicians of the Ministry of Justice, social workers, remand and correctional institutions. 	<ul style="list-style-type: none"> ▶ Are the same target groups relevant for your country? ▶ Are there other target groups you are interested in reaching through this practice? Which?
Results	
<ul style="list-style-type: none"> a) Statistical information on TIP is sent to the Ministry of Justice and analysed on a regular basis. b) General guidelines on TIP are provided to prosecutors in order to better prevent and effectively combat the phenomenon. 	<ul style="list-style-type: none"> ▶ Are the results achieved by the practice relevant for your country's context and priorities on the anti-trafficking response? ▶ Can similar results be achieved?
Applicability: Can the practice work for us?	
Expertise and capacity	
<ul style="list-style-type: none"> ▶ The institution in charge of the implementation of the practice is the Ministry of Justice, through its technical directorate in charge of criminal cases. ▶ The Code of Criminal Procedure obliges prosecutors and investigating judges to transmit TIP data on a regular basis. ▶ Financial and human resources have been allocated for carrying out the practice. The relevant employees have been trained. ▶ An amendment of the regulations of the Ministry of Justice has been introduced in order to officially create the structure responsible for the information gathering and sharing process. 	<ul style="list-style-type: none"> ▶ What expertise are available in your country? ▶ Are there TIP expertise within the Ministry of Justice and the Court of Appeal – among investigators, prosecutors or judges? ▶ How are the reporting lines on TIP set out among judiciary officials? ▶ Are there officials who report specifically on TIP cases? ▶ Would implementation of this practice require any specific legislative provisions or changes in the regulations of the institutions involved? ▶ Can a dedicated budget be assigned for implementing the practice? ▶ How will new activities be incorporated into the tasks of the officials involved in the implementation of the practice? Any administrative actions required? ▶ Would implementation of the practice impose any technical challenges?

Geographical scope	
<ul style="list-style-type: none"> ▶ Nationwide, using the network of the Ministry of Justice. 	<ul style="list-style-type: none"> ▶ Would nationwide implementation of the practice be possible? ▶ Would it be possible to involve all regional/local structures of the Ministry of Justice?
Context: Do we have similar circumstances?	
Policy and strategy	
<ul style="list-style-type: none"> ▶ The Directorate responsible for monitoring and implementing criminal policy within the Ministry of Justice implements the practice. This enhances the follow-up of the state, as well as the progress and the overall handling of TIP cases. 	<ul style="list-style-type: none"> ▶ Would the practice support the implementation of national anti-trafficking and criminal policies? ▶ Would implementation require certain policy decisions to be made? ▶ Would advocacy actions be needed? Targeting whom?
Specific context	
<ul style="list-style-type: none"> ▶ The possibility to centralise the collection of information on TIP cases is based on the: <ul style="list-style-type: none"> a) Established regional (local) network of the Ministry of Justice and the Court of Appeal (prosecutors, investigating judges, etc.). b) Appointment of focal points to collect specific information on TIP cases. c) Available regulations enabling the process. ▶ Overall, implementation of the practice is motivated by the aim to collect reliable data and implement an evidence-based approach towards TIP in the country, as well as ensure efficient prosecution of TIP cases. 	<ul style="list-style-type: none"> ▶ Is there a similar specific context in your country? ▶ Are there any established mechanisms to collect, at a central level, information on TIP from the regional divisions of the Ministry of Justice and the Court of Appeal? ▶ Is the information analysed and used for policy decisions in the field of combating TIP? ▶ Are there any specific elements in your country that could ensure successful implementation of the practice?
Risk factors	
<ul style="list-style-type: none"> ▶ Two considerations should be kept in mind: <ul style="list-style-type: none"> a) The responsible stakeholders do not regularly transmit data on TIP. b) The collected data does not show the full picture. The analysis of statistical data from the Ministry of Justice and other Ministries (of Social Action and Security) show large discrepancies between the number of cases listed by these other ministries and the number of prosecution cases actually initiated within the justice system. 	<ul style="list-style-type: none"> ▶ Could there be any administrative risks or risks related to the commitment of the institutions implementing the practice? ▶ Is the collected information full? Are there TIP statistics/cases collected by other organisations or NGOs which are not part of the information collected by the Ministry of Justice? ▶ Could the information collected by the Ministry of Justice be enriched? ▶ How to make sure that the information collected by different institutions and organisations does not overlap?

Transferability

The practice of gathering and **centralising statistical data on TIP** is particularly relevant in contexts marked by:

- A national judiciary system active in the prosecution of TIP cases.
- The need for an evidence-based approach to anti-trafficking policy-making.
- A lack or ineffective system of centralised collection of statistical data on TIP.
- The need for specific guidelines on TIP for prosecutors working on such cases.

The practice is applicable in cases where there exists:

- Available TIP expertise within the Ministry of Justice and the Court of Appeal.
- An officially established reporting system within the Ministry of Justice or the institution which will perform the data collection.
- A legislative or administrative framework which sets out the processes for collection, storage, analysis and sharing of TIP data.
- A network of prosecutors or other professionals to ensure nationwide coverage of the data collection.

Successful implementation of this practice requires certain conditions, such as:

- An implementing body positioned within the Ministry of Justice, the General Prosecutor's Office or a similar relevant institution.
- Requisite data and evidence-based amendments supporting implementation of the national anti-trafficking and criminal policies.
- A clearly set framework for data collection.
- A data collection system that acknowledges the existence of other data collection mechanisms (if any) and ensures complementarity, rather than overlapping.

C. Practice 3: Integrated child protection programme

Description of Practice	
Implemented in:	Benin and Nigeria
Focus of the practice:	Prevention of TIP, Protection and support of victims of TIP, Cooperation between anti-trafficking stakeholders
Objective of the practice	<ul style="list-style-type: none"> ▶ Prevention of child trafficking. ▶ Protection of child trafficking victims.
Geographical scope	Implemented between Benin and Nigeria but on a local level, between the Department of Zou (Benin) and Abeokuta in the State of Ogun (Nigeria).
Implementing organisations	Terre des Hommes Association of Artisans Representatives of the Local Administrative Authorities Social Services National Agency for the Prohibition of Trafficking in Persons, Nigeria CPN le Papillones, Benin (NGO) Nigeria Immigration Service NGOs
Actions	<ul style="list-style-type: none"> ▶ Identification of children at risk or victims, carried out through local stakeholders trained to identify victims of TIP. The identification also happens in safe spaces for children, established within the communities. ▶ Awareness raising on TIP among children, families and communities. ▶ Referral of victims, facilitated by the stakeholder consultation framework set up during implementation of the practice. The consultation framework allows different TIP stakeholders to gather and share information about their mandates in relation to TIP, and areas of expertise and intervention, etc. ▶ Support of identified victims, undertaken on the basis of Personalised Social Support (PSS).²⁷⁹
Results	By December 2017, in the communes of Zakpota, Bohicon, the gravel quarry communities of Abeokuta, and the city of Cotonou, some 6,100 children (aged 5-18) in difficult or vulnerable situations had received access to support services.
Obstacles → Solutions	Cooperation on the operational level with some state structures could be difficult due to slow (time-consuming) reactions to certain situations. → The national-level coordinating structures should improve national coordination to align with the regional approaches and iron out the discrepancies in response to child exploitation and TIP.
Unintended side effects	The representatives of Social Services improved their approach towards child cases of TIP and adopted new methods of work – applying the PSS approach, performing case conferences, etc.
Evaluation of the practice	The external evaluation concluded that implementation of the practice had a significant impact on the national protection system in Benin and Nigeria and has a good chance of attaining sustainability. The practice was found to have brought innovation, professionalism and quality to the care of child victims or those at risk of exploitation, trafficking or abuse. The results obtained encourage extension or even adaptation of the programme actions without greatly reducing the quality of service offered to children. The evaluation noted enthusiasm and commitment from the political and administrative authorities for the continuation of actions, as a pledge of sustainability of actions for ensuring a protective environment for children. Nevertheless, support from Terre des Hommes (and other partners) in the pursuit and finalisation of laws, decrees, policies, and action plans for children in Benin and Nigeria is highly recommended.

278 Person-centred approach to social work.

Practice	Checklist
Relevance: Is the practice significant for us?	
Targeted setting	
<p>The overall goal of the practice is to:</p> <ul style="list-style-type: none"> ▶ Create a protective environment for children through strengthening the protection network at the local level. ▶ Improve the political, legal and regulatory anti-trafficking framework. ▶ Strengthen the self-protection capacities of vulnerable children, as well as the level of knowledge and practices among protection professionals, community members, parents and guardians. ▶ Decrease the number of children at risk of exploitation, TIP or abuse. 	<ul style="list-style-type: none"> ▶ Are the challenges/problems the same in your country? ▶ Are there similar needs in your country for awareness raising on TIP among children, families and communities? ▶ Is there a need for the same approach – collaboration of anti-trafficking stakeholders from different provinces (and/or countries) in order to better identify, refer and support victims of TIP? ▶ Is the geographical set-up relevant for your country?
Target group	
<ul style="list-style-type: none"> ▶ Children 5-18 years old. ▶ Magistrates, judges, heads of local NGOs, which provide support to victims. ▶ Child protection officers. ▶ Families and parents. ▶ Children’s organisations, community associations. ▶ Consultation frameworks and networks. 	<ul style="list-style-type: none"> ▶ Are the same target groups relevant for your country? ▶ What age group(s) of children would you like to reach? ▶ Which stakeholders should be targeted? Protection authorities, NGOs, law enforcement, others? ▶ Would you target the families and communities involved? ▶ Would you look into the existing networks and frameworks for support of children victims of TIP and target them as potential group? ▶ Are you interested in reaching other target groups? Which?
Results	
<ul style="list-style-type: none"> ▶ The Beninese national child protection system introduces the restorative justice alternatives to imprisonment care and restriction of mobility. ▶ Each of the chosen locations has a protection network that provides coordinated and adequate protection measures, meeting the needs of vulnerable children. ▶ Strengthened involvement of children, families and communities in the prevention of child exploitation, TIP and abuse. 	<ul style="list-style-type: none"> ▶ Are the results achieved by the practice relevant for your country’s context and priorities on the anti-trafficking response? <ul style="list-style-type: none"> – Results related to the overall child protection system. – Results related to the coordination on cases of vulnerable children, child victims of TIP, etc. – Results related to the strong involvement of communities in the prevention of TIP. ▶ Can similar results be achieved?

Applicability: Can the practice work for us?

Expertise and capacity

- | | |
|--|---|
| <ul style="list-style-type: none"> ▶ The practice is implemented by an international NGO, but a local NGO dealing with the protection of children could also be the main implementing organisation. ▶ Human resources expertise includes those of social workers, psychologists, and lawyers. ▶ The implementing organisation operates within the existing legal framework. If needed, the organisation advocates for law amendments. | <ul style="list-style-type: none"> ▶ What expertise on child trafficking, exploitation and abuse is available? ▶ Which actors are responsible for identification/referral/child victim support? ▶ Are the identification, referral and support of the child victims effective? ▶ Can a dedicated budget be assigned for implementation of the practice? ▶ Is there a need for external funding (e.g. external donor, through project development)? ▶ Is there a donor organisation interested in providing funds for actions in the field of combating child trafficking/child labour/exploitation of children? ▶ Would the implementation of this practice require any specific legislative changes? ▶ Would the implementation of the practice impose any technical challenges? |
|--|---|

Geographical scope

- | | |
|---|--|
| <ul style="list-style-type: none"> ▶ The practice is implemented in two specific districts of Benin and Nigeria, the places of origin for the majority of children working in the gravel quarries. ▶ The international scope of the cooperation makes the involvement of anti-trafficking and migration authorities necessary also at the national level. | <ul style="list-style-type: none"> ▶ Is the geographical scope applicable to your country? ▶ Do you need to cooperate with other country or countries? Or does the situation you are targeting only involve children who are citizens of your country, and, therefore, intervention on solely the local (inter-municipal, inter-provincial) level? |
|---|--|

Context: Do we have similar circumstances?

Policy and strategy

- | | |
|---|---|
| <ul style="list-style-type: none"> ▶ The practice relies on a Memorandum of Understanding between Benin and Nigeria signed in 2003 (the Gbadagry Memorandum). This MoU is the lever for the involvement of stakeholders from both countries. | <ul style="list-style-type: none"> ▶ Is this practice aligned with the priorities and goals of the national anti-trafficking and child protection policies (strategies, plans of action, etc.)? ▶ In case you are interested in implementing this practice in partnership with another country, are there established means of cooperation (MoUs, joint strategies, cooperation agreements, etc.)? ▶ In case you are interested in implementing this practice solely in your country, are there established mechanisms of cooperation between different stakeholders, different municipality/district administrations, etc.? |
|---|---|

Specific context

- | | |
|---|---|
| <ul style="list-style-type: none"> ▶ The need for improvement of the available support for children victims of exploitation, TIP and abuse has been recognised by the authorities and addressed by the practice. | <ul style="list-style-type: none"> ▶ Is there a similar specific context in your country/the scale of the problem? ▶ Who are the vulnerable groups to be targeted? ▶ What is your country's profile regarding child trafficking? Country of origin, transit, exploitation? ▶ How would this profile influence implementation of the practice? ▶ Is the support of child victims of TIP an area that needs improvement? ▶ Are there any specific elements in your country that could ensure successful implementation of the practice? |
|---|---|

Risk factors

- Some of the approaches and definitions used during implementation of the practice were non-compliant with certain state authorities. Therefore, a certain level of tension, misunderstanding and conflict occurred.
- Is the understanding of TIP, exploitation and abuse of children the same for all implementing institutions and organisations?
- Do implementing partners approach the problem differently?
- How could these differences be overcome?

Transferability

The practice of child-focused anti-trafficking **initiatives**

is particularly relevant in contexts marked by:

- High numbers of child labourers, especially in difficult labour conditions (worst forms of child labour).
- Reported cases of child trafficking and child exploitation.
- A need for awareness raising among communities and children on TIP and exploitation.
- A need for the establishment of effective mechanisms for the identification of child victims.
- A need for the establishment of efficient victim protection services.
- Not enough knowledge or self-protection capacities among vulnerable children.
- The need for additional guidance and training on TIP for child protection authorities.

The practice is applicable in cases exhibiting:

- Available TIP expertise among child protection authorities (at local or national level), NGOs, international organisations, etc.
- Available networks of child protection stakeholders.
- Readiness among local communities and families to get involved in the prevention of child trafficking and exploitation.
- An accommodating national child protection system, focused on children's needs and protection of their rights.

Successful implementation of this practice requires certain conditions, such as:

- Child trafficking and exploitation is a problem recognised by the state authorities.
- The authorities of the provinces of origin of the exploited children and the provinces of exploitation are willing to work together to solve the problem.
- The authorities of the provinces of origin of the exploited children and the provinces of exploitation are willing to formalise their commitment through an official agreement.
- If more than one country is involved, the national-level authorities must join the cooperation process.
- All parties involved share the same understanding of child exploitation and apply similar approaches

D. Practice 4: Decentralisation of criminal policy on trafficking in persons

Description of Practice	
Implemented in:	Niger
Focus of the practice:	Prosecution of TIP cases
Objective of the practice	<ul style="list-style-type: none"> ▶ Harmonise criminal policy on TIP throughout the country. ▶ Enhance the quality of criminal proceedings on TIP cases. ▶ Increase the frequency and quality of data collection on TIP cases across the country.
Geographical scope	Nationwide.
Implementing organisations	<ul style="list-style-type: none"> ▶ National Agency for Combating Trafficking in Persons²⁸ ▶ Public Prosecutor's Offices of the ten Regional Courts of Niger.
Actions	<ul style="list-style-type: none"> ▶ Appointment of ANLTP focal points in each of Niger's jurisdictions by order of the Minister of Justice. ▶ Series of capacity-building workshops for the focal points and their liaison officer at the police and gendarmerie levels. The workshops cover conceptual clarifications, investigation techniques, the specific needs of VoTs, etc.
Results	<ul style="list-style-type: none"> ▶ Better coordination in each jurisdiction between magistrates and police officers on conducting investigations. ▶ Improved quality of legal proceedings and increased court decisions related to TIP. ▶ Smoother information sharing between the central and regional structures of the ANLTP (the Agency and its representatives in each jurisdiction). ▶ Improved judicial data collection to differentiate TIP cases from all other offences. ▶ Periodic reports on TIP submitted by the focal points to the Agency.
Obstacles → Solutions	<ul style="list-style-type: none"> ▶ Lack of available human resources. → Courts that are busy with many different cases (like Zinder and Agadez) will use contract workers (national service conscripts). ▶ Relocation of focal points (appointment in other jurisdictions): staff leave with their expertise and the working relationship established is dissolved. → Administrative provisions under revision so that the focal points remain in service for at least three years before moving to another jurisdiction ▶ Reluctance of some head prosecutors to allow (subordinate) focal points to work on TIP cases specifically. → Improved communication with Prosecutors.
Unintended side effects	Following the example, the Ministry of Interior has replicated the model and created central- and regional-level specialised units to combat TIP and SoM.
Evaluation of the practice	No evaluation of this practice has been performed so far.

279 In 2018, the mandate of the Agency was extended to cover trafficking in persons and smuggling of migrants.

Practice	Checklist
Relevance: Is the practice significant for us?	
Targeted setting	
<ul style="list-style-type: none"> ▶ Expertise needed among the law enforcement and judicial authorities to better understand TIP cases and the specificities of prosecution. ▶ Investigators must be guided to carry out legal proceedings related to TIP. ▶ Need for reports to present the country's efforts to combat TIP. This requires establishing a relationship of trust with law enforcement actors for regular qualitative feedback. 	<ul style="list-style-type: none"> ▶ Are there similar challenges among the juridical authorities in your country? ▶ Are there similar needs for awareness raising on TIP among them? ▶ Is there a need for further specialisation of investigators, prosecutors, and judges on TIP? ▶ Is there a need to address the current criminal procedures in relation to TIP? Should they be changed or adapted to include TIP? ▶ Is there a need for specific guidelines for investigators, prosecutors and judges on the specificities of TIP prosecution? ▶ Is the geographical set-up relevant? Is there a possibility of national-level coverage? ▶ Are representatives of all administrative units available for involvement?
Target group	
<ul style="list-style-type: none"> ▶ Criminal justice actors in Niger. ▶ National anti-trafficking coordination authorities. 	<ul style="list-style-type: none"> ▶ Are the same target groups relevant? ▶ Is the administrative structure in your country relevant? Would it be possible to address the local (provincial) courts, local prosecutors and local police representatives? ▶ Would it be possible to appoint local representatives of the National anti-trafficking authority? Are there any local anti-TIP structures already in place that could be used? ▶ Are other target groups to be reached with this practice? Which?
Results	
<ul style="list-style-type: none"> ▶ Regionalisation of ANLTP – development of a network of focal points. ▶ Enhanced cooperation with the judiciary by fitting the focal points into the Prosecutor's Office at Regional Courts. ▶ Development of local network between the focal points and the local police and gendarmerie representatives. ▶ Accumulated knowledge and understanding of TIP, resulting in more TIP cases going to court. 	<ul style="list-style-type: none"> ▶ Are the results achieved by the practice relevant for your country's context and priorities on the anti-trafficking response? <ul style="list-style-type: none"> – Results related to the regionalisation of the national anti-trafficking coordinator/agency/task force, etc. – Results related to the cooperation at local level between law enforcement representatives, the courts and the anti-trafficking authority. – Results related to increasing the number of TIP prosecutions and cases in court through heightened understanding of the specificities of TIP on the part of law enforcement representatives. ▶ Can similar results be achieved? ▶ Is it feasible to achieve only some of the results (to implement the practice partially)?

Applicability: Can the practice work for us?	
Expertise and capacity	
<ul style="list-style-type: none"> ▶ The regional branches of the ANLTP/TIM are established at the level of each court across the country. They are led by a member of the Public Prosecutor’s Office, appointed by order of the Minister of Justice. ▶ The practice requires specific legislative provisions for its implementation. In Niger, they are embedded in the working regulations of the Agency: <ul style="list-style-type: none"> – Decree 2012-083/PRN/MJ of 2 March 2012. – Decree No. 2018-148/PRN/MJ of 8 March 2018. 	<ul style="list-style-type: none"> ▶ What kind of TIP expertise is available in the country (national anti-trafficking authority, NGOs, etc.)? ▶ Are there TIP expertise within the law enforcement agencies targeted by this practice? ▶ Are there institutions responsible for the training of police, prosecutors, and judges? Would these institutions be willing to work together alongside the national-anti-trafficking authority? ▶ Would it be possible to bring together representatives from the police, the Prosecutor’s Office and the courts? ▶ Would implementing this practice require any specific legislative provisions? ▶ Can a budget be assigned for the implementation and sustaining of the practice (maintaining the network of focal points of the national anti-TIP authority)? ▶ How will new activities be incorporated into the tasks of the officials involved in implementation of the practice? Would any administrative actions be required? ▶ Would implementation of the practice impose any technical challenges (information sharing, collection of data on cases, joint work, etc.)?
Geographical scope	
<ul style="list-style-type: none"> ▶ The practice is implemented nationwide by creating a network of the ANLTP. 	<ul style="list-style-type: none"> ▶ Would nationwide implementation of the practice be possible? ▶ Could the practice be pioneered in one or two regions?
Context: Do we have similar circumstances?	
Policy and strategy	
<ul style="list-style-type: none"> ▶ The action is aligned with the National Anti-Trafficking Action Plan. 	<ul style="list-style-type: none"> ▶ Would this action support the implementation of the national anti-TIP policy? Are the results of the action among the priorities of the National Anti-trafficking Action Plan? ▶ Would this action contribute to the implementation of other national policies – in the field of law enforcement, prosecution, court, etc.? ▶ Would advocacy actions be needed? Targeting whom?
Specific context	
<ul style="list-style-type: none"> ▶ Due to its geographical position and the security situation in the Sahel region, Niger is vulnerable to TIP and SoM. ▶ Victims of TIP among vulnerable migrants returning from Algeria and Libya. ▶ The actors in the criminal justice chain are at the forefront of the fight against TIP, and the current practice provides them with knowledge on how to deal with it. 	<ul style="list-style-type: none"> ▶ Is there a similar specific context in the country/ the scale of the problem? ▶ Are there regions with more TIP cases identified and prosecuted – among migrants/refugee populations, children, etc.? ▶ Is there an established network of national anti-trafficking authorities in the country? ▶ What is the cooperation on the local level between the law enforcement agencies on TIP cases? ▶ Is there any specific element that would make the practice successful in the country?

Risk factors

- ▶ The maintenance of the ANLTP/TIM network requires financial and human resources.
- ▶ Establishing trust and cooperation between the different local offices of law enforcement authorities and the focal points could be a challenge.
- ▶ Could the funding of a network of focal points be a potential problem?
- ▶ Could there be any administrative risks, or risks related to the commitment of the institutions implementing the practice?

Transferability

The practice of a **decentralised national criminal policy on TIP** is particularly relevant in contexts marked by:

- ▶ A low number of TIP prosecutions.
- ▶ A need for guidance on combating TIP for investigators, police, and prosecutors.
- ▶ Facilitation of the cooperation between the national anti-trafficking authority and the law enforcement authorities.
- ▶ The need for evidence-based reporting on TIP.
- ▶ The national anti-trafficking authority having no regional or local representation.
- ▶ Recognition of the multidisciplinary approach in dealing with TIP cases by the local law enforcement authorities.

The practice is applicable in cases where there exists:

- ▶ An established national anti-trafficking authority.
- ▶ The possibility of establishing a network of representatives from the anti-trafficking and criminal justice authorities.
- ▶ Available TIP expertise within the criminal justice authorities.

Successful implementation of this practice requires certain conditions, such as:

- ▶ An increase in the number of TIP prosecutions and developing cooperation between the anti-trafficking stakeholders are among the goals of the national anti-trafficking policies – national strategy, plan of action, etc.
- ▶ Established trust between anti-trafficking stakeholders, especially those working at the local level.
- ▶ Available financial and human resources framework to maintain the established network.
- ▶ Possible legislative changes to mandate the development of the network and establish its tasks.

E. Practice 5: A community-based response to combat forced child begging

Description of Practice	
Implemented in:	Senegal
Focus of the practice:	Protection of TIP victims and Prevention of TIP
Objective of the practice	<ul style="list-style-type: none"> ▶ Raise awareness on legislation and regulations that prohibit the exploitation of child begging. ▶ Promote community commitment against forced begging, and empower the community for positive and responsible change.
Geographical scope	Municipality level. Four municipalities in the Dakar region are implementing the practice – Medina, Gueule Tappe-Fass-Colobane, Pikine Nord and Diamaguène Sicap Mbao.
Implementing organisations	Municipality Authorities Municipal Councils Associations of Koranic Masters Women Associations Local Surveillance Units (Brigades)
Actions	<ul style="list-style-type: none"> ▶ Implementation of sensitisation campaigns aimed toward the local population in each of the four municipalities. ▶ Capacity building workshops on leadership and behaviour change conducted for the members of the implementing partners. ▶ Development and implementation of local action plans to combat forced child begging in each municipality. ▶ Mapping and inspection of the <i>daaras</i> (Koranic schools) located within the perimeter of the municipalities. ▶ Adoption of municipal by-laws prohibiting forced begging of children and/or reducing the level of begging within the perimeter of municipalities. ▶ Closure of <i>daaras</i> that do not meet the required safety and health standards. ▶ Establishment of 'Vigilance/Surveillance Brigades' to enforce municipal by-laws. ▶ Establishment of 'Houses of Solidarity' for the collection of donations to support the <i>daaras</i>, located in the municipalities. ▶ Establishment of a funding scheme (loans) for the women's associations in the communities for income generating activities. ▶ Implementation of income generating activities by the women's associations. Part of the income generated is used to support the <i>daaras</i> (purchase of food, the upkeep of the facility, etc.).
Results	<ul style="list-style-type: none"> ▶ At least a 50% decrease in child begging in both of the two pilot municipalities. ▶ Community commitment to take charge of the <i>daaras</i>. ▶ Mapping of the <i>daaras</i> in the municipalities. ▶ Improvement of teaching and living conditions in the <i>daaras</i>.
Obstacles → Solutions	<ul style="list-style-type: none"> ▶ Reluctance of the Quranic Masters. → Development of alliances with religious and community leaders to create greater support for the initiative. ▶ The connection between the act of begging and the exploitation of child begging. → The implementing organisations have strengthened the communication on the objectives of the initiative and on the danger of the link between begging and trafficking in persons.
Unintended side effects	<ul style="list-style-type: none"> ▶ Multiplier effect: some <i>daaras</i> that were not part of the action have also decided to abandon the practice of sending children out to beg. ▶ Spontaneous contribution from the community in support of the <i>daaras</i>.
Evaluation of the practice	During the first phase of project implementation, a performance evaluation was carried out. The evaluation recommended extension of the project from the two pilot municipalities, Medina and Gueule Tappe-Fass-Colobane, to two further municipalities – Pikine Nord and Diamaguène Sicap Mbao, in order to scale the model and consolidate the benefits reached during the first phase of implementation.

Practice	Checklist
Relevance: Is the practice significant for us?	
Targeted setting	
<ul style="list-style-type: none"> ▶ Senegal is a country of origin, transit and destination for children subjected to forced begging and TIP. ▶ A study carried out by the National Anti-Trafficking Taskforce²⁸¹ revealed that about 30,000 children in the Dakar region were forced to beg. ▶ Previously implemented measures have been carried out without the participation of the affected communities. ▶ No risk assessment, which could inform the possible impacts of the measures on the established social norms, has been conducted. 	<ul style="list-style-type: none"> ▶ Are the challenges/problems the same in your country? ▶ Are there similar needs to address the exploitation of children for begging? ▶ Is there a need for the same approach – to raise awareness of the problem among the community and provide options for sustaining Koranic schools? ▶ Are children exploited in begging in any other ways? ▶ Can these cases addressed by this practice (or by some of the actions)? ▶ Is the geographical set-up relevant? ▶ Would the municipality authorities be willing to implement the practice?
Target group	
<ul style="list-style-type: none"> ▶ Children exploited for begging by the Koranic masters from the <i>daaras</i> in the targeted municipalities. ▶ Local communities. 	<ul style="list-style-type: none"> ▶ Are the same target groups relevant? ▶ Are there different groups of child beggars you would like to reach? ▶ Would you target the local communities? Is this relevant for the prevention of the exploitation of children for begging in your country? ▶ Are there any other target groups you are interested in reaching with this practice? Which?
Results	
<ul style="list-style-type: none"> ▶ Decrease in the numbers of children begging. ▶ Improvement of the living conditions in the <i>daaras</i> and establishment of a long-term solution for sustaining the schools. ▶ Community commitment to take charge of the <i>daaras</i>. 	<ul style="list-style-type: none"> ▶ Are the results, achieved by the practice, relevant for your country's context and priorities on the anti-trafficking response? ▶ Can similar results be achieved?
Applicability: Can the practice work for us?	
Expertise and capacity	
<ul style="list-style-type: none"> ▶ A budget is made available through a partnership agreement with an external donor. ▶ A project manager is assigned to supervise the income generating activities for the benefit of women's associations and the Koranic masters, as well as the various awareness-raising/sensitisation activities. ▶ Municipal by-laws signed by the mayors of the municipalities to provide a legal basis for implementation of the following actions: closure of non-compliant <i>daaras</i>, referral of cases to the judicial authorities for prosecution, establishment of surveillance brigades by municipality representatives. 	<ul style="list-style-type: none"> ▶ What type of organisation is needed to implement the practice? Governmental (which sector)? NGOs? International actors? ▶ What type of specialists (expertise) are needed to administer and coordinate the project (implementation of the practice)? ▶ What type of specialists (expertise) are needed to implement the actions of the practice? ▶ Would your country administration require special legal provisions at the municipal level in order to facilitate implementation of the practice?

280 The study commissioned, *Mapping of Koranic schools in the region of Dakar*, was implemented in 2014.

Geographical scope	
<ul style="list-style-type: none"> ▶ The practice is focused on the municipality level. Four municipalities in the Dakar region are implementing the activities. 	<ul style="list-style-type: none"> ▶ Is the geographical scope of the practice applicable to your country? ▶ Could the practice be pioneered initially in one or two regions, and later scaled should the implementation be successful?
<i>Context: Do we have similar circumstances?</i>	
Policy and strategy	
<ul style="list-style-type: none"> ▶ The practice is aligned with the priorities of the National Plan of Action to Combat Trafficking in Persons and the National Child Protection Strategy. 	<ul style="list-style-type: none"> ▶ Is this practice aligned with the priorities and goals of the national anti-trafficking and child protection policies of your country (strategies, plans of action, etc.)? ▶ Would advocacy actions be needed? Targeting whom?
Specific context	
<ul style="list-style-type: none"> ▶ Almsgiving is a religious practice of great importance in Senegalese society. This tradition is strongly rooted in customs and is recommended by the country's religious leaders, who hold a great deal of influence (irrespective of social rank). ▶ The Mayor of Medina has signed a municipal decree prohibiting begging within the territory, supported by the entire community. ▶ Locally taken decisions (municipality decrees) are easier to implement in the community. On the contrary, the implementation of national laws at local (community) level tends to be difficult. 	<ul style="list-style-type: none"> ▶ Is there a similar specific context in your country? What is the scale of the problem with child beggars and Koranic schools? ▶ Could the practice of almsgiving be used to support the schools? ▶ Are there any local regulations related to child begging that need to be taken into account for implementation of the practice? ▶ To what extent are the communities aware of the problem with the Koranic schools and child begging? ▶ How much are the communities involved in regulation of the child begging? ▶ How are the communities involved in supporting the Koranic schools? ▶ Are there any specific elements in your country that could ensure successful implementation of the practice?
Risk factors	
<ul style="list-style-type: none"> ▶ The challenge for child protection authorities is to gain the support of the population to fight exploitation of children for begging. ▶ Prosecution cases against alleged traffickers have been dropped because of the pressure on investigators and magistrates. ▶ Developing arguments and concrete actions for the abandonment of the practice is a challenge for child protection actors. 	<ul style="list-style-type: none"> ▶ Are the communities active in taking measures against the exploitation of children for begging? ▶ Could there be any administrative risks, or risks related to the commitment of the institutions implementing the practice? ▶ Could corruption be a potential threat to successful prosecution of TIP cases in your country? Do you have the means to prevent it?

Transferability

The practice of community-based response against **forced child begging** is particularly relevant in contexts marked by:

- ▶ Presence of religious schools (*daaras*) and the phenomenon of ‘migrant students’.
- ▶ Students of Koranic schools begging on the city streets.
- ▶ Unregulated functioning of the Koranic schools.
- ▶ Less control of the state authorities over the school masters and school programme.
- ▶ Poor knowledge among the community about the ongoing child abuse.

The practice is applicable in cases where:

- ▶ Local government is ready to broach the forced child begging and exploitation on their territories.
- ▶ Municipality by-laws are adopted to provide the authorities with official access to the *daaras*.
- ▶ Budgetary and human resources are available to coordinate and monitor the implementation of the practice.

Successful implementation of this practice requires certain conditions, such as:

- ▶ Decreasing forced child begging is among the priorities of the national anti-trafficking and child protection policies – strategies, plans of action, etc.
- ▶ Almsgiving is seen as a potential source for communities to support the Koranic schools.
- ▶ Communities are committed to participating in the prevention of forced child begging.
- ▶ Communities are committed to support the Koranic schools and improve the living and learning conditions of the children in attendance.

Bibliography

General Reference

- ACRI** (2019). “Who Are the Almajiri Children?”, Almajiri Child Rights homepage. <https://www.almajirichildrights.org/>
- African Court on Human and Peoples’ Rights** (2008). “Welcome to the African Court”. <https://en.african-court.org/index.php/12-homepage1/1208-welcome-to-the-african-court1>
- Aggad, F. and Miyandazi, L.** (2017). *Understanding ECOWAS efforts in promoting a governance agenda. Adapting regional norms to lessons from national crises.*
- Anti-Slavery International** (2019). “Niger: “fifth wife” slavery practice outlawed”, Antislavery.org, 15 March 2019. <https://www.antislavery.org/niger-fifth-wife-outlawed/>
- AU** (2017). *List of Countries Which Have Signed, Ratified/Acceded to the OAU Convention on the Prevention and Combating of Terrorism.* https://au.int/sites/default/files/treaties/37291-sl-protocol_to_the_oau_convention_on_the_prevention_and_combating_of_terror.pdf
- BBC** (2019). “Nigeria police raid Lagos ‘baby factory’”, 30 September 2019. <https://www.bbc.com/news/world-africa-49877287>
- BBC** (2018). “Nigeria ‘baby factory’ raided in Lagos”, 26 April 2018. <https://www.bbc.com/news/world-africa-43905606>
- Beegle, K. et al.** (2016). *Poverty in a Rising Africa, Overview. Africa Poverty Report, World Bank.* <https://www.un.org/africarenewal/sites/www.un.org.africarenewal/files/Poverty%20in%20a%20Rising%20Africa%20Overview.pdf>
- Carius, A.** (2017). “Lake Chad Basin: One long climate catastrophe”, Al Jazeera, 23 September 2017. <https://www.aljazeera.com/indepth/opinion/lake-chad-basin-long-climate-catastrophe-170923075220951.html>
- di Cortemiglia, VL. et al.** (2018). *Needs assessment study for the development and implementation of legislation and strategies to counter migrant smuggling covering Côte d’Ivoire, the Gambia, Guinea and ECOWAS, IBF International Consulting.*

- Diouf, I.** (2016). *Assessment of the Institutional and Legal Framework of the Fight against Trafficking in Persons in Senegal, Guinea, Guinea-Bissau, The Gambia, Mali and Mauritania*, ICMPD, MMD West Africa.
- ECDPM** (2017). *ECOWAS: Political traction with Africa's oldest regional organisation*.
- ECOWAS** (2019). *Final Experts Meeting Report of the Annual Review Meeting on Member States' Implementation of the ECOWAS Plan of Action on Trafficking in Persons*.
- ECOWAS** (2018a). *Annual Synthesis Report on Trafficking in Persons in West Africa*.
- ECOWAS** (2018b). *Regional Plan of Action on Trafficking in Persons, 2018-2022*.
- ECOWAS** (2018c). *Policy on Protection of Victim-Witnesses*.
- ECOWAS** (2017). *Background Paper, Political Economy Dynamics Regional Organisations Africa*, ECDPM.
- ECOWAS** (2016). *Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants*.
- ECOWAS** (2015). *ECOWAS Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants*.
- ECOWAS** (2008). *Common Approach on Migration*.
- European Commission** (2020). *Commission Work Programme 2020*.
- FMM West Africa** (2018a). *Counter Trafficking. ECOWAS Plans of Action. Assessing the Impact*.
- FMM West Africa** (2018b). *Report on the Regional Workshop to strengthen Coordination of Law Enforcement Agencies involved in the Combat of Trafficking in Persons within ECOWAS Member States and Mauritania*.
- Forin, R. and Healy, C.** (2018). *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*, ICMPD.
- Girls Not Brides** (2017). "ECOWAS Adopts Framework to Strengthen Child Protection in West Africa", 18 October 2017. <https://www.girlsnotbrides.org/ecowas-adopts-framework-strengthen-child-protection-west-africa/>
- Hallum, C. and Obeng, KW.** (2019), *The West Africa Inequality Crisis. How West African governments are failing to reduce inequality, and what should be done it*, Oxfam. <https://reliefweb.int/sites/reliefweb.int/files/resources/bp-west-africa-inequality-crisis-090719-en.pdf>

- Hassan, T.** (2012). “Nigeria: Helping to Save Lake Chad”, allAfrica, 24 May 2012. <https://allafrica.com/stories/201205240556.html>
- Healy, C.** (2019). *The Strength to Carry On: Resilience and Vulnerability to Trafficking and Other Abuses among People Travelling along Migration Routes to Europe*, ICMPD.
- Healy, C.** (2017). *Counter-Trafficking Baseline Assessment*, ICMPD.
- Healy, C.** and Rogoz, M. (2012). *Report for the Study on a Typology and Policy Responses to Child Begging in the EU*, ICMPD.
- Hollinger, F.** and Staatz, JM. (eds) (2015). “Drivers of Structural Change in West African Agriculture”. In *Agricultural Growth in West Africa: Market and Policy Drivers*, ADB and FAO. https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/Agricultural_Growth_in_West_Africa_-_Market_and_policy_drivers_-_OSAN.pdf
- Humanitarian Response** (2020). “Lake Chad Basin: Crisis Overview”, West and Central Africa. <https://www.humanitarianresponse.info/en/operations/west-and-central-africa/lake-chad-basin-crisis-overview>
- Human Rights Watch** (2019a). “*These Children Don’t Belong in the Streets*”. A Roadmap for Ending Exploitation, Abuse of Talibés in Senegal, 16 December 2019. <https://www.hrw.org/report/2019/12/16/these-children-dont-belong-streets/roadmap-ending-exploitation-abuse-talibes>
- Human Rights Watch** (2019b). ““You pray for Death”: Trafficking of Women and Girls in Nigeria”, 27 August 2019. <https://www.hrw.org/report/2019/08/27/you-pray-death/trafficking-women-and-girls-nigeria>
- Hynes, P.** et al. (2018). ‘Vulnerability’ to human trafficking: a study of Viet Nam, Albania, Nigeria and the UK.
- ICMPD** (2018). *Towards a common understanding and solutions – report from the Thematic meeting on the root causes of irregular migration, organised under the Chairmanship of the French Republic and the co-chairmanship of the Republic of Senegal (23rd-24th October 2018, Paris, France)*.
- ICMPD** (2015). *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons – A Study of Syria, Turkey, Lebanon, Jordan and Iraq*.
- ICMPD** (2012). *The Way Forward in Establishing Effective Transnational Referral Mechanisms in Trafficking Cases. A Report Based on Experiences in South-Eastern Europe*.
- ICMPD** (2010a). *Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons in Europe: TRM EU*.
- ICMPD** (2010b). *Monitoring and Evaluation Handbook for National Action Plans against Trafficking in Human Beings*.

- ICRC** (2009). *Exploring Humanitarian Law - Education Modules for Young People*.
- ILO** (2013). *Accelerating Action against Child Labour in Africa – Building on Experience and Results*.
- ILO** (2009). *Operational indicators of trafficking in human being*. www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_105023.pdf
- ILO** (1973). *Ratifications of C138 - Minimum Age Convention, 1973 (No. 138)*.
- International Committee of the Red Cross** (2009). *Exploring Humanitarian Law – Education Modules for Young People*.
- International Crisis Group** (2019). *Cameroon’s Anglophone Crisis: How to Get to Talks?*
- International Social Service** (2016). *ECOWAS Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants*.
- International Social Service - West Africa** (2018). *Annual Report*.
- IOM** (2019a). *Mixed Migration Flows in the Mediterranean. Compilation of Available Data and Information*.
- IOM** (2019b). “First Reception Centre for Victims of Trafficking Opens in Niger”, press release.
- IOM** (2019c). *Migrants and Their vulnerability to human trafficking, modern slavery and forced labour*.
- John, AO.** (2018). *Mapping of Law Enforcement Agencies involved in the Combat of Trafficking in Persons in ECOWAS Member States and Mauritania*.
- Klavert, H.** (2011), *African Union frameworks for migration: current issues and questions for the future (Discussion Paper 108)*, ECDPM.
- LEFOE** (2011). *Quality standards for risk assessment and the safe return and reintegration of trafficked persons*.
- Leonard, P.** (2014). *Public Information – Baseline Assessment*, FMM West Africa, IOM.
- Madueke, E.** (2017). “Advocating for porters in Ghana”, Global Sisters Report, 18 December 2017. <https://www.globalsistersreport.org/column/justice-matters/migration/advocating-young-women-porters-ghana-50886/>)
- Minderoo Foundation** (2019). *Measurement Action Freedom*.
- Mixed Migration Centre** (2019a). *4Mi Update West Africa*.
- Mixed Migration Centre** (2019b). *Players of many parts: The evolving role of smugglers in West Africa’s migration economy*.

- Msuya, NH.** (2017). *Tradition and Culture in Africa: Practices that Facilitate Trafficking of Women and Children. Dignity: A Journal on Sexual Exploitation and Violence*, 2(1), article 3.
- News24** (2013). "Nigeria frees 16 in 'baby factory' raid", 20 June 2013. <https://www.news24.com/Africa/News/Nigeria-frees-16-in-baby-factory-raid-20130620>
- OAU** (2002). *Convention on the Prevention and Combating of Terrorism.*
- OAU** (1999). *Convention on Prevention and Combating of Terrorism.*
- OAU** (1990). *African Charter on the Rights and Welfare of the Child.*
- OCHA** (2006). *Humanitarian Negotiations with Armed Groups – Manual.*
- OCHA** (2003). *Glossary of Humanitarian Terms in relation to the Protection of Civilians in Armed Conflict.*
- OCHA** (1998). *Guiding Principles on Internal Displacement.*
- Ofosu, Y.** (2016). *Strengthening Action to Accelerate the Eradication of Forced Labour, Modern Slavery, Human Trafficking and Child Labour in West and Northern Africa: Opportunities and Challenges.*
- OHCHR** (2002). *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, E/2002/68/Add.1.
- Ojeda, S.** (2010). *The Kampala Convention on internally displaced persons: Some international humanitarian law aspects. Refugee Survey Quarterly*, 29(3).
- Okanla, K.** (2019). "Like a Magnet", Development and Cooperation, 15 February 2019. <https://www.dandc.eu/en/article/ecowas-has-made-considerable-progress-still-has-ample-room-improvement>.
- OSCE/ODIHR** (2014). *Guiding Principles on Human Rights in the Return of Trafficked Persons.*
- OSCE/ODIHR** (2004). *National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook.*
- Research and Counselling Foundation for African Migrants** (2019), "Why Recfam?". <https://recfam.org/about/>
- Rosati, FC.** et al. (2016). *The twin challenges of child labour and educational marginalisation in the ECOWAS region. An Overview*, ILO, Understanding Children's Work Project working paper series.
- Schiernecker, KP.** (2017). *The Leverage of ECOWAS in Combatting Human Trafficking in West Africa.*

- Surtees, R.** (2014). *Re/integration of trafficked persons. Working with trafficked children and youth*, NEXUS Institute.
- Terre des Hommes International Federation** (2018). *Annual Report*.
- UNECA** (2016). "ECOWAS - Free Movement of Persons", <https://www.uneca.org/pages/ecowas-free-movement-persons>
- UN General Assembly** (2000a). *Convention against Transnational Organized Crime*.
- UN General Assembly** (2000b). *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*.
- UN General Assembly** (2000c). *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*.
- UN General Assembly** (1989). *Convention on the Rights of the Child*.
- UNHCR** (2018). *Global Trends, Forced Displacement in 2018*.
- UNHCR** (2017). *Persons in need of international protection*. www.refworld.org/pdf/id/596787734.pdf.
- UNHCR** (2008). *Guidelines on Determining the Best Interests of the Child*.
- UNHCR** (1951). *Convention and Protocol on the Status of Refugees*.
- UNICEF** (2016). "UNICEF Launch Child Protection Strategy 2016-2020", UNICEF The Gambia, 6 December 2016.
- UNICEF** (2007). *Note on the definition of 'child trafficking'*.
- UNICEF** (2006). *Guidelines on the Protection of Child Victims of Trafficking*.
- UNODC** (2020). "Mauritania a step closer to criminalising human trafficking & smuggling with UNODC technical support", UNODC.org, 30 March 2020. <https://www.unodc.org/westandcentralafrica/en/2020-03-30-mauritania-draft-law-smuggling-trafficking.html>
- UNODC** (2018a). *Trafficking in Persons in the Context of Armed Conflict*.
- UNODC** (2018b). *Global Report on Trafficking in Persons*.
- UNODC** (2018c). "UNODC supports the elaboration of the new national action plan to combat trafficking in persons (2018-2022) in Mali", UNODC.org, 30 July 2018. <https://www.unodc.org/unodc/en/human-trafficking/glo-act/unodc-supports-the-elaboration-of-the-new-national-action-plan-to-combat-trafficking-in-persons-2018-2022-in-mali.html>

Bibliography

UNODC (2009). *Human Trafficking Indicators*. www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf

United States Department of Labor (2018). *Child Labor and Forced Labor Reports*.

United States Department of State (2020). *Trafficking in Persons Report*.

United States Department of State (2019). *Trafficking in Persons Report*.

United States Department of State (2018). *Trafficking in Persons Report*.

Vanheukelom, J. (2017). *Understanding the African Union*, ECDPM.

Walk Free Foundation (2018). *The Global Slavery Index Report*.

WorldData.info (2020). "ECOWAS - Economic Community of West African States".

<https://www.worlddata.info/alliances/ecowas-economic-community-of-west-african-states.php>

Worldometer (2020). "West Africa Population". <https://www.worldometers.info/world-population/western-africa-population/>

Annual Reports on Implementation of the ECOWAS TIP Plan of Action

Benin (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

Burkina Faso (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

Cabo Verde (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

Côte d'Ivoire (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

The Gambia (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

The Gambia (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

Ghana (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

Ghana (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

Guinea (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

- Guinea** (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Guinea-Bissau** (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Guinea-Bissau** (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Liberia** (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Liberia** (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Mali** (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Mali** (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Niger** (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Niger** (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Nigeria** (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Nigeria** (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Senegal** (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Sierra Leone** (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Sierra Leone** (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Togo** (2018). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*
- Togo** (2017). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*

Annexes

Annex 1. List of Interviews and Consultation Meetings Conducted during the Field Research

Nigeria (7-11.10.2019)

ECOWAS TIP Unit – Consultation Meeting

WOTCLEF – Interview

IOM Nigeria – Interview

NAPTIP – Consultation Meeting

ILO – Interview

MFA – Interview

Freedom for Life Initiative – Interview

UNODC Nigeria – Interview

Devatop – Interview

Save the Children Nigeria – Interview

Nigerian Immigration Service – Consultation Meeting

Togo (14-16.10.2019)

Ministry of Social Action, Women Empowerment and Literacy – Consultation Meeting

Ministry of Justice – Interview

FODDET, WAN, RELUTET and Terre des Hommes – Consultation Meeting

Ministry of Security – Interview

Ministry of Labour – Interview

Ministry of Foreign Affairs – Interview

IOM Togo – Interview

Benin (18-21.10.2019)

Central Bureau for the Protection of Minors and Families and the Prevention of Human Trafficking (OCPM) – Interview

Terre des Hommes and Plan International – Consultation Meeting

Ministry of Social Protection – Consultation Meeting

Ministry of Planning – Interview

Ministry of Foreign Affairs – Consultation Meeting

Côte d’Ivoire (22-25.10.2019)

Ministry of African Integration and Ivorians Abroad – Interview

Anti-Trafficking Unit, Police – Interview

AVSI Foundation – Consultation Meeting

Ministry of Justice – Interview

INTERPOL (answers sent in writing)

NGO Côte d’Ivoire Prospérité (CIP) (answers sent in writing)

NGO CAVOEQUIVA (answers sent in writing)

Unité de lutte contre la Criminalité Transnationale (UCT) (answers sent in writing)

Direction de la Protection de l’Enfant (DPE) (answers sent in writing)

Burkina Faso (22.10.2019)

Director-General of Penal Justice – Interview

The Gambia (3-6.03.2020)

National Agency Against Trafficking in Persons (NAATIP) – Consultation Meeting

Ministry of Justice – Interview

IOM – Interview

Child Environment Development Association Gambia (CEDAG) – Interview

Ministry of Women, Children and Social Welfare (MOWCSW) – Consultation Meeting

Office of the Vice President – Interview

Ministry of Interior – Interview

Gambia Committee on Traditional Practitioners (GamcoTrap) – Consultation Meeting

Gambia Immigration Department, Migration Unit – Interview

Ministry of Foreign Affairs, International Cooperation and Gambians Abroad (MFA) – Consultation Meeting

Senegal (10-14.03.2020)

CNLTP – Interview

Ministry of Justice, Direction for the Promotion of Human Rights and the Protection of Children – Interview

Ministry of Justice, Direction of Criminal Affairs and Pardons – Interview

Ministry of Women, Family, Gender and Protection of Children, Direction of Rights, Protection of Children and Vulnerable Groups – Interview

USAID – Consultation Meeting

UNODC – Interview

Enda Jeunesse Action and WAN – Interview

Unies Vers'Elle Senegal – Consultation Meeting

Plateforme Pour la Protection et la Promotion des Droits Humains (PPDH) – Interview

Annex 2. Questionnaire on Priorities, Needs, Challenges and Transferrable Practices in Combating TIP

The **International Centre for Migration Policy Development** is conducting an Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the 15 Member States of ECOWAS and Mauritania in the framework of the Euro-African Dialogue on Migration and Development (Rabat Process). The main goal of the assessment is to provide comprehensive, evidence-based analysis of trafficking trends and existing anti-trafficking²⁸¹ structures, initiatives and achievements in the region, identifying gaps and needs and presenting a Toolbox of Transferrable Practices. This questionnaire will be distributed to the **anti-trafficking National Focal Points** of the 15 ECOWAS Member States and that of Mauritania.

Instructions:

This questionnaire is for collecting information and notes concerning your experience as the National Focal Point on Trafficking in Persons in three areas of the anti-trafficking response:

A: Sub-Regional and International Cooperation Mechanisms

B: National Cooperation Mechanisms

C: Protection and Social Inclusion of Trafficked People

Please read the questions and fill in the requested information in the sections below, according to your competences, knowledge and experience. It is not obligatory to respond to all questions. Please only fill in those sections for which you have information.

The research team would appreciate it if you could fill in the questionnaire **electronically**. This will help us to prevent possible mistakes that might occur when reading handwritten notes.

In case you have any questions or need additional information related to this questionnaire, please contact Ms. Ivanka Hainzl, Project Officer, ICMPD Anti-Trafficking Programme at: Ivanka.hainzl@icmpd.org.

²⁸¹ The terms “human trafficking”, “trafficking in persons” and “trafficking” are used synonymously throughout this document to refer to the crime of “trafficking in persons” as defined in Article 3(a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the 2000 United Nations Convention against Transnational Organized Crime.

We would like to thank you in advance for the time taken to complete this questionnaire and for your important contribution to this assessment!

Name:

Position:

Institution:

Email:

Phone number:

Please return the completed questionnaire by **25 February 2020** to:

Name: Ms. Ivanka Hainzl

Email address: Ivanka.hainzl@icmpd.org

A: Sub-Regional and International Cooperation Mechanisms (Protection and Prosecution): Gaps, Challenges and Transferrable Practices

A1: Is your country part of any sub-regional or/and international cooperation mechanisms on **victim protection**?

Yes No

If yes, please describe:

ADVANTAGES: According to your knowledge and assessment, what are the main advantages of participating in such victim protection mechanisms? How do they improve assistance to victims?

GAPS: Do you think there are areas of international cooperation on victim protection which are not addressed?

CHALLENGES: What were the most important lessons learned during the process of establishing this cooperation mechanism?

GOOD PRACTICES: What practices, if any, would you consider good practices in the context of cooperation mechanisms on victim protection?

A2: Is your country part of any sub-regional or/and international cooperation mechanisms on **prosecution of TIP cases**?

Yes No

If yes, please describe:

ADVANTAGES: According to your knowledge and assessment, what are the main advantages? How has the prosecution of TIP cases been influenced by the cooperation mechanisms?

GAPS: Is there something that still needs to be improved?

CHALLENGES: What were the most important lessons learned from these cooperation mechanisms?

GOOD PRACTICES: What practices, if any, would you consider good practices in the context of cooperation mechanisms on prosecution of TIP?

B: National Cooperation Mechanisms (Prevention, Protection and Prosecution): Gaps, Challenges and Transferrable Practices

B1: Please answer the following questions in relation to cooperation at **national level** within your country on: prevention of trafficking; protection of victims of trafficking; and prosecution of TIP.

ADVANTAGES: How have existing **cooperation mechanisms** within your country improved the **national** anti-trafficking response?

GAPS: Do you think there are areas of national cooperation in your country that need to be improved (please specify)?

CHALLENGES: What are the most important challenges that currently exist in your country in relation to national-level cooperation?

GOOD PRACTICES: What practices would you consider good practices in the context of national cooperation mechanisms on anti-trafficking in your country?

C: Protection and Social Inclusion of Trafficked People: Policies and Services at National Level

C1: Please answer the following questions in relation to available policies and services for protection and social inclusion (long-term support) of victims of trafficking in your country.

ADVANTAGES: How do procedures and practices contribute to the protection and social inclusion of trafficked people in your country?

GAPS: Do you think there are areas within the protection and social inclusion of trafficked people which are not addressed?

CHALLENGES: What are the most important challenges in your country concerning the provision of protection and long-term support to victims of trafficking?

C2: Are you aware of any cases of successful social integration of TIP victims?

Yes No

If Yes, please share the details of one or more cases, with all personal details anonymised. You can also attach the details as a separate document.

End of questionnaire

Annex 3. Form for Identifying Transferable Practices

Toolbox of Practices – Questions for Collecting of Information

Short name of the practice:

Country of implementation:

I. Focus of the practice

- Prevention of TIP
- Protection and support of victims of TIP
- Prosecution of TIP cases
- Anti-Trafficking Coordination Mechanisms
- Other (please describe)

II. Description of the practice

	Questions to be asked	Answer
<i>Practice objective</i>	What are the objectives of the practice? What does the practice aim to achieve?	
<i>Geographical scope</i>	Where is the practice implemented? Regionally (between two or more countries) or at national level? If at national – Is it implemented state-wide or only in some parts of the country?	
<i>Implementing organisation(s)</i>	Who are the implementing organisation(s)? Is there one lead organisation, or all involved have equal responsibilities in the implementation process?	
<i>Actions involved</i>	Please describe in detail the actions of the practice.	
<i>Main results achieved</i>	Please describe the results achieved.	

<i>Obstacles encountered and solutions found</i>	<p>What obstacles or challenges were encountered during the development and implementation of the practice?</p> <p>What solutions did you apply to face the challenges?</p>
<i>Other impacts (unintended side effects)</i>	<p>Were there unforeseen implications stemming from implementation of the practice? (Positive and/or negative.) Please describe them.</p>
<i>Any external evaluation or other tools that could be used to shape lessons learned</i>	<p>Was an external/independent evaluation of the practice undertaken? If so, what were the key findings and recommendations?</p> <p>Were there implemented any other activities which looked into the overall assessment of the practice and the lessons learned? Please describe.</p>

III. Relevance

	Questions to be asked	Answer
<i>Problem the practice seeks to solve</i>	What problem does the practice seek to solve?	
<i>Target groups</i>	<p>Who are the recipients of this practice?</p> <p>Please provide detailed information on the groups.</p>	
<i>Reach of the practice</i>	What is the reach of the practice?	
<i>Results</i>	What results have been achieved?	

IV. Applicability

Questions to be asked	Answer
<i>What organisational expertise and capacity does the practice require? (Is the practice in line with the organisational strategy, vision?) What thematic knowledge is required?</i>	<p>Please describe what type of organisation is needed to implement the practice – governmental (which sector?), NGO, international actors.</p> <p>In which sector must the organisation be active?</p> <p>What types of specialist are needed?</p>
<i>What are the organisational prerequisites? (Financial (budget needed), administrative (organisational set-up), human (dedicated staff or additional responsibilities for existing staff), technical (particular issues related to implementation), etc.)</i>	<p>Please describe the requisites for implementing agencies:</p> <p>Budget – How big, what should be its source?</p> <p>Personnel – Are additional specialists needed or can the tasks be added to the roles of the personnel already employed?</p> <p>Technical – Are there any requirements in terms of technical equipment? What kind?</p>
<i>Does the practice require specific legislative provisions for implementation? At what level (national, provincial)?</i>	<p>Does the practice require specific legislative provisions for implementation? At what level (national, provincial)?</p>

V. Context

Questions to be asked	Answer
<p><i>What kinds of potential risk exist during implementation of the practice?</i></p> <p><i>What are the possible solutions?</i></p>	<p>Were any potential risks taken into account before implementation of the practice? Please elaborate.</p> <p>What measures were taken to prevent potential risks (if any)?</p>
<p><i>What political priorities supported the establishment of the practice?</i></p> <p><i>What political decisions were needed or were crucial for implementation of the practice?</i></p>	<p>Were any political decisions <u>needed</u> in order to establish and implement the practice? What kind?</p> <p>Were there any political circumstances that enhanced the implementation of the practice? Please elaborate.</p>
<p><i>Is the practice related to a specific context in the country?</i></p> <p><i>Is there a certain element that makes it successful in this country?</i></p> <p><i>Could the practice be adjusted to different country contexts (administrative, social, political, religious, etc.)?</i></p>	<p>Is the practice related to a specific context in the country? Is there a certain element that makes it successful?</p> <p>For example:</p> <p>Administrative context (type of governmental administration):</p> <p>Social context (social norms, regulations, etc.):</p> <p>Political context (current political agenda on national/ local level):</p> <p>Religious context:</p> <p>Other: _____</p>

Project funded by the
European Union



Project implemented by



ICMPD

International Centre for
Migration Policy Development