

# Cross-border crime and border management in the context of cross-border communities

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# Presentation outline

## Introduction

- **State of play of cross-border crime linked to migration**
- *Characteristics of the phenomenon : smuggling of migrants and human trafficking*
- *Factors*
- **Burkina Faso's response to cross-border crime linked to migration**
- *Legal framework*
- *Border management bodies*
- *Cooperation in border management*
- **Outlook and solutions**

## Conclusion

# BURKINA



# I. State of play of cross-border crime linked to migration

## ➤ Characteristics

### ● Smuggling of migrants:

- An offence which consists of helping a person to illegally cross a border or to illegally stay in a country in order to benefit financially or materially.
- Criminals take advantage of the lack of lawful opportunities available to migrants by offering them arrangements at a cost
- Cases of smuggling of migrants are difficult to discern in Burkina Faso

## ● Human trafficking

- Human trafficking is an offence which consists of targeting women, men and children in order to exploit them through coercion or deception.
- Most of the time, the fate that awaits victims is exploitation in agricultural and domestic labour, as well as forced labour, slavery or similar practices, prostitution, organ removal.
- Burkina Faso stands as a country of origin, transit and destination.

- The major internal destinations are Ouagadougou and Bobo-Dioulasso
- As far as external destinations are concerned, these are mainly Côte d'Ivoire, Ghana, Equatorial Guinea, Gabon, Italy, Spain, North America, the Arabian peninsular (Lebanon, Saudi Arabia, etc.)
- Trafficking of migrants and human beings add other implications which usually involve the smuggling of drugs and weapons.

## ➤ Factors

- **The porous nature of borders**
  - A borderline of 3485km
  - These borders are generally porous: lack of road infrastructure, basic social services and the absence of government authority in the majority of areas.
  - Only the airports have an efficient registration and recognition system in place for those travelling



- **Poverty**

- There are close links between migration and poverty.
- Illegal trafficking of migrants tends to take place between regions which are at very different stages of development
- Lack of or inadequate resources for border control



- **Lack of or inadequate resources for border control**
  - Human resources
  - Material resources
  - Logistical resources
- **Lack of or inadequate systems for the exchange of information**
  - Lack of information sharing between different agencies or services involved at border level.
  - Phenomenon which exists on either side between Burkina agencies and between agencies from neighbouring countries

# I. Burkina Faso's response to cross-border crime linked to migration

## ➤ Regulatory framework

### ❖ International standards

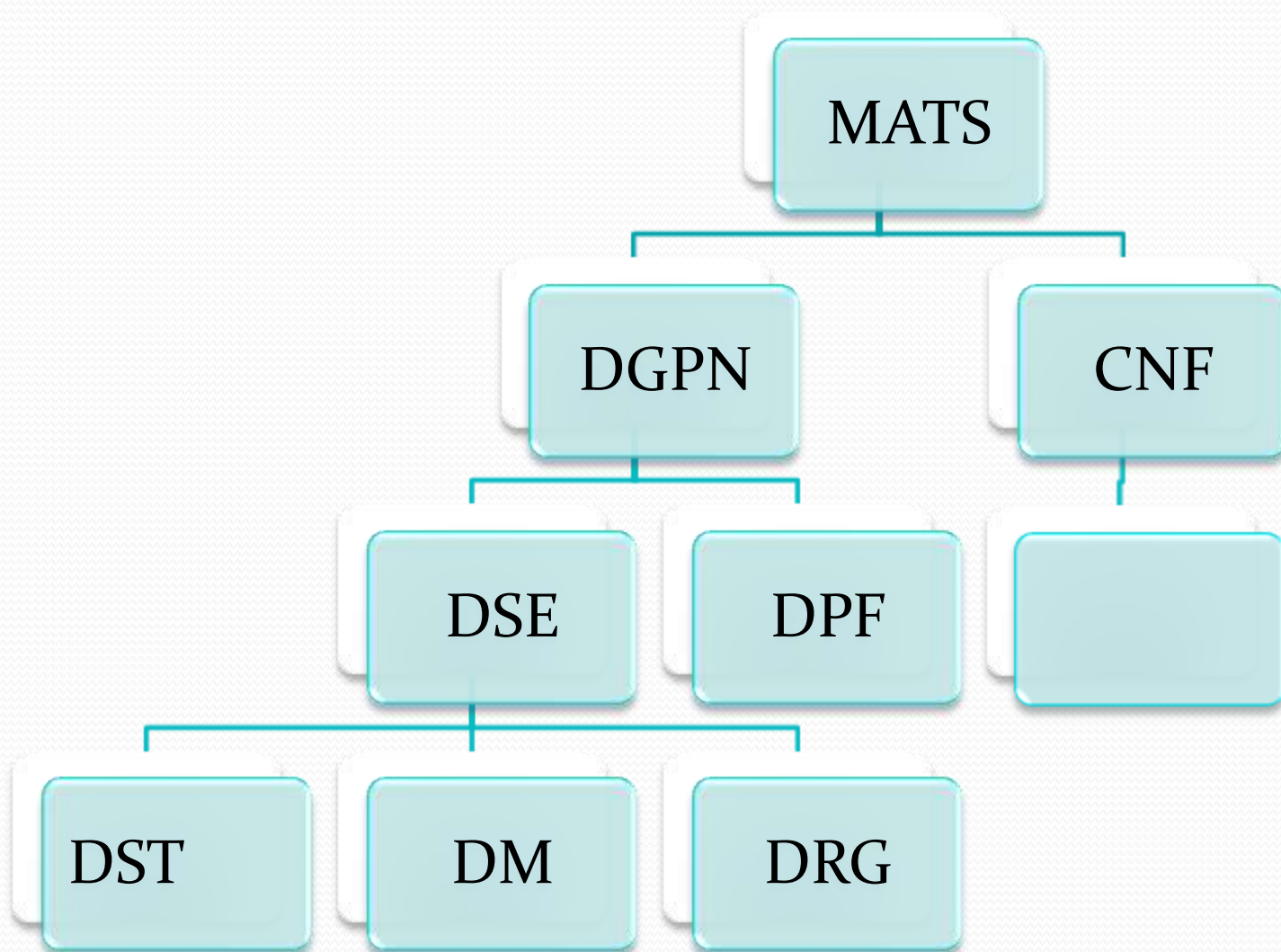
- The UDHR
- The CEN-SAD Convention
- The ECOWAS treaty signed 28 May 1975 and the 29 May 1989 protocol
- The WAEMU treaty signed 10 January 1994 in Dakar
- The Conseil de l'Entente (Council of the Entente) formed 29 May 1959
- The Franco-Burkinabé agreement relating to the management of migration flows and co-development (10 January 2009)
- The International Convention on the Protection of Rights for all Migrant Workers and their Families

- The United Nations Convention on Transnational Organised Crime, known as the Palermo Convention
- The International Convention on the Protection of the Rights of Migrants and Members of their Family

### ❖ **Internal standards**

- Order n°84-049/CNR/PRES
- Circular on the conditions of entry into Burkina Faso for foreigners
- Law No. 029-2008/AN on Trafficking in Persons and Related Practices
- The Status of Refugees Act
- The Penal Code

# ❖ Organisation of border management



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- Other examples of good practice: 'CLS' and 'ILS' within the framework of the community police

# Cooperation in border management

- **Cross-border communities : the Mossis and the Dogons cases at the Burkina-Mali (Ouahigouya-Mopti) border**
- It is not uncommon for a population or a village to be divided by boundary lines. For example, this is the case in the Ouahigouya-Mopti area. The Malian communities have a “Mossi district” just as the Dogons have their own district in each of the Burkina Faso localities.
- Traditional authorities exercise their authority beyond borders with the agreement of administrations.
- On both sides of the border local administrations consult each other regularly

## Cooperation in border management

### • Cases of the Joint Cooperation Committee

The Burkina Faso Ministry of Territorial Administration and Security, in agreement with Ministry counterparts in neighbouring countries, has set up regular consultation meetings between ministers and local authorities widened to decentralised technical services which are aimed at:

- Strengthening border administrative cooperation;
- Solutions from consultations and dialogue on problems that arise at borders;
- Creating a climate of peace and harmonious coexistence between populations living on either side of one-stop border posts and borders.
- Joint patrols
- Good practice in pursuing offenders beyond borders based on the relationship between States
- Cooperation through the Interpol National Central Bureau

- Developing the ECOWAS Common Approach on Intra-Regional and European Migration
- Burkina Faso's participation at meetings between ECOWAS Chiefs of Police. In 2006, the latter were urged to draw up a regional strategy in the fight against organised cross-border crimes. Within this framework Burkina Faso was in charge of organising operations against human trafficking.



# Outlook and solutions

- Promote economic growth and sustainable development
- Make border security not only a collection point for import duty and taxes but also a national priority
- Develop and strengthen infrastructures and border institutions to ensure government presence and State authority

- Increase the number of border personnel to ensure better security coverage
- Install modern and reliable surveillance equipment at border posts
- Strengthen border control capability with information services that specialise in controlling cross-border crime
- Develop patrols that are coordinated and joint with neighbouring countries
- Strengthen community involvement in border management and give them a sense of responsibility
- Create effective cross-border networks and institutions who share information and coordinate their actions so as to facilitate the tracking down of organised crime.

# Conclusion

- Migrations must be a supervised process
- Reinforcing security measures at borders only increases the money traffickers are earning as the greater the risk of being caught the more costly the price of crossing and also the higher the risk of loss of life in the desert or at sea
- Therefore, there is an urgent need to promote co-development



Thank you for your undivided attention!!!

Thank you for your continuous attention!!!