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# Baseline Assessment

## of National, Regional and International Referral Mechanisms for the Protection of Trafficked People and Related Frameworks on Crimes against the Person in the ECOWAS Member States and Mauritania

December 2022



**OCWAR-T**

Organised Crime: West Africa Response to Trafficking

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This assessment report is produced within the framework of the Anti-Trafficking Component of the project **Organized Crime: West African Response to Trafficking (OCWAR-T)**. This is an ECOWAS project, commissioned by the German government and co-founded by the EU.GIZ jointly implements OCWAR-T with the United Nations Development Programme (UNDP), United Nations Office on Drugs and Crime (UNODC), Mines Advisory Group (MAG), International Center for Migration Policy Development (ICMPD), Institute for Security Studies (ISS) and Global Initiative against Organised Crime (GITOC).

The opinions expressed herein are those of the author and do not necessarily reflect the views of the ECOWAS commission and the donor organisations.

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## ACRONYMS

AMWCY	African Movement of Working Children and Youth
ATP	Anti-Trafficking Programme
AU	African Union
CNARSEVT	National Committee for the Reception, Reintegration and Follow-up of Trafficked Children (Togo)
CNCLTP	National Commission for the Coordination of the Fight against Trafficking in Persons (Niger)
CNVS	National Committee for Monitoring and Surveillance against Trafficking (Burkina Faso)
CNLTP	National Commission against Child Trafficking (Togo)
CNLTTPA	National Committee for Combating Trafficking in Persons and Related Practices (Guinea)
CNLTP/TIM	National Agency against Trafficking in Persons and Smuggling of Migrants (Niger)
CUS	Countries Under Study
DDF	Demand Driven Facility
ECOWAS	Economic Community of West African States
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
EU	European Union
FIIAPP	International Ibero-American Foundation for Administration and Public Policies
HTMB	Human Trafficking Management Board (Ghana)
HTS	Human Trafficking Secretariat (Ghana)
ICMPD	International Centre for Migration Policy Development
ILO	International Labour Organisation
IOM	International Organisation for Migration
ISS-WA	International Social Service - West Africa
FIIAPP	International and Ibero-American Foundation for Administration and Public Policies
MoU	Memorandum of Understanding
MS	Member State
NAATIP	National Agency against Trafficking in Persons (The Gambia)
NACTAL	Network against Child Trafficking Abuse and Labour (Nigeria)
NAPTIP	National Agency for the Prohibition of Trafficking in Persons
NFP	National Anti-Trafficking Focal Point
NGO	Non-Governmental Organisation
NR	National Researcher
NRM	National Referral Mechanism
NTF	National Task Force (The Gambia)

## ACRONYMS

OCWAR–T	Organised Crime: West African Response to Trafficking (project)
OHCHR	Office of the United Nations High Commissioner for Human Rights
OSCE/ODIHR	Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights
PoA	Plan of Action
PPE	Personal Protective Equipment
RCAPPP	Regional Crime Against the Person Prevention Policy
RNNI-TIP+	Regional Network of National Focal Institutions against Trafficking in Persons Plus
RRM	Regional Referral Mechanism
SoM	Smuggling of Migrants
SOP	Standard Operating Procedure
TIP	Trafficking in Persons
ToT	Training of Trainers
UN	United Nations
UNICEF	United Nations Children’s Fund
UNODC	United Nation’s Office on Drugs and Crime
UN TIP Protocol	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children to the United Nations Convention against Transnational Organized Crime
UNTOC	United Nations Convention against Transnational Organized Crime
WACAP	West African Network of Central Authorities and Prosecutors
WACSOFF	West African Civil Society Forum
WACTIPSOM	West Africa Coalition against Trafficking in Person and Smuggling of Migrants
WAN/RAO	West African Network for Protection of Children
WHI	World Hope International
WOTCLEF	Women Trafficking and Child Labour Eradication Foundation

## Chapter 1: Introduction

In the framework of the Anti-Trafficking Component of the **Organised Crime: West African Response to Trafficking** (OCWAR-T) project, the International Centre for Migration Policy Development (ICMPD) Anti-Trafficking Programme (ATP) conducted a **Baseline Assessment of National, Regional and International Referral Mechanisms for the Protection of Trafficked People, and Related Frameworks on Crimes against the Person** in the Member States (MSs) of the Economic Community of West African States (ECOWAS) and Mauritania. The Assessment provides an evidence-based analysis of anti-trafficking structures and initiatives in the ECOWAS region and Mauritania, identifies gaps and needs related to the national and regional cooperation mechanisms for referral and support of victims of trafficking in persons (TIP), and presents key action-recommendations for the improvement of these mechanisms. The report also discusses the implications of the Coronavirus Disease 2019 (COVID-19) pandemic on the national and regional anti-trafficking responses and cooperation, and the overall impact of the enforced government measures on the groups vulnerable to TIP and the actual victims.

Furthermore, the Assessment builds upon the findings of two recent reports, produced by ICMPD. First, the 2020 report *Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the Member States of ECOWAS and Mauritania*, developed within the framework of the Euro-African Dialogue on Migration and Development (Rabat Process). This Baseline Assessment utilises the already available comprehensive, evidence-based analysis of trafficking trends and existing anti-trafficking structures, initiatives and achievements in the region, and builds upon them by expanding the thorough field research to all ECOWAS MSs and Mauritania. The Assessment also uses the already identified gaps and challenges in the fields of international, regional and national cooperation on TIP cases in the ECOWAS region and Mauritania as a starting point for further elaboration and research.

Second, the 2021 **Assessment of Transnational Cooperation Practices and Mechanisms in the Gulf of Guinea Countries in the Fight against Trafficking in Persons**, conducted in the framework of the regional project to support the fight against human trafficking in Gulf of Guinea countries – Benin, Côte d’Ivoire, Ghana, Guinea, Nigeria, and Togo, implemented by Expertise France. This Assessment examines the existing cross-border cooperation arrangements relating to the fight against TIP in the six countries and their actual implementation. It provides analysis of the challenges and action-oriented recommendations to boost the successful implementation of the agreements and the overall transnational cooperation on TIP cases among the anti-trafficking stakeholders.

Lastly, the findings of the Baseline Assessment are complemented and expanded by the Baseline Study on Regional Crime Against the Person Prevention Policy (RCAPPP), conducted in the framework of OCWAR-T project.

The Baseline Assessment and the RCAPPP-related research findings firmly contribute to the strengthening of the work of the *Human Security and Civil Society Organisations Division* of the ECOWAS Commission’s Humanitarian and Social Affairs Directorate on Combating TIP. Both activities also inform and support the linkages between the Programme to Combat TIP and the Child Rights/Protection Programme of the ECOWAS Commission.

They are beneficial in providing insights into the recently created ECOWAS Working Group against Gender Based Violence and Violence against Children.

## A. Objectives

The main objective of the Baseline Assessment is to provide a reference point on topics that are instrumental in assessing future changes and impact against the interventions planned within the OCWAR-T project. More specifically, the Assessment:

- Develops a picture of the current TIP trends, types of exploitation, victim profiles, trafficker profiles and modus operandi in the ECOWAS region and Mauritania.
- Researches the recent developments in the regional and national legal, policy and institutional framework related to TIP.
- Examines the existing international and regional cooperation mechanisms on TIP and protection of victims in ECOWAS MSs and Mauritania and their implementation.
- Examines the existing national cooperation mechanisms and coordination structures on protection of victims of TIP and prosecution of traffickers in ECOWAS MSs and Mauritania and their implementation.
- Researches and clarifies the consequences of governments' countermeasures to the spread of the COVID-19 pandemic for the implementation of national and regional anti-trafficking responses, and in particular for the assistance and protection of victims.
- Identifies gaps and challenges in the implementation of international, regional and national mechanisms for cooperation and referral of victims.

The main objective of the Baseline Assessment is to provide a reference point on topics that are instrumental in assessing future changes and impact against the interventions planned within the OCWAR-T project. More specifically, the Assessment:

## B. Methodology, Analysis and Timeline

An interdisciplinary methodology is applied to the design of the Baseline Assessment and its implementation. The process of the Assessment followed several interrelated phases:

### Preparatory Phase (October 2020 – March 2021)

The preparation of the Baseline Assessment began in autumn 2020, by developing the assessment methodology and research instruments:

- Working Definitions.
- Guidelines for Desk Research.
- Stakeholders Mapping Form.
- Interview and Consultation Meeting Guidelines.
- Guiding Questions for Interviews and Consultation Meetings.
- Assessment Report Template.



In the second half of 2020, during the global COVID-19 pandemic, the research team reassessed the situation and the countermeasures adopted in the ECOWAS MSs and Mauritania. To mitigate against the pandemic-caused delay in implementation, the team decided that the more effective step would be to recruit national researchers (NRs) to conduct the field research phase. In the first quarter of 2021, the research team identified and recruited 14 national researchers, while the researchers for Liberia and Mauritania were identified and contracted at a later stage. In order to instruct the NRs on the research methodology and their assignment, the team conducted one **online workshop** for the NRs of the Anglophone states (24 March 2021) and another for the NRs of the Francophone and Lusophone states (26 March 2021). In addition, during the period March – April 2021, **individual meetings** with each NR were conducted to discuss the state-specific information, the national stakeholders to be contacted, etc.

### **Desk research and stakeholder mapping (March – December 2021)**

The desk research comprises an analysis of relevant information for the Baseline Assessment contained in various sources. It also facilitates the development of a targeted stakeholder mapping for the purposes of the consultation process.

The secondary sources of information include reports by international organisations (IOs), 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), as well as the Department of State and the Department of Labour of the United States of America (USA). Various other reports were also key at this stage, including those published by international/regional or national non-governmental organisations (NGOs) – West Africa Network on Child Protection (WAN), Save the Children, Terre des Hommes, International Social Service – West Africa, the European Centre for Development Policy Management (ECDPM), Girls Not Brides, etc. Documents published by national anti-trafficking authorities were also obtained and reviewed.

To ensure that the Assessment is aligned with the relevant ECOWAS normative and policy framework and builds upon achievements to date in this field in the subregion, the research team looked into various documents produced by the ECOWAS Commission:

- ECOWAS agreements and policy documents related to TIP.
- ECOWAS Annual Synthesis Reports on the implementation of the Regional Plan of Action against Trafficking in Persons.
- The latest Country Reports of ECOWAS Member States to ECOWAS on the implementation of the Regional Plan of Action against Trafficking in Persons.

Both the **desk research** analysis and the **stakeholder mapping** were continuously updated throughout the whole assessment period.

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.

## Field research (April – September 2021)

The consultation with the national anti-trafficking stakeholders is the primary source of information for the present Assessment. The consultations were based on the targeted stakeholders mapping and the references provided by the ECOWAS Regional Network of National Focal Institutions against Trafficking in Persons Plus (RNNI-TIP+). The consultations comprise semi-structured interviews with key national and regional anti-trafficking stakeholders in **all ECOWAS MSs and Mauritania**. Due to travel and in-person meeting restrictions imposed by the MSs because of the COVID-19 pandemic, a number of stakeholders preferred to have the interview questions sent to them as a questionnaire.

ICMPD engaged a total of sixteen national researchers to implement the field research in each MS and Mauritania. The researchers conducted a total of **206 consultations** (interviews, consultation meetings, written contributions) in the 15 ECOWAS MSs and Mauritania – **108** with government stakeholders, **58** with NGO representatives, **40** with representatives of regional and international organisations in the respective states. Details about the field research are presented in Annex 3. Country reports were prepared and used as a key source of information for the Baseline Assessment report. The interview guidelines used during the field research phase are available in Annex 2 of this report.

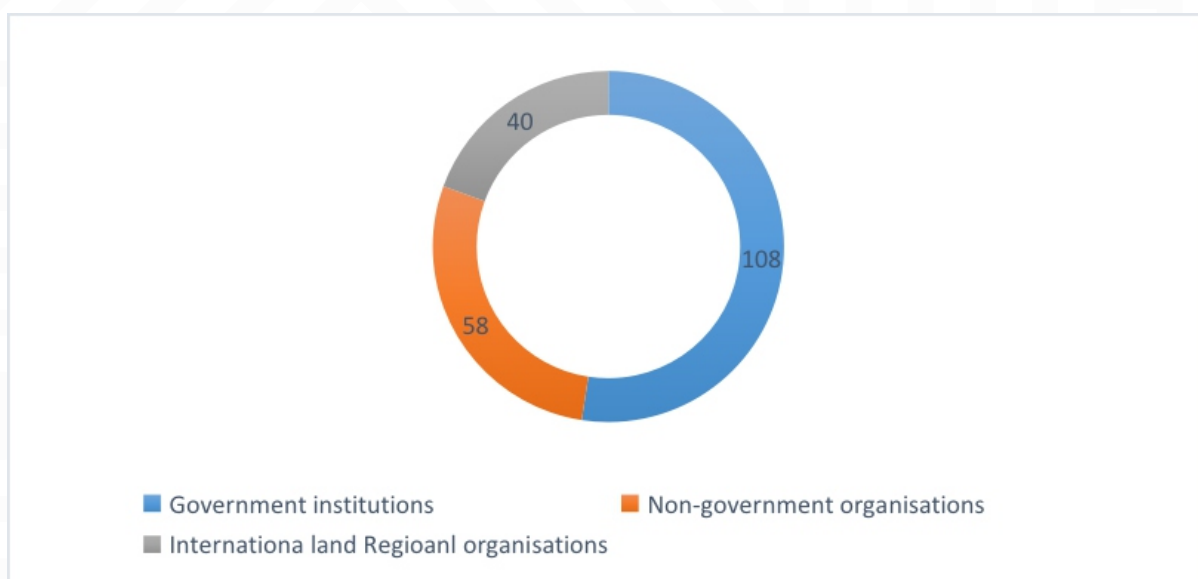


Figure 1: Field research: Interviews, consultation meetings and written contributions.

<sup>1</sup>The field research in Mauritania was delayed and took place in November-December 2021.

## Analysis (October – December 2021)

In order to compose the final assessment, the information obtained in the interviews and consultation meetings was cross-referenced with the literature reviewed and the stakeholder mapping, ensuring thorough assessment of all thematic areas. The findings were analysed, triangulated and substantiated to ensure their validity.

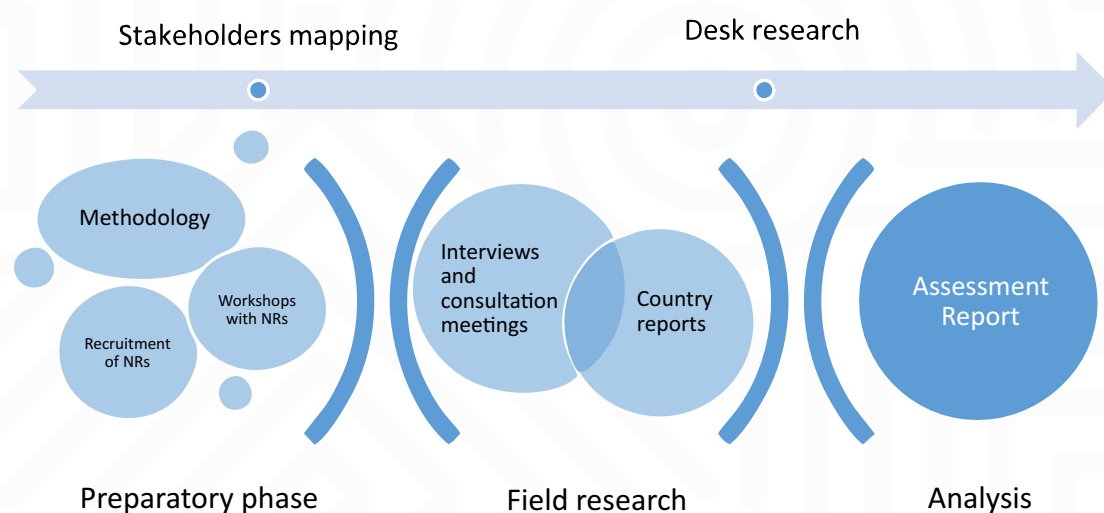


Figure 2: The process of assessment

## Assessment report (October – December 2021)

The Assessment report comprises nine chapters. **Chapter 1** introduces the Assessment's **background, objectives, methodology, timeframe and limitations**. **Chapter 2** presents the **latest TIP trends in the ECOWAS region and Mauritania** in terms of victims and vulnerable groups, most common types of TIP, the most common modus operandi of traffickers, trafficking routes, etc. **Chapter 3** presents an **overview of the international anti-trafficking legal and policy instruments** implemented in the 16 countries under study (CUS). **Chapter 4** focuses on the **regional anti-trafficking legal, policy and institutional frameworks** in the ECOWAS region and Mauritania. **Chapter 5** presents the **national-level frameworks** – national anti-trafficking legislation and policy instruments, main anti-trafficking stakeholders. **Chapter 6** elaborates on the existing **international and regional mechanisms** for cooperation on TIP and referral of victims – cooperation agreements, platforms, networks, etc. **Chapter 7** focuses on the **national systems for cooperation and referral** of victims in the CUS – NRMs, SOPs, MoUs between national anti-trafficking stakeholders, etc. – and their implementation. **Chapter 8** discusses the **impact of the COVID-19 pandemic** on the implementation of anti-trafficking policies in the CUS on protection of victims and prosecution of offenders. **The last chapter – Chapter 9** focuses on the identified **gaps and challenges** in the implementation of the international, regional and national mechanisms for cooperation and referral of TIP victims. The list of literature sources and annexes conclude the report.

## Validation and finalisation of the report

The ATP presented the Baseline Assessment report to the ECOWAS Commission and invited further dissemination among all MSs and Mauritania. The collection of feedback was a lengthy process. Three countries participating in the Assessment (Burkina Faso, Guinea and Nigeria), as well as the ECOWAS Commission, submitted comments. The report was finalised in October 2022.

**Therefore, it is essential underline that the content of the report covers the period through December 2021, and no developments that took place in 2022 are included.**

### C. Limitations of the Assessment

The Assessment has several limitations, mainly related to the availability of information sources – documents and anti-trafficking stakeholders.

#### Limited access to the respondents

The field research faced limited access to the representatives of national institutions and organisations. The work-from-home modality, travel commitments and pandemic-related restrictions on movement of citizens largely contributed to the unavailability of some of the identified stakeholders, or delayed their interviewing. Administrative obstacles such as the absence of the management body or lengthy procedures required to obtain permission for an interview also delayed the NRs' access to state authorities. Some NRs faced lack of interest from state authorities in discussing TIP or reluctance based on limited resources and available information on TIP, and therefore collected the needed information mainly from representatives of civil society and international organisations. In many cases, the signing of a Consent Form (where the interviewees state their consent to the interview and the level of anonymity they wish to maintain in the report) caused administrative issues and delays. Some state representatives needed to consult on whether they were allowed to sign such documents. A number of interviewed persons did not sign the form and their consent was obtained by telephone or email. Some did not provide any response to the Form.

#### Challenged access to official documents

The online availability of official national documents is limited. The research team found it particularly challenging to obtain online information on specific TIP-related topics. The NRs often had to request the official documents from the national authorities, but it was not always clear which national institutions were in a position to provide them. In addition, some NRs had to conduct numerous visits to the national institutions in order to obtain reports and documents needed for the Assessment. Access to official national data also proved to be a challenge. Centralised national data on TIP, the latest trends, statistics, etc. is missing in some CUS, or is partial. Therefore, international reports were also used for the elaboration of current national TIP trends.

## Recruitment of national researchers

The recruitment of NRs and the conclusion of the field research proved to be a lengthy process. The initially planned period of three months was extended to six months due to the time needed to contact and schedule meetings with the national authorities. The obstacles occurred mainly due to the out-of-office working modality of many governmental officials, their workload and sometimes, limited means of communication. The field research in Mauritania began only in November 2021, due to challenges in the recruitment of an NR. The communication with the NR for The Gambia was disrupted, with the final report only being submitted in January 2022.

## D. Working Definitions

The Working Definitions provide the conceptual framework for the Assessment and were applied actively throughout the consultation phase and the analysis of the data and information obtained. They were developed on the basis of relevant bibliography and international legislation on the topics of TIP, migration, children's rights, etc.

The absence of statistical data, or of systematically collected data, and a general lack of knowledge/understanding of the key categories and definitions among some stakeholders were taken into account from the outset of this Assessment.

### Section 1: General

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

**Male/Female sex** is the category defined in the civil registry (birth certificate) or identity document.

**Gender identity** is the gender with which a person identifies. Transgender refers to people whose gender identity is not in accordance with the gender designated at birth or with their anatomical sex. Transgender people may take the decision to adapt their anatomical sex to their gender identity through hormonal or surgical treatment (gender reassignment surgery). Transvestites are people who live a significant part of their life as the opposite gender.

**Child protection** refers to protecting children from all forms of violence, abuse, neglect or exploitation.<sup>2</sup>

**Separated children** are under 18 years of age, outside their country of origin and separated from both parents or from their previous legal or customary primary caregiver.<sup>3</sup>

<sup>2</sup> UN General Assembly (1989), Convention on the Rights of the Child.

<sup>3</sup> Separated Children in Europe Programme (SCEP) (2009), Statement of Good Practice, 4th Revised Edition. This definition – largely adopted by General Comment No. 5, recognises that some children may appear 'accompanied' but in practice the accompanying adult may be either unable or unsuitable to assume responsibility for their care.

**Best Interests Determination (BID):** “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.”<sup>4</sup>

**Best Interests Assessment:** “An assessment made by staff taking action with regard to individual children, except when a BID procedure is required (above), designed to ensure that such action gives a primary consideration to the child’s best interests. The assessment can be done alone or in consultation with others by staff with the required expertise and requires the participation of the child.”<sup>5</sup>

**Age assessment** refers to the procedures through which authorities seek to establish the chronological age of an individual.

In the case of unaccompanied and separated children, the concept of “**care arrangements**” (rather than the narrower concept of “accommodation”) is best used to indicate the response to the different physical, psychological, emotional, safety, developmental and other needs that these children have. According to the *United Nations Guidelines for the Alternative Care of Children* (2010), forms of alternative care differ according to the environment where this is provided, including:

- Kinship care: family-based care within the child’s extended family or with close friends of the family known to the child, whether formal or informal in nature;
- Foster care: all care provided in a family environment which has been ordered by a competent administrative body or judicial authority, and all care provided in a residential environment, including in private facilities, whether or not as a result of administrative or judicial measures;
- Other forms of family-based or family-like care placements;
- Residential care: care provided in any non-family-based group setting, such as places of safety for emergency care, transit centres in emergency situations, and all other short- and long-term residential care facilities, including group homes;
- Supervised independent living arrangements for children.<sup>6</sup>

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<sup>4</sup> UNHCR (2008), Guidelines on Determining the Best Interests of the Child, p. 8.

<sup>5</sup> Ibid.

<sup>6</sup> UN General Assembly (2010), Resolution Adopted by the General Assembly: 64/142 Guidelines for the Alternative Care of Children, 24 February 2010.

## Section 2: Trafficking in Persons

**TIP** is a criminal offence which may be committed by an **organised criminal group**, defined in accordance with the United Nations 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”*.

Article 3 of the **Protocol** to the United Nations Convention against Transnational Organized Crime, to Prevent, Suppress and Punish **Trafficking** in Persons, especially Women and Children, adopted in New York on 15 November 2000, defines TIP: *“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 of adults, TIP can be broken down into a specific **act**, using certain **means**, for the **purpose of exploitation**. Trafficking of children, however, is defined as committing a specific act for the purpose of exploitation, as the means are irrelevant – trafficking occurs when a child is subjected to at least one of the trafficking acts for the purpose of at least one of the forms of exploitation defined below in this Section. It is important to emphasise that the lists provided here are not exhaustive, and that the Assessment might identify other forms of exploitation.

### The Act

Recruitment	Recruitment occurs in the place of origin, transit or destination, when a physical person or the representative of a legal person seeks to persuade a potential victim to take a trip, or take up employment, with the purpose of exploiting them.
Transportation	Transportation covers various methods of travel and the facilitation of entry to the place of destination.
Transfer	Transfer is the act of facilitating transit between countries, regions, cities or places.
Harbouring	Harbouring indicates the physical space where trafficked people are accommodated during the journey or at the places of transit, destination or exploitation.

Receipt

The receipt of persons is the act of receiving trafficked people at the final destination or the place of exploitation.

### The Means *(not relevant for children)*

Threat/Use of Force or other Form of Coercion

When the trafficker uses force, threat or another form of physical, moral or psychological coercion in order to obtain the consent of the trafficked person to the transportation and/or exploitation. Consent obtained in this manner is called “invalidated consent”.

Abduction/ False Imprisonment

When the trafficker abducts the trafficked person or falsely imprisons them with the intention of transporting them and/or exploiting them.

Abuse of Power or a Position of Vulnerability

When the trafficker uses their power – (for example, in a hierarchical relationship; ) or the position of vulnerability – of the person to be trafficked (e.g. financial or familial difficulty) to force them or obtain their consent to the transportation.

Fraud/ Deception

When the trafficker uses fraudulent means such as false employment contracts, or makes deceptive promises like that of a decent salary or marriage –, in order to obtain the consent to the transportation from the person to be trafficked.

Giving/ Receiving Payments or Benefits to Achieve the Consent of a Person Having Control Over Another Person

When the trafficker pays or receives benefits for convincing the person to be trafficked or a person with control over them (for example, by means of an advance payment).

### The Purpose of the Act *(Forms of Exploitation)*

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	To subject a person to labour exploitation or excessive working hours, or subject them to degrading working conditions, in the domestic sphere.
Forced/ Servile/ Early Marriage	When a party does not validly consent to the marriage. is consider a forced marriage. When 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 is referred to as a servile marriage. When a party has not reached the minimum legal age for marriage is referred to as an early marriage.
Removal of Organs, Tissue, Cells or Human Body Parts	Exploitation of a person by removing their organs, tissue, cells or body parts, without their valid consent or that of their relatives.
Illegal Adoption	Exploitation of a child being transferred to another person without observing the legal formalities for an adoption process.
Criminal Activities	Exploitation of a person forcing them to engage in criminal acts, such as transporting narcotics from one place to another, petty theft, etc.
Begging	<p>The exploitation of begging, whereby begging indicates various activities through which a person asks a stranger for money, on the basis of their poverty or for the benefit of religious institutions or charities.</p> <p>The sale of token items such as flowers and sweets at traffic lights, the price of which is not in accordance with the value of the product, is also considered an act of seeking alms.</p> <p>Offering small services such as washing car windscreens, parking cars, 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).<sup>7</sup></p>
Exploitation in Armed Conflict	<p>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)<sup>8</sup>. Any violation of this article may constitute child trafficking for exploitation in armed conflict (child soldiering).</p> <p>If an adult is involved in armed conflict on behalf of non-state groups and any of the trafficking means are in evidence, they may be a victim of trafficking for exploitation in armed conflict.</p>

<sup>7</sup> Healy, C. and M. Rogoz (2012), Report for the Study on a Typology and Policy Responses to Child Begging in Europe, ICMPD.

<sup>8</sup> UN General Assembly (2000a), Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. States Parties to the Protocol also commit to ensuring that any voluntary recruitment of a child (person under 18 years) into national armed forces is “genuinely voluntary” and “carried out with the informed consent of the person’s parents or legal guardian”, and that the child is “fully informed of the duties involved in such military service” and provides “reliable proof of age prior to acceptance into national military service” (Art. 3).

*NB: It is important to emphasise that the list is not exhaustive and that the assessment might identify other forms of exploitation.*

**Trafficked person/Victim of trafficking** – A person who is subject to the crime of trafficking in persons (see above). While the use of the term “victim” may be interpreted as suggesting diminished agency on the part of the affected person, it does designate the serious crime and human rights violations that person has been subjected to – irrespective of whether a trafficker is identified, apprehended, prosecuted or convicted, and regardless of any family or other relationship between the victim and the alleged trafficker. An alternative formulation – that we will use interchangeably in this Assessment is “trafficked person” (as well as “trafficked people”, “trafficked adults”, “trafficked children”, etc.).

**Potential victim of trafficking** indicates a person who could, from the indicators, be a victim of trafficking, but whom has not yet been 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:** The identification stage is the first phase of a local, national or transnational mechanism through which a trafficked person is identified as such. This stage can be divided into three main parts:

- Initial screening/assessment (first-level identification), conducted by frontline responders (anyone who comes into contact with the presumed victim) and resulting in referral to the appropriate authorities. An initial screening or assessment may suggest that a person might be a victim of trafficking. It may be based on conversations and interactions with the individual, observation of the person (his/her behaviour, appearance or circumstances) and/or an interview guided by indicators or previous allegations, and can lead to detection of signs of trafficking to be further explored in a formal interview. It may also be triggered by victims who self-report and present themselves for identification.
- Initial/preliminary interview (preliminary identification), conducted by the referral authority with the aim of ascertaining whether there are reasonable grounds to believe that the person has been trafficked. When the appropriate authorities find that there are sufficient indicators that the person may be a victim of trafficking, this should lead to the presumed victim being given access to initial assistance and protection.
- Formal identification process, conducted by official identification authorities tasked by law or procedure with victim identification. Competent authorities may include law enforcement, social services and, in some countries, NGOs. 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. It may also coincide with the investigation and prosecution of alleged traffickers.

**Indicators:** The purpose of indicators is to support practitioners in making a first-level identification of a potential TIP case. First-level identification refers to the point of first contact between a practitioner and a potential victim of trafficking and the process of detecting signs suggesting a possible situation of trafficking. Indicators are intended to provide guidance on (a) spotting potential signs of TIP, and (b) reporting suspicious cases for protection of the presumed victims and further investigation.<sup>9</sup>

**Protection:** Measures, programmes and services aimed at the recovery of trafficked people might include, but are not limited to, appropriate housing; medical, psychological and material assistance; educational, training and employment opportunities; legal counselling and assistance. First, short- and long-term assistance may be offered by NGOs, governmental or international organisations in countries of destination, transit and origin (and may involve one or multiple services).<sup>10</sup>

### Section 3: 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.<sup>11</sup>

In 2011, in addition to the above definition, the United Nations High Commissioner for Refugees (UNHCR) recognised as refugees those persons who are outside of 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.<sup>12</sup>

A **stateless person** is someone who does not have internationally recognised national citizenship of any state.

**Non-refoulement** is a principle of international customary law (*jus cogens*) that prohibits the expulsion or return ('refoulement') of a refugee "*in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion*" (Article 33 of the 1951 UN Refugee Convention). It also applies in the context of other international human rights instruments, including on the prohibition of torture.<sup>13</sup>

<sup>9</sup> see: [www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_105023.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_105023.pdf); [www.unodc.org/pdf/HT\\_indicators\\_E\\_LOWRES.pdf](http://www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf).

<sup>10</sup> Adapted from: Surtees, R. (2014), *Re/integration of trafficked persons. Working with trafficked children and youth*, NEXUS Institute.

<sup>11</sup> Convention and Protocol on the Status of Refugees, [www.unhcr.org/3b66c2aa10](http://www.unhcr.org/3b66c2aa10).

<sup>12</sup> See: [www.refworld.org/pdfid/596787734.pdf](http://www.refworld.org/pdfid/596787734.pdf).

<sup>13</sup> Art. 3 of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Art. 7 of the 1966 International Covenant on Civil and Political Rights.

**Internally Displaced Person (IDP):** *“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.” (Guiding Principles on Internal Displacement, 1998)<sup>14</sup>*

## Section 4: 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, regardless of its length, composition or causes. It includes migration of refugees, displaced persons, economic migrants, and people moving for other purposes, including family reunification. It can be regular and irregular, forced or voluntary, or a combination thereof.

A **migrant** is 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 a person who has previously migrated and then returns to their place of origin, referred to as a “return migrant”.

**Country of origin** is 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 country of birth of the migrant, or simply their country of habitual residence prior to migration.

**Irregular border crossing or irregular entry** is when a person enters a country other than that of their 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** is also referred to as deportation, and describes a migrant being returned to their country of origin or a third country against their will.

**Collective expulsion** refers to measures compelling foreign citizens, as a group, to leave a country, except where such a measure is taken on the basis of a reasonable and objective examination of the particular case of each individual person in the group.

**Assisted voluntary return/voluntary** repatriation refers to assistance to an irregular migrant or a rejected asylum seeker who wants to return voluntarily, as well as to other people in need of support for returning to their home countries. The assistance mainly includes administrative, logistical, financial and reintegration support.

<sup>14</sup> See: Internal Displacement Monitoring Centre (IDMC) (n.d.), Internal Displacement, [www.internal-displacement.org/internal-displacement](http://www.internal-displacement.org/internal-displacement).

## Section 5: 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:** A conflict in which government forces are fighting with armed insurgents, or armed groups are fighting amongst themselves.
- **International armed conflict:** A 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.<sup>15</sup> A state of occupation or a war of national liberation also constitutes an international armed conflict.<sup>16</sup>

**Non-state armed groups** are defined as “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 organizations; and are not under the control of the State(s) in which they operate”.<sup>18</sup>

**Terrorism:** A unified international definition of terrorism does not exist. States use diverse definitions in their national legislations. In this Assessment, we use the working definition provided by the *Organisation of African Unity (OAU) Convention on prevention and combating of terrorism (1999)*, signed and ratified by the majority of the countries covered in this Assessment:

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)”*<sup>18</sup>

<sup>15</sup> UN Office for the Coordination of Humanitarian Affairs (OCHA), Glossary of Humanitarian Terms in Relation to the Protection Of Civilians In Armed Conflict, New York, 2003.

<sup>16</sup> International Committee of the Red Cross (ICRC), Exploring Humanitarian Law - Education Modules for Young People Geneva, 2009  
UN Office for the Coordination of Humanitarian Affairs (OCHA), Humanitarian Negotiations with Armed Groups – Manual, New York, 2006.

<sup>17</sup> OAU Convention on the Prevention and Combating of Terrorism, adopted in 1999, entered into force in 2002.

## Chapter 2. TIP Trends in the ECOWAS Region and Mauritania

ECOWAS MSs and Mauritania have their distinctive features related to TIP. The Baseline Assessment presents updated information on the factors that influence TIP in the region, profile of victims and current forms of exploitation, most common profiles of traffickers and their recruitment modus, as well as an overview of the TIP routes.

### 2.1. Factors that Influence TIP

The factors that influence TIP in the CUS are complex and intertwined. They influence the methods of trafficking, the most common types of exploitation, the level of vulnerability to exploitation, the groups that are vulnerable, etc.

#### Geographic and socio-economic factors

Geographically, the CUS are part of the West Africa region, which includes the greatest number of countries with 30 per cent of the population living on less than USD 1.90 a day. In contrast, Côte d'Ivoire Ghana and Senegal were listed among the ten fastest-growing economies in the world in 2018 and, together with Benin and Guinea, among the ten fastest-growing economies in Africa. Despite the notable positive trend, the rapid population growth and the inequality in benefiting from this economic growth has actually increased the absolute number of people living in extreme poverty.<sup>19</sup>

*"Inequality has reached extreme levels in the region, and today the wealthiest 1% of West Africans own more than everyone else in the region combined."<sup>20</sup>*

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 work for very low wages and endure inhuman conditions. Families send their children far away, hoping that they will have a better chance of earning an income and accessing education. Places that naturally draw people in search of improved life opportunities are urban settlements with larger populations, regions/cities with developed industries – agriculture, mining, construction, etc., and tourist 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<sup>21</sup>. Regions with concentration of religious educational establishments (Koranic schools) are also attracting many children sent by their families. Almost all the CUS report cases of abuse and exploitation of students of these establishments.

#### 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.

<sup>19</sup> Beegle, K. et al. (2016), Poverty in a Rising Africa, World Bank,

<https://www.un.org/africarenewal/sites/www.un.org.africarenewal/files/Poverty%20in%20a%20Rising%20Africa%20Overview.pdf>.

<sup>20</sup> Hallum, C. and K.W. Obeng (2019), The West Africa Inequality Crisis, Development Finance International (DFI), Oxfam, <https://reliefweb.int/sites/reliefweb.int/files/resources/bp-west-africa-inequality-crisis-090719-en.pdf>.

Being Member States (MS) of ECOWAS entitles the citizens to free movement within the 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. In order to facilitate the free movement, the MSs established in 2000 a common passport to exempt holders from intra-regional visa requirements and to function as an international travel document<sup>22</sup>. 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. The opportunity for a legal, easy way to move from one state 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. Simultaneously, the 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.

The well-established migration routes between the CUS, and within the West Africa region generally, also facilitate the TIP process. People migrate using the available and tested 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.”<sup>23</sup>*

Migrants travelling from the CUS to Europe mostly use the Western and Central Mediterranean migration routes.

### **Armed conflict and intercommunal violence**

Armed conflicts, intercommunal violence, 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. 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).

An example is Burkina Faso, where the children most exposed to exploitation are those living in the regions with greatest security challenges. The exacerbation of the phenomenon is felt across the state as a whole, because of the internal displacement of the population. The largest part of the IDPs are children.<sup>24</sup>

<sup>21</sup> UNODC (2020a), Global Report on Trafficking in Persons.

<sup>22</sup> United Nations Economic Commission for Africa (UNECA) (2016), ECOWAS – Free Movement of Persons, <https://archive.uneca.org/pages/ecowas-free-movement-persons/>.

<sup>23</sup> ICMPD (2018), Trafficking along Migration Routes to Europe. Bridging the Gap between Migration, Asylum and Anti-Trafficking.

<sup>24</sup> Interview conducted in Burkina Faso, interview code Bf01.

The multidimensional crisis that Mali has been experiencing since 2012 has led to the displacement of population from the north of the state to the centre, or to neighbouring states such as Burkina Faso, Niger or Mauritania. Due to their circumstances, these people are extremely vulnerable to many kinds of mistreatment and abuse, including TIP.

Displacement can expose all vulnerable groups to a range of factors that may put them at additional risk, due to the displacement environment (which may include security and communication problems, limited access to services, information or assistance, dependency, and isolation) and/or an individual's particular circumstances (civil status or position in the group, previous exposure to violence, the need for specific health care, etc.).<sup>25</sup>

### 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 the result of 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. The people affected typically leave traditionally agricultural regions with limited or no means of income or food.

The reason for escalation of intercommunal violence can often be traced to the effects of climate change in people's lives. *"People that have been affected by consequences of climate change move to other communities where the effects of climate change are less severe."*<sup>26</sup> 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.

As an additional factor influencing the specificities of TIP in the region, it is important to note the **low level of awareness on TIP among the general population**. This fact is acknowledged by several CUS as crucial in the process of recruitment by traffickers. Most people who take the traffickers' offer lack opportunities for income and development. These people also typically lack the knowledge on what exploitation is and how it is happening. Being oblivious to the reality gives them less opportunity to pursue their needs and hopes while presenting traffickers with more opportunities to profit from them.

Other factors mentioned by anti-trafficking stakeholders are **lack of education** and high rates of illiteracy among the population, children dropping out or never attending school (Burkina Faso, Niger, Côte d'Ivoire, Mauritania), lack of accountability for many traffickers and persons involved in exploitation (especially of children), **corruption** among officials, etc.

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<sup>25</sup> UNHCR (n.d.), Mechanisms for Screening and Referral.

<sup>26</sup> Folami, O.M. and A.O Folami (2013), 'Climate Change and Inter-Ethnic Conflict in Nigeria', Peace Review, 25(1), 104-110.



## 2.2. Victims and Vulnerable Groups

The profile of victims of TIP in the ECOWAS region and Mauritania is diverse in terms of gender, age, social, economic and family background, education. The above-discussed factors influencing TIP in the region largely shape the profile of victims.

All CUS report both male and female identified or presumed victims of TIP on their territories. However, men are considered less vulnerable to exploitation because they are more likely than women to have a steady income, to be able to find jobs, and be financially and socially secure. However, the widely shared assumption sometimes leads to an undeliberate type of gender-based discrimination, whereby services for male adult victims of TIP almost do not exist in CUS. Men and boys are exploited more often in industries requiring heavy physical work – artisanal mines, gravel quarries, construction sites, fishing boats, etc.

Women in West Africa are more vulnerable to exploitation because of the gender inequality widespread throughout the region. 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 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.<sup>27</sup> Women and girls are more often identified in domestic service, street trade and portering, as well as in restaurants and establishments offering sexual services, etc. However, explicit separation between gender and the sector of exploitation cannot be drawn. Only the areas of sexual exploitation and forced marriage seems to be strictly related to women and girls. The research did not encounter any officially reported cases of sexual exploitation of men or boys in the region.

While the victims identified are predominantly children and young adults, all CUS also report adult victims of TIP. Most commonly, the victims are between 18 and 35 years old. The majority are unemployed, with challenged means for income, and a low level of education (or none). Some of them are illiterate. Often, they are not aware of the risk of exploitation or their life circumstances force them to take unsafe and dangerous opportunities to provide for themselves and their families and to have better chances in life.

According to the country report from Nigeria, a small but potentially emerging group of victims are educated (mainly) young women who search for better opportunities for their future by taking job offers from employment agencies abroad, mainly in the Gulf States and Europe.

The majority of identified by all CUS victims are children and adolescents. Children are per se considered more vulnerable to TIP because of their lack of development or life experience. Côte d'Ivoire and Guinea report the youngest identified victims – 4-8 years old. Children are exploited domestically and trafficked across borders. The most vulnerable are those on the move – displaced or migrating, those whom have no supporting family environment, who dropped out of school or were never sent to school, and those whom from an early age are providing for the family livelihood. Children are trafficked and exploited in all the same sectors as adults victims.

<sup>27</sup> ICMPD (2020), Assessment of Anti-Trafficking Gaps, Needs and Transferable Practices in ECOWAS Member States and Mauritania.

Trafficked children tend to come from extremely poor households, dysfunctional families or have been abandoned with no parental care. In low-income countries, children make up half of the victims detected and are mainly trafficked for forced labour.<sup>28</sup>

The Global TIP Report 2020 finds that boys are the largest group of identified victims of TIP in West Africa, followed by girls, women and men. Girl and boy victims from Mali, Côte d’Ivoire, Liberia, Nigeria, Sierra Leone, etc. tend to be trafficked into forced labour and sexual exploitation. Ghana reports girls trafficked internally for domestic work, and commercial sexual exploitation and boys trafficked and exploited in the mining, fishing, agriculture industries, for quarrying, herding and begging. Child victims identified as coming from a different state mainly hail from Nigeria, Togo, Côte d’Ivoire or Chad. Côte d’Ivoire reports children from Nigeria and Burkina Faso (mainly boys) exploited on its territory, as well as Ivorian children trafficked abroad to Libya and Tunisia.<sup>30</sup>

Such prevalence of child trafficking cases compared to the cases of trafficking of adults might have a threefold origin. National legislation criminalising child trafficking was introduced in some of the CUS before the one criminalising trafficking of adults. In addition, the West Africa region has a population over 418 million people, with a median age of 18.2 years.<sup>31</sup> Consequently, the number of cases involving children is significantly higher than in regions with different demographic structures. Finally, a practice, which contributes to children’s increased vulnerability and risk of exploitation is the widespread tradition of sending children to richer households in a more developed area of the state, to perform housework or become apprentices in return for the opportunity to attend school and earn money for their families. Young boys are sent to Islamic schools, often in a neighbouring state, in order to learn the Quran and receive education.

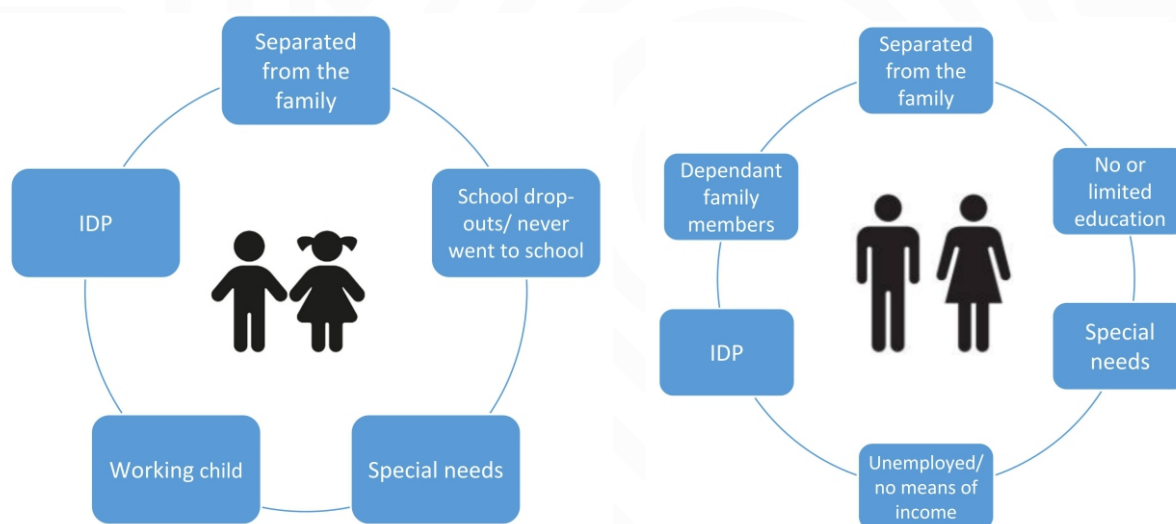


Figure 3: Profiles of child and adult victims of TIP in ECOWAS MSs and Mauritania.

<sup>28</sup> UNODC (2020a), Global Report on Trafficking in Persons.

<sup>29</sup> Ibid.

<sup>30</sup> Côte d’Ivoire (2020), Annual Report on the Implementation of the ECOWAS TIP Plan of Action.

### 2.3. Types of Exploitation

The profile of victims of TIP in the ECOWAS region and Mauritania is diverse in terms of gender, age, social, economic and family background, education. The above-discussed factors influencing TIP in the region largely shape the profile of victims.

All CUS report both male and female identified or presumed victims of TIP on their territories. However, men are considered less vulnerable to exploitation because they are more likely than women to have life experience. Côte d'Ivoire and Guinea report the youngest identified victims – 4-8 years old. Children are exploited domestically and trafficked across borders. The most vulnerable are those on the move – displaced or migrating, those whom have no supporting family environment, who dropped out of school or were never sent to school, and those whom from an early age are providing for the family livelihood. Children are trafficked and exploited in all the same sectors as adults victims. Trafficked children tend to come from extremely poor households, dysfunctional families or have been abandoned with no parental care. In low-income countries, Ninety-two per cent of the identified TIP cases are cases of domestic trafficking or trafficking within the West Africa region. Only eight per cent of the cases are identified in countries outside the region.<sup>32</sup> The most common form of trafficking across the region is labour exploitation, followed by child begging, forced criminal activity, forced marriage, sexual exploitation and other mixed forms of exploitation.

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<sup>32</sup> Worldometer, Western Africa Population (Live), <https://www.worldometers.info/world-population/western-africa-population/> (last accessed 8 January 2022).

## Labour Exploitation

The most common form of trafficking in persons in the ECOWAS region and Mauritania is trafficking for labour exploitation, and more specifically, **child trafficking for labour exploitation**. The labour exploitation takes place in numerous economic areas – agriculture (field work and work on different type of plantations – rubber, cotton, cocoa, etc.), extractive industry (artisanal mining and quarries), fishing (rivers, lakes, the Atlantic Ocean), building and construction, handicrafts (mechanics, textiles, carpentry, etc.), trade and services (restaurants, market vendors, portorage, etc.), public transportation services, refuse collection, etc.

According to UNODC, “Countries where children account for a larger share of the trafficking victims detected are also countries where child labour is more prevalent. This trend is particularly relevant for West Africa.” In six countries in West Africa, it is estimated that close to 40 per cent of the total population aged between 5 and 17 are engaged in labour activities – Burkina Faso, Benin, Sierra Leone, Mali, Guinea-Bissau and Niger.<sup>33</sup> About 37 per cent of Mauritanian children aged 13 to 18 had worked and 80 per cent of them report suffering violence.<sup>34</sup>

Child labour is rooted predominantly in poverty. Children are put to work to increase their family’s income. Children are easy to exploit, are cheap labourers and their small stature and agility mean they are often hired in preference to adults, especially in cotton production and the garment industry.<sup>35</sup>

### Alliance 8.7 Initiative

**Twenty-five Pathfinder Countries** pledged to achieve faster Target 8.7 of the Sustainable Development Goals (SDGs) by setting national priorities and following the progress of their implementation. The committed states “take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.”

Four of the Pathfinder countries are in West Africa: **Côte d’voire, Ghana, Mauritania and Nigeria.**<sup>36</sup>

TIP for labour exploitation occurring outside the ECOWAS region mainly involves adults in construction work, farming and (especially) domestic servitude in the GCC states and other states in the Middle East. The process in the case of the latter often involves false recruitment agencies or agencies that do not ensure a safe work environment and do not follow up on their recruits even in cases of abuse. Traffickers also recruit people from IDP camps, taking advantage of their vulnerability and lack of (any) resources for survival.<sup>37</sup>

<sup>33</sup> Ibid.

<sup>34</sup> Country report Mauritania.

<sup>35</sup> European Commission (n.d.), Are the clothes you are wearing free from child labour?, [https://ec.europa.eu/international-partnerships/stories/are-clothes-you-are-wearing-free-child-labour\\_en](https://ec.europa.eu/international-partnerships/stories/are-clothes-you-are-wearing-free-child-labour_en).

<sup>36</sup> Alliance 8.7 website: [alliance87.org](https://alliance87.org).

<sup>37</sup> ICMPD (2020), Assessment of Anti-Trafficking Gaps, Needs and Transferable Practices in ECOWAS Member States and Mauritania.

## Domestic servitude

Domestic servitude predominantly affects women and 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 state 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.

Children are reported as being exploited in domestic service within the borders of all CUS. In Sierra Leone, *Men Pikin* is the method of fostering children – taking them from their families and providing for them in return for (usually) domestic service or work in a workshop.<sup>38</sup> This is the most common method of recruiting and exploiting children in domestic service, reported also by Nigeria and other CUS as a traditional, cultural phenomenon that turns into abuse. Domestic servitude is one of the most common forms of exploitation of victims in several GCC states (Kuwait, Qatar, and the United Arab Emirates (UAE)) and Lebanon.

## Sexual exploitation

Trafficking of persons for sexual exploitation is reported to different extents by all CUS. While each state covered recognises the presence of the phenomenon within their territory, some do not report officially identified cases of TIP for sexual exploitation (Mali).<sup>39</sup> The demand for such services is higher in big cities, capitals, and IDP camps. Often the places of exploitation, such as bars, night parlours, hotels, are owned by the same criminal group that recruits the victims. Kidnapping women and girls and forcing them into marriage, sexual exploitation or sexual slavery is common practice among armed groups operating in the region, spreading fear and controlling the local population (Niger, Burkina Faso, and Mali).

Ghana reports a cultural practice related to sexual exploitation – *Trokosi*. Young, virgin girls of families deemed to have offended cultural norms are coerced to live with a male ‘fetish priest’ and work in a religious shrine (sometimes for the rest of their lives).<sup>40</sup> These shrine slaves serve the priests, elders, and owners of the shrines without remuneration and without their consent, although the consent of the family or clan may be involved.

Internationally, TIP for sexual exploitation is reported as occurring in destination countries of Western Europe (Italy, France, and Spain), North Africa (Morocco, Tunisia and, especially, Libya), Lebanon and the GCC states. In Ghana, foreign women (from European countries and the US) marry young men and are afterwards forced and exploited in prostitution.<sup>41</sup>

The Nigerian and Ghanaian authorities report an increase of use of children in pornography (child sexual abuse imagery), blackmailing girls with nude pictures, and online sexual services *“... 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”*.<sup>42</sup>

<sup>38</sup> Interview conducted in Sierra Leone, interview code SI08.

<sup>39</sup> Country report Mali.

<sup>40</sup> *Trokosi* is a form of ritual servitude practiced in [Ghana, Togo, and Benin](#).

<sup>41</sup> Interview conducted in Ghana, interview code Gh01.

<sup>42</sup> ICMPD (2020), Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania and interview conducted (interview code GH01).

## Child begging

All CUS report cases of child begging in the context of religious schools. The children are often sent by their teachers to beg on the streets to provide food and money for the school.

Burkina Faso reports exploitation of young boys by the Koranic masters. The children are sent around the city during the day to collect alms – money and food. Often, the schoolmasters fix daily quotas and children are punished if they do not manage to meet them<sup>43</sup> (reported also by Mauritania). Children from Burkina Faso, Niger, Mali and Senegal are reported in religious schools in northern and central Côte d'Ivoire.

Although all CUS report this phenomenon, there are several hubs where these schools are larger and attract children not only from the surrounding areas but also from the entire region.

In Senegal, *talibé* children are students of Quranic schools (*daaras*). Many children from the state are sent by their families to these schools. Children come to Senegal also from neighbouring countries – Mali, The Gambia, Guinea, Burkina Faso, etc. Strong domestic laws in Senegal ban child abuse and neglect, sexual abuse of children, wrongful imprisonment, etc. *“However, these laws are rarely enforced against Quranic teachers, squandering potential for deterrence. While more cases of abuse and exploitation by Quranic teachers were adjudicated in 2017, 2018 and 2019 than in prior years, the total remained small in proportion to the widespread nature of past and current abuses, and a number of obstacles to justice persisted.”*<sup>44</sup>

The Koranic schools (*Almajiri*) in Nigeria attract children from neighbouring Niger and Mali. 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 the children 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 *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.<sup>45</sup>

An alarming increase in the number of cases of “rental” of children for street begging are also reported in Niger. The children are “rented” from their parents to beg for a certain period of time in the Nigerien capital Niamey or in the Maghreb states.<sup>46</sup> Mauritania reports cases of disabled children being used for begging in order to increase the generosity of people. These children are most often used by their parents or “rented” to beggars in return for a daily sum of money.<sup>47</sup>

## Exploitation in terrorist activities

Women, men and children are at risk of being trafficked for different purposes in areas directly or indirectly affected by armed conflicts. In sub-Saharan African conflicts, girls recruited by armed groups tend to be younger than boys. In addition, women and girls surviving sexual slavery and forced marriage during conflict (more) often (than men) fall victim to stigma and discrimination outside of the conflict, upon returning to their communities.

<sup>43</sup> Interview conducted in Burkina Faso, interview code Bf11.

<sup>44</sup> Human Rights Watch (2019), “These Children Don’t Belong in the Streets”. A Roadmap for Ending Exploitation, Abuse of Talibés in Senegal.

<sup>45</sup> Almajiri Child Rights Initiative website: “Who Are the Almajiri Children?” Almajiri Child Rights homepage, <https://www.almajirichildrights.org/>.

<sup>46</sup> Interviews conducted in Niger, interview codes NE06, Ne09.

<sup>47</sup> Country report, Mauritania; the practice is mentioned in that state’s National Action Plan against Trafficking in Persons 2020-2022.

In Burkina Faso, there are instances of children being recruited by terrorist groups to take part in combat activities.<sup>48</sup> The invasion of the northern regions of Mali by terrorist and jihadist groups has led to the recruitment of child soldiers. Girls are abducted and raped, forced into marriages and sexual slavery, kept for reproduction purposes, etc.<sup>49</sup>

Children whom had been recruited by armed groups but 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 known to be used by armed groups as suicide bombers.<sup>50</sup> Trafficking within the Nigerian IDP camps is also reported.

### Forced and early marriage

Every year, 12 million girls marry before the age of 18. Four of the ten countries with the highest rates of child marriage in the world are part of the ECOWAS region. About four in ten young women in West Africa and Central Africa were married as children.<sup>12</sup> Poverty, lack of education, cultural practices, and insecurity fuel and sustain the practice. The obligation to provide a dowry to young girls may lead some parents to enter into an agreement to marry off their daughter at an early age. Additionally, forced marriages are part of the operation strategy of terrorist groups (example – the abductions of young girls by Boko Haram in Nigeria with the purpose of forcibly marrying them to fighters, followed by other exploitation and abuse).<sup>52</sup>

**Niger** has the highest prevalence of child marriage of any state in the world (76%) and the 13th highest absolute number of women married or in a union before the age of 18 globally – 745,000. Six per cent of boys in Niger are married before the age of 18.<sup>53</sup>

The other three ECOWAS states among the top ten globally are Mali – 54%, Burkina Faso – 52%, Guinea – 47% (child marriages by the age of 18).

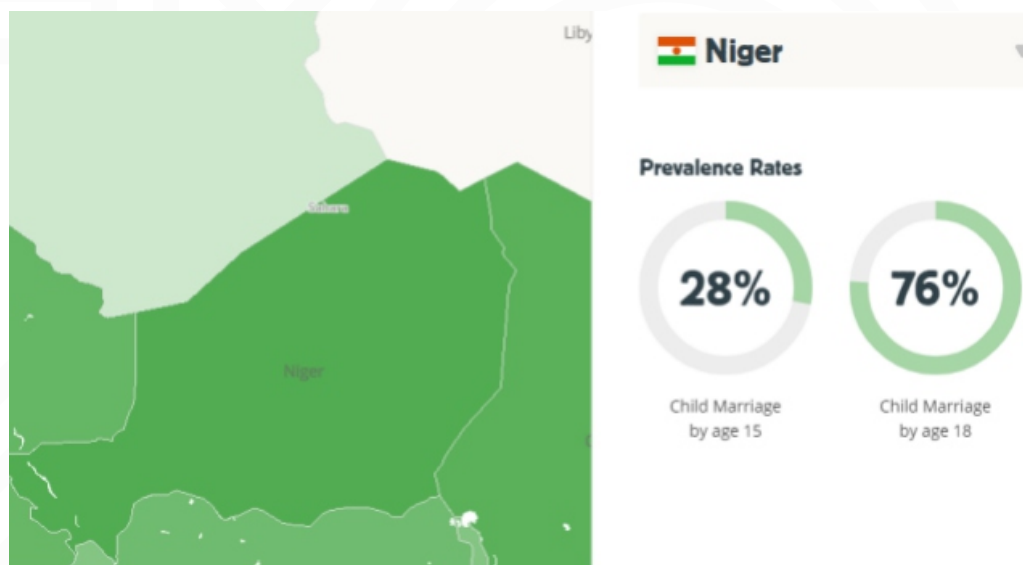


Figure 4: Prevalence of child marriages in Niger. Source: Girls Not Brides

<sup>48</sup> Interview conducted in Burkina Faso, interview Code Bf07.

<sup>49</sup> UNHCR (2020), Child-trafficking in Mali increasing because of conflict and COVID-19, Press Release, 1 December 2020,

<https://www.unhcr.org/news/press/2020/12/5fc62ead4/child-trafficking-mali-increasing-conflict-covid-19.html>; Country report Mali.

<sup>50</sup> ICMPD (2020), Assessment of Anti-Trafficking Gaps, Needs and Transferable Practices in the ECOWAS Member States and Mauritania.

<sup>51</sup> 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/>.

<sup>52</sup> UNODC (2018), Trafficking in Persons in the Context of Armed Conflicts.

<sup>53</sup> Girls Not Brides, Child Marriage Atlas: [girlsnotbrides.org](https://www.girlsnotbrides.org).

## Trafficking for organ removal

A new report from the International Criminal Police Organization (INTERPOL) assesses the problem of TIP for organ removal, which is driven largely by the global shortage in organs for ethical transplant. It is of particular concern in North and West Africa, where impoverished communities and displaced populations are at greater risk of exploitation.<sup>54</sup> This type of TIP provokes many discussions, but no or very few identified cases have been officially reported in the past years in the CUS. A Togolese stakeholder did share that while this practice remains hidden, it is practiced in Togo for mystical, fetish or medical purposes, with demand coming from Nigeria.<sup>55</sup> However, the current assessment did not discover any recent reports on cases of TIP for organ removal. According to the country report from Nigeria, there are reported cases of ritual killings of adults and children that are prosecuted as murder cases but which share many features of TIP.

## Baby factories

Nigeria continues to report cases of pregnant women kidnapped and abused for the sale of their new-born children on the black market. This type of exploitation represents a particular demand (for new-born children), exploited by traffickers and organised criminal groups. The phenomenon has become a problem during the past decade; information on police raids and identified cases can be traced as far back as 2013.<sup>56</sup> In February 2020, Nigerian police rescued 24 babies and 4 pregnant teenagers in Port Harcourt.<sup>57</sup> In previous years, police in the Lagos had raided such establishments. Meanwhile, Niger reports investigation of cases of “imported babies”: a criminal network operating in Niger and Nigeria was providing Nigerien citizens with children from Nigerian baby factories.<sup>58</sup>

## Other forms of exploitation

Niger further reports cases of adoption of children who afterwards become the subject of exploitation. Mali also sees cases of **adoption for the purpose of exploitation**. However, the number of cases has decreased significantly since international adoption, which constituted the largest type of adoption in Mali, was legally prohibited. National-level adoptions are not common in Mali, and thus adoption for the purposes of exploitation has been rendered almost non-existent.<sup>59</sup>

Burkina Faso and Cabo Verde report instances of women and children (boys) coerced into **drug trafficking**. In Burkina Faso, these are mainly women in prostitution and homeless children. Although legally abolished, **slavery** is still present in parts of the ECOWAS region and Mauritania. In parts of Niger and Mauritania, inherited slavery is still practiced. Victims of slavery find it difficult to file complaints with the police and judicial authorities. Some communities, such as the Tuareg and Arab communities, also practice the *Wahaya* system,<sup>60</sup> where women are kept as slaves in the household. In 2019, following the court case of Hadijatou Mani, the Court of Appeals of Niger outlawed the practice.<sup>61</sup>

The Gambia reports the phenomenon of trafficking of young people via sports contracts. The lack of opportunities for young people leads human traffickers posing as intermediaries or agents of foreign football clubs to lure young men and women and take them legally to foreign countries so that they can develop further their careers in sport.<sup>62</sup>

<sup>54</sup> INTERPOL (2021), Trafficking of Human Beings for the Purpose of Organ Removal in North and West Africa.

<sup>55</sup> Interview conducted in Togo, interview code Tg07.

<sup>56</sup> 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>.

<sup>57</sup> Iheamnachor, D. (2020), 'Police recover 24 babies from baby factory disguised as orphanage in Port Harcourt', Vanguard, <https://www.vanguardngr.com/2020/02/police-recover-24-babies-from-baby-factory-disguised-as-orphanage-in-port-harcourt/>.

<sup>58</sup> Judgment number 31 of 13 March 2017 of the Correctional Chamber of the Court of Appeal, Niamey.

<sup>59</sup> Interview conducted in Mali, interview code MI10.

<sup>60</sup> “Fifth wife”, or Wahaya practice – in addition to the four wives permitted by Islam, men take ‘unofficial’ wives who may be treated as a domestic or sexual slave. 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

<sup>61</sup> Anti-Slavery International (2019), ‘Niger: “fifth wife” slavery practice outlawed’, <https://www.antislavery.org/niger-fifth-wife-outlawed/>.

<sup>62</sup> Ceessay A. (2021), ‘Gambia: #Not in Our Game, and Point Newspaper- Gambia (2021), Article: Sports Journalist Association Gambia and Mission89 Partners to raise awareness on trafficking in sports <https://thepoint.gm/africa/gambia/sports/gambia-notinourgame-sjag-and-mission89-partners-to-raise-awareness-on-trafficking-in-sports>.



There is a lack of official statistics on the phenomenon, but the national authorities, NGOs and the Gambia Football Federation recognise the problem and intend to investigate it further.

Table 1: Victim profiles and main types of exploitation in CUS (overview)

State	Main Types of TIP	Gender of Victims	Age of Victims	Identified Foreign Victims
Benin	<p>Labour exploitation:</p> <ul style="list-style-type: none"> <li>• Domestic servitude (children),</li> <li>• Begging (children),</li> <li>• Agricultural sector (cotton fields, mahogany nuts, etc.),</li> <li>• Artisanal mining and quarrying,</li> <li>• Building and construction,</li> <li>• Trade and services (restaurants, market vendors, etc.),</li> <li>• Handicrafts sector (mechanical, textile, carpentry, etc.).</li> </ul> <p>Sexual exploitation.</p>	Male & female (especially female)	Mostly children	Togo
Burkina Faso	<p>Labour exploitation:</p> <ul style="list-style-type: none"> <li>• Domestic servitude,</li> <li>• Artisanal mining and quarrying,</li> <li>• Agriculture,</li> <li>• Informal sector.</li> <li>• Sexual exploitation.</li> </ul> <p>Exploitation in drugs trafficking.</p>	Male & female	Adults & children (12-17 years)	Benin, Côte d'Ivoire, Nigeria, Togo
Cabo Verde	<p>Labour exploitation:</p> <ul style="list-style-type: none"> <li>• Domestic servitude,</li> <li>• Agriculture,</li> <li>• Begging (children),</li> <li>• Street vendors, car washing.</li> </ul> <p>Sexual exploitation – tourist areas.</p>	Mostly female	Adults & children (16-30 years)	Nigeria, Senegal
Côte d'Ivoire	<p>Labour exploitation:</p> <ul style="list-style-type: none"> <li>• Agricultural industry (plantations),</li> <li>• Mining industry,</li> <li>• Building and construction,</li> <li>• Begging (children),</li> <li>• Street vendors.</li> </ul> <p>Sexual exploitation. Early and forced marriage.</p>	Male & female	Mostly children & young adults (8-35 years)	Benin, Togo, Burkina Faso, Nigeria, China, Morocco
The Gambia	<p>Labour exploitation:</p> <ul style="list-style-type: none"> <li>• Domestic servitude (children),</li> <li>• Begging (children).</li> </ul> <p>Sexual exploitation: Child sex tourism.</p>	Mostly Female	Children & adults (15-35 years)	Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Benin, Guinea, Guinea-Bissau

State	Main Types of TIP	Gender of Victims	Age of Victims	Identified Foreign Victims
Guinea-Bissau	Labour exploitation: <ul style="list-style-type: none"> <li>Begging (children),</li> <li>Domestic servitude.</li> </ul> Forced marriage. Sexual exploitation (streets, bars, brothels, escort services).	Male & female	Mainly children	The Gambia, Guinea, Senegal
Liberia	Labour exploitation: <ul style="list-style-type: none"> <li>Agriculture (rubber plantation),</li> <li>Extractive industry,</li> <li>Begging (children),</li> <li>Domestic servitude.</li> </ul> Sexual exploitation (women and girls).	Male & female	Adults & children (mostly)	Sierra Leone
Mali	Labour exploitation: <ul style="list-style-type: none"> <li>Agriculture,</li> <li>Extractive industry (gold panning),</li> <li>Begging,</li> <li>Domestic servitude.</li> </ul> Sexual exploitation. Early and forced marriage (rural areas).	Male & female	Adults & children	Côte d'Ivoire, Burkina Faso, Nigeria, Ghana
Mauritania	Labour exploitation: <ul style="list-style-type: none"> <li>Fishing industry (children),</li> <li>Begging,</li> <li>Domestic servitude.</li> </ul> Exploitation in drug trafficking (children). Hereditary slavery practices – people forced to work free as domestic servants and cattle herders. Sexual exploitation: <ul style="list-style-type: none"> <li>Forced marriage.</li> </ul> Recruitment of child soldiers.	Male & female	Adults & children	Mali, Senegal, Nigeria, Côte d'Ivoire, The Gambia, Sierra Leone, Syria
Niger	Forced labour: <ul style="list-style-type: none"> <li>Agriculture,</li> <li>Extractive industry,</li> <li>Domestic servitude (children),</li> <li>Begging (children).</li> </ul> Sexual exploitation. Recruitment by armed groups. Descent-based slavery.	Male & female	Adults & children	Nigeria, Benin, Togo, Burkina Faso, Ghana, Côte d'Ivoire
Nigeria	Forced labour: <ul style="list-style-type: none"> <li>Domestic servitude (children),</li> <li>Begging (children).</li> </ul> Sexual exploitation: <ul style="list-style-type: none"> <li>Online pornography.</li> </ul>	Male & female (mostly female)	Adults & children (almost equal number of reported cases)	Niger, Burkina Faso, Ghana, Sierra Leone

State	Main Types of TIP	Gender of Victims	Age of Victims	Identified Foreign Victims
Senegal	Labour exploitation: <ul style="list-style-type: none"> <li>• Domestic servitude,</li> <li>• Begging (children),</li> <li>• Extractive industry (gold panning).</li> </ul> Sexual exploitation.	Male & female	Children	Mali, The Gambia, Guinea-Bissau, Guinea
Sierra Leone	Labour exploitation: <ul style="list-style-type: none"> <li>• Domestic servitude (children),</li> <li>• Begging (children)</li> <li>• Local restaurants,</li> <li>• Portage,</li> <li>• Illegal activities (pickpocketing).</li> </ul> Sexual exploitation.	Male & female	Adults & children (10-35 years old)	Guinea, Liberia, Côte d'Ivoire, Nigeria, The Gambia
Togo	Labour exploitation: <ul style="list-style-type: none"> <li>• Street vendors,</li> <li>• Domestic work,</li> <li>• Mechanical workshops,</li> <li>• Building construction,</li> <li>• Gravel extraction in rivers, sea and quarries,</li> <li>• Bars and restaurants.</li> </ul> Sexual exploitation (bars, restaurants, hotels). Forced and early marriage.	Male & female	Predominantly children (& adults)	Ghana, Nigeria

## 2.4. Traffickers and their Modus Operandi

Traffickers are men and women often of the same nationality and region as their victims. West African states reported the highest share of females investigated and/or arrested, prosecuted and/or convicted of trafficking. Persons convicted of TIP are usually citizens of the state where they are convicted.<sup>63</sup>

Commonly, traffickers are part of a chain of organised criminal groups operating within the territory of the respective state or internationally. 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 involved.

In cases of child trafficking, traffickers might be family or community members (Niger, Benin). There are traffickers who operate on their own, but these are rather rare cases (for example – in an outbreak of a conflict or other emergency, such people search for fast ways to recruit vulnerable people and make a profit).

Trafficking networks rely on local contacts to gain the victim's trust. Often, they appear to have a desirable social status, to influence the victim's parents or "advertise" the opportunities to vulnerable people in need. It is rare for an outsider to enter a rural area and leave with children, rather, the traffickers typically come from the same village, ethnic group or extended family as the children trafficked. Considering such type of recruitment and trafficking an "intra-family" matter prevents many TIP cases from being identified – and traffickers from being investigated and prosecuted.<sup>64</sup> 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.

Other, more violent methods for recruitment of victims are coercing them with threats of harming them and their families, direct physical violence, appeals to mystical powers, threats to file a police report, confiscation of travel documents, abuse of the vulnerability of migrants who are left without means, debt bondage, fake recruitment agencies, etc.

Some CUS (Nigeria, Ghana, Sierra Leone, Mali, Mauritania, The Gambia) experience the recruitment via 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 GCC states, and Western Europe. Traffickers sometimes present themselves as **informal employment agents**, operating in the countryside and recruiting men and women to work in the big cities or the agriculture sector. Victims often end up in exploitative situations – in farms, bars or nightclubs. In the Gambia, young girls are recruited to work in the households of foreign citizens and convinced to travel with them (often to Middle Eastern states) and to continue their service. Some, reportedly, find themselves in situations of exploitation and abuse.

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<sup>63</sup> UNODC (2020a), Global Report on Trafficking in Persons.

<sup>64</sup> Country report Benin.

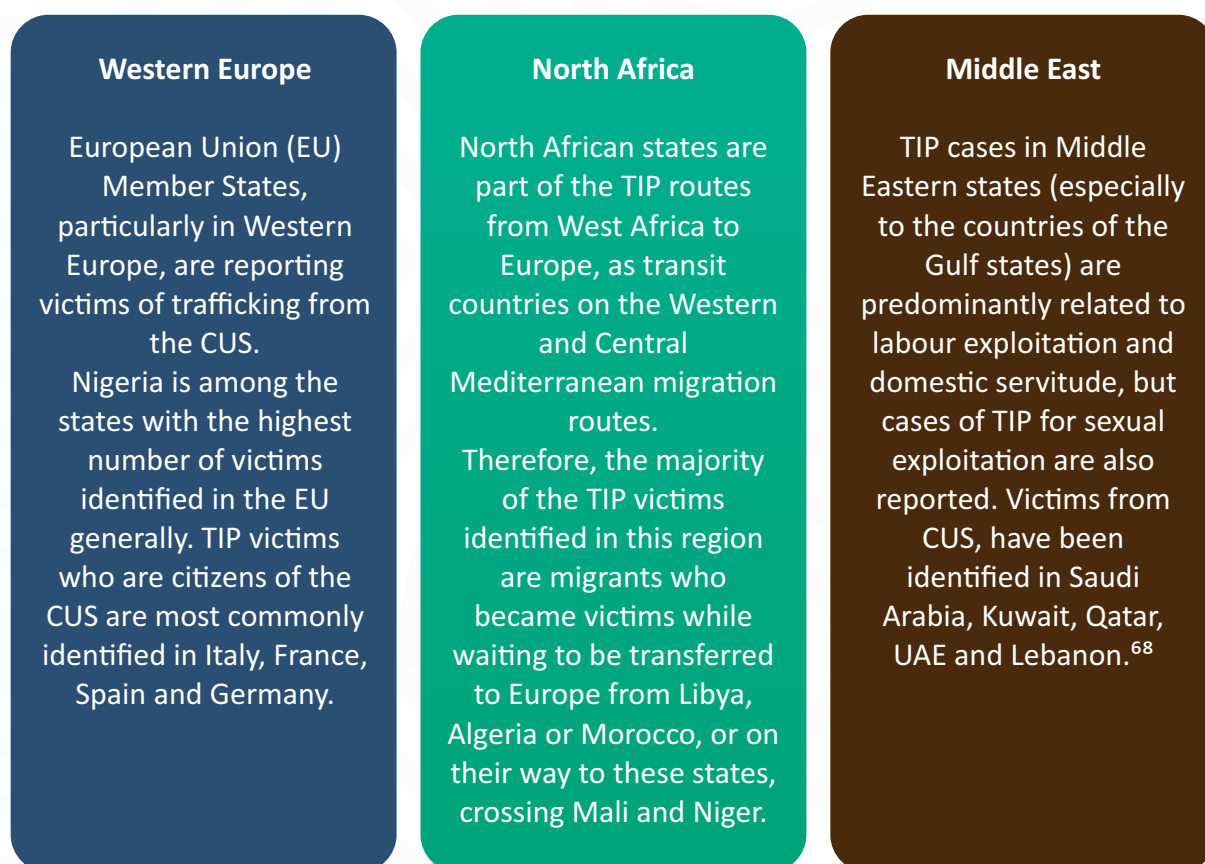
<sup>65</sup> Country report The Gambia.

Ivorian authorities report that the most common method of recruitment in Côte d'Ivoire is 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 state of exploitation receiving and accommodating the victim upon arrival.<sup>66</sup>

Criminals are also adapting their crime to the new situation created by the COVID-19 pandemic, using online means of communication (like WhatsApp). This makes it difficult for law enforcement to track and monitor their activities.<sup>67</sup>

## 2.5. Common TIP Routes

Trafficking of persons often follows the traditional migration routes established in the region. In relation to the identified **international** TIP cases of victims from West Africa, three main **destination regions** could be elaborated:



The identified TIP cases on the territory of West Africa predominantly take place within the region. All CUS report their citizens being trafficked to other ECOWAS MSs. Several trends in the **regional routes of TIP** could be clearly established:

<sup>66</sup> ICMPD (2020), Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania.

<sup>67</sup> Country report Mauritania.

<sup>68</sup> Côte d'Ivoire (2020), Nigeria (2020), Togo (2020), Annual Reports on the Implementation of the ECOWAS TIP Plan of Action.

**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. Such countries in the region are 1) Niger – hub for both TIP and irregular migration. Victims are transported to either the Maghreb countries or Europe; 2) Mali – people trafficked to Central Africa, North Africa and Europe; 3) Senegal – as part of the Western Mediterranean Migration Route to Europe; 4) Mauritania also experiences people from other Sub-Saharan states being exploited in the coastal region of the state while en route to Morocco and Europe.

#### Example: Mauritania

Mauritania reports criminal networks exploiting foreign women who have come to Nouakchott or Nouadhibou with the intention to continue their journey to Europe. They are forced into prostitution to pay off the cost of the journey from their home country to Mauritania. They are also often exploited in order to “earn” the ticket to Europe. Some women remain trapped in forced prostitution for several years.

**Neighbouring countries:** All CUS report TIP exploitation of nationals in neighbouring countries or in border areas.

**Countries experiencing armed conflicts:** Several ECOWAS MSs are currently experiencing armed conflicts or the operation of armed groups on their territories (Nigeria, Mali, Burkina Faso, and Niger). These conflicts fuel TIP and exploitation of people in general.

**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 (The Gambia, Cabo Verde).

**National TIP routes** mirror the internal labour migration routes and are influenced by the same factors that facilitate the international and regional routes. Capital 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.<sup>69</sup>

<sup>69</sup> ICMPD (2020), Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania.

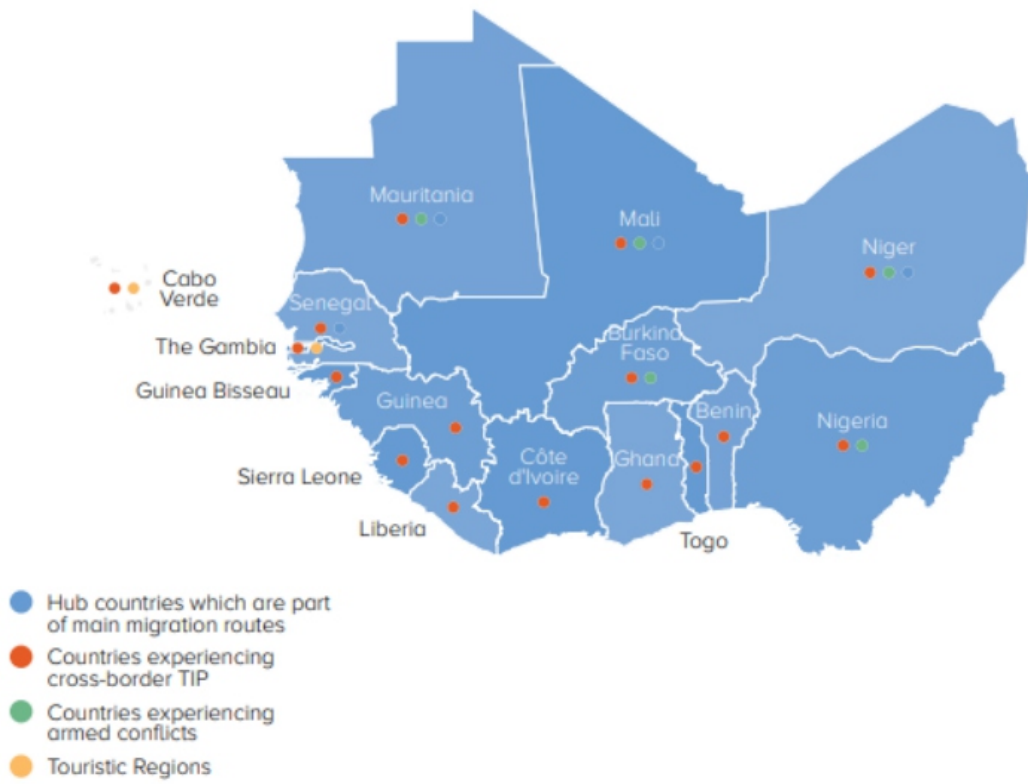


Figure 5: Regional TIP Routes in ECOWAS region and Mauritania Source: ICMPD 2020

# Chapter 3: International Anti-Trafficking Legal and Policy Frameworks

## 3.1. Legal Framework

The main international legal document on TIP is the 2000 *United Nations Convention against Transnational Organized Crime (UNTOC) and its Supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (TIP Protocol)*.<sup>70</sup> The Convention and the TIP Protocol set the standards for the legal framing by providing a definition of TIP, setting out 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. The 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 in 2005. The TIP Protocol has been signed and ratified by 11 ECOWAS Member States, and the remaining CUS have acceded to it – Côte d'Ivoire and Ghana in 2012, Guinea and Liberia in 2004, and Mauritania in 2005.<sup>71</sup>

In addition to the UNTOC and the 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, and three other states have signed the Convention but not begun the ratification process – Liberia, Sierra Leone and Togo.

Of the CUS, Côte d'Ivoire is the only state that has neither signed nor ratified the Migrant Workers Convention. The 1979 United Nations 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.<sup>72</sup> Mauritania has acceded to the Convention. The table 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.

<sup>70</sup> UN General Assembly (2000b), Convention against Transnational Organized Crime, signed in Palermo, Italy, in December 2000 (General Assembly Resolution 55/25 of 15 November 2000).

<sup>71</sup> UN Treaty Collection, See the UNTOC at: [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=XVIII-12&chapter=18&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg_no=XVIII-12&chapter=18&clang=_en), and its Supplementing TIP Protocol at: [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg\\_no=XVIII-12-a&chapter=18&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg_no=XVIII-12-a&chapter=18&clang=_en).

<sup>72</sup> More information can be found on the UN Women Watch portal <https://web.archive.org/web/20190428203029/https://womenwatch.unwomen.org/>



Table 2: International legal instruments focused on TIP and related areas

State	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 <sup>73</sup>	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

<sup>73</sup> 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&mtdsg\\_no=IV-8&chapter=4&clang=\\_en#top](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&clang=_en#top).

Table 3: International conventions related to child trafficking and child protection

State	United Nations 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 Intercountry 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 <sup>74</sup>
Sierra Leone	Ratified	Ratified	Ratified	No	No	Ratified	Ratified
Togo	Ratified	Ratified	Ratified	Accession 2009	No	Ratified	Ratified

<sup>74</sup> 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 ECOWAS MSs. Cabo Verde and Ghana have acceded to it. Cabo Verde, Côte d'Ivoire, Guinea, Mali, and Mauritania have acceded to the 2000 *Optional Protocol to the Convention on the Right of the Child 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 MSs 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 ECOWAS MSs is the 2000 *Optional Protocol to the CRC on the Involvement of Children in Armed Conflict*. Liberia has signed the Protocol, but has not yet begun its ratification, while Mauritania has not yet started the signing process.

Only two ECOWAS MSs 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).<sup>75</sup>

Guinea and Burkina Faso are the only ECOWAS MSs 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 CUS, Benin has ratified the Refugee Convention, and thirteen other ECOWAS MSs have either acceded or succeeded to the 1951 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 from transporting people to any state where there is reason to believe that 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 CUS have acceded to it.

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<sup>75</sup> Hague Conference of Private International Law (n.d.), Declaration/Reservation/Notification, <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 these two states.

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 TIP, 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 CUS, promotes freedom of movement. However, this right may be restricted by a particular state; 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”. In 2017, the Government of Ghana banned the recruitment and issuance of visas to Ghanaian domestic workers to work in the Gulf States, as a measure to respond to existing abuse. As of 2021, the ban remained in force.<sup>76</sup>

### 3.2. Policy Framework

The main international ant-trafficking policy instrument is the *UN Global Plan of Action to fight TIP*. The Global Plan of Action was adopted in 2010 and promotes the universal ratification of the UNTOC and the TIP Protocol, helps UN Member States to reinforce their political commitments and legal obligations to prevent and combat TIP, and promotes comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter TIP. The Global Plan further calls for the promotion of a human rights-based, gender- and age-sensitive approach, strengthening of the criminal justice response, raising awareness on the topic, and fostering cooperation and coordination, taking into account existing best practices and lessons learned. The latest appraisal of the progress achieved in the implementation of the Global Plan and assessment of the current gaps and challenges was carried out in November 2021.<sup>77</sup>

Another 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 states featured in this report which bear the burden of hosting refugees.

<sup>76</sup> IOM (2019), Ghanaian Domestic Workers in the Middle East ; Ansah, M. (2021), ‘Ban on recruitment to Gulf States still in force – Foreign Affairs Ministry’, Citi Newsroom, 25 September 2021, <https://citinewsroom.com/2021/09/ban-on-recruitment-to-gulf-states-still-in-force-foreign-affairs-ministry/>.

<sup>77</sup> UNODC (2021), Appraisal of the UN Global Plan of Action to Combat Trafficking in Persons, [https://www.unodc.org/unodc/en/human-trafficking/TIP\\_GPA\\_appraisal.html](https://www.unodc.org/unodc/en/human-trafficking/TIP_GPA_appraisal.html).

# Chapter 4: Regional Anti-Trafficking Legal, Policy and Institutional Frameworks

## 4.1. 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 CUS.

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 9 of the 30 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 states it is only the African Commission on Human and Peoples’ Rights or MSs who can file complaints. Eleven of the CUS have ratified the Protocol – Benin, Burkina Faso, Côte d’Ivoire, The Gambia, Ghana, Mali, Mauritania, Nigeria, Niger, Senegal, and Togo.<sup>78</sup>

The main regional legislative instrument used to combat TIP in the ECOWAS region is the African Union (AU) 1990 *African Charter on the Rights and Welfare of the Child*. It was the first regional treaty to address children’s rights and is conceived as being complementary to the Convention on the Rights of the Child. The Charter contains provisions on labour exploitation of children, harmful social and cultural practices, exploitation in armed conflicts, sexual exploitation, and child abduction, sale and trafficking.

<sup>78</sup> African Court on Human and Peoples’ Rights (n.d), Welcome to the African Court, <https://www.african-court.org/wpafc/welcome-to-the-african-court/>.

The key provisions of the Charter pertaining to the improvement of children's 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.<sup>19</sup> The Charter has been ratified by 13 ECOWAS Member States, with Mauritania, Liberia and Guinea-Bissau having only signed the document.

The *AU 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.<sup>80</sup> 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 CUS which has not ratified the Convention is Cabo Verde. A further 3 states, Ghana, Guinea-Bissau and Senegal, have only signed the Convention, whilst the remaining 12 states have ratified it.

The *Treaty Establishing the African Economic Community* (1991) officially established the African Economic Community and was the first treaty focused on the free movement of people and capital to enhance regional integration and development. The Treaty has been signed by each of the 16 states 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 smuggling of migrants (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 ECOWAS MS without being subject to discrimination. The Protocol has been ratified by Mali and Niger, and signed by a further eight ECOWAS states; of note in the present context is that Benin, Cabo Verde, The Gambia, Mauritania, and Nigeria have not yet signed the Protocol.

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;<sup>81</sup> and the 2006 African Youth Charter – ratified by 13 ECOWAS Member States and Mauritania. A further two states covered by the present assessment, Liberia and Sierra Leone, have signed but not ratified the Charter.<sup>82</sup>

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<sup>79</sup> 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.

<sup>80</sup> Ojeda, S. (2010), 'The Kampala Convention on internally displaced persons: Some international humanitarian law aspects', *Refugee Survey Quarterly*, 29(3), 58-66.

<sup>81</sup> Information on the ratification status can be found at: <https://www.achpr.org/legalinstruments/detail?id=37>.

<sup>82</sup> Information on the ratification status for AU states can be found at: <https://au.int/sites/default/files/treaties/7789-sl-AFRICAN%20YOUTH%20CHARTER.pdf>.

## 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 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.<sup>83</sup>

The League of Arab States 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.

## 4.2. 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.
- 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 African continent. It also addresses the problem of child trafficking and the specific situation of migrant women.<sup>84</sup>

<sup>83</sup> Information on Mauritania's status within the Arab Committee on Human Rights can be found at: <http://www.leagueofarabstates.net/ar/humanrights/Committee/Pages/MemberCountriesDetails.aspx?RID=19> (in Arabic).

<sup>84</sup> Klavert, H. (2011), African Union frameworks for migration: current issues and questions for the future, Discussion Paper 108, European Centre for Development Policy Management (ECDPM).

- 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 44<sup>th</sup> 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.
- *The Draft Policy on the Prevention of Trafficking in Persons in Africa and Draft Policy on the Prevention of Smuggling of Migrants in Africa*, developed by the African Union Commission, provide policy guidance to MSs on how to address both of these phenomena. The policy drafts take lessons learnt from the evaluation report of the implementation of the *Ouagadougou Plan of Action on the Prevention of Trafficking in Persons*. Additionally, the drafts also take inspiration from the *Migration Policy Framework for Africa*, the *Global Compact on Migration* and other regional and international policy frameworks based on best practices. In October 2021, senior officials from AU Member States convened to provide inputs and validation of the drafts in order to improve the content of the documents. The approved documents are submitted to the Specialised Technical Committee on Migration, Refugees and IDPs for validation and adoption.<sup>85</sup>

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).<sup>86</sup>

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 (2008-2011)*, 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 ECOWAS 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.

<sup>85</sup> African Union (2021), 'Technical Workshop of Senior Officials of AU Member States and RECs to Validate the Draft Policies on the Prevention of Trafficking in Persons (TIP) and Prevention of Smuggling of Migrants (SOM) in Africa', News, <https://au.int/en/newsevents/20211006/technical-workshop-senior-officials-au-member-states-and-recs-validate-draft>.

<sup>86</sup> Support to Free Movement of Persons and Migration in West Africa (FMM West Africa) (2018), Counter Trafficking. ECOWAS Plans of Action. Assessing the Impact.



Table 4: TIP policy developments in the ECOWAS region, 2001-2021

Year	Activity
2001	The <b>ECOWAS Initial Plan of Action against Trafficking in Persons 2002-2003</b> is adopted.
2005	The <b>TIP Unit</b> 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 <b>ECCAS/ECOWAS Plan of Action against Trafficking in Persons, especially women and children in West and Central Africa</b> is adopted.
2006	The <b>Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa</b> , together with the Economic Community of Central African States (ECCAS), is concluded.
2007	The <b>Fourth ECOWAS Plan of Action against Trafficking in Persons 2008-2011</b> is adopted.
2007	The <b>Decent Work Agenda in Africa 2007-2015</b> is adopted at the 11 <sup>th</sup> African Regional Meeting of the ILO (Addis Ababa, 24-27 April 2007). The Agenda calls on all states 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 states designing such action plans has been increasing steadily. <sup>87</sup>
2008	The <b>ECOWAS Common Approach on Migration</b> 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 <b>Regional Policy on Protection and Assistance to Victims of Trafficking in Persons in West Africa</b> is officially adopted
2010	The <b>Strategic Plan of Action for the Combat of Trafficking in Persons in West Africa for 2010-2013</b> is adopted by the ECOWAS Member States.

<sup>87</sup> ILO (2013), Accelerating Action against Child Labour in Africa – Building on Experience and Results.

2012	The <b>ECOWAS Regional Action Plan to Eliminate Child Labour, Especially the Worst Forms</b> is adopted.
	The Plan follows the adoption of the Decent Work Agenda in Africa 2007-2015.
2015	The <b>ECOWAS Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants</b> are validated and adopted, reflecting the previous version developed by the <a href="#">West Africa Network for the Protection of Children and Young Migrants (WAN)</a> . <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.”<sup>88</sup></i>
2017	The <b>ECOWAS Plan of Action against Trafficking in Persons in West Africa, 2018-2022</b> is adopted.
2017	The <b>ECOWAS Guidelines on Child Protection</b> are adopted.
2018	The <b>9<sup>th</sup> Annual Review Meeting on Trafficking in Persons in West Africa</b> is held at the ECOWAS Commission in Abuja.
	The <b>ECOWAS Policy on Protection of Victim-Witnesses</b> is put in place.
2019	The <b>ECOWAS Policy on Protection and Assistance of Victims of Trafficking</b> also comes into force.
	The <b>10<sup>th</sup> Annual Review Meeting on Trafficking in Persons in West Africa</b> takes place at the ECOWAS Commission in Abuja.
2020	The <b>ECOWAS Annual Synthesis Report on Trafficking in Persons in West Africa</b> is released.
	The <b>11<sup>th</sup> Annual Review Meeting on Trafficking in Persons in West Africa</b> takes place online due to COVID-19 restrictions.

<sup>88</sup> ECOWAS (2015), Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants.

As shown in the table above, the anti-trafficking response in the ECOWAS region is naturally occurring in the framework of migration-related regulations. The core documents in this area 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* (2008).

In addition, *ECOWAS Convention on Mutual Assistance in Legal Matters* and *ECOWAS Convention on Extradition* 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.

## Chapter 5: National Anti-Trafficking Legal, Policy and Institutional Frameworks

The national anti-trafficking legislations and policy instruments – National Strategies, National Action Plans, etc. of the states under study are presented. The structure of the main anti-trafficking actors and their formal or informal collaboration are elaborated in detail.

### 5.1. National Legislation Related to TIP

Since 2003, 12 ECOWAS Member States and Mauritania have adopted specific anti-trafficking laws, and 3 further ECOWAS MSs have integrated its anti-TIP legislation into their respective Criminal Codes (Cabo Verde, Guinea and Togo). Whilst Benin has adopted specific legislation targeting child trafficking, TIP of adults is introduced only in the country's Criminal Code. The anti-trafficking laws of the remaining two ECOWAS MSs (Benin and Côte d'Ivoire) do not fully cover the TIP definition set by the UN TIP Protocol. The legislation in each ECOWAS MS and in Mauritania cover both adult and child victims. However, Benin and Togo have particular challenges in implementing the law in regards to adult victims. In Sierra Leone, the process of integrating adult and child victims into the main TIP legislation is also ongoing.

In addition to the main anti-trafficking laws, all CUS implement numerous legislative acts to tackle different aspects of TIP in the areas of criminal prosecution, child protection, social support and protection, labour, health, education, migration, etc.

Table 5: National anti-trafficking legislation

	National Trafficking in Persons Law	Dedicated to		Covers all forms of exploitation (UN TIP Protocol)	Notes
		Child victims	Adult victims		
Benin	Law No. 2006-04 of 5 April 2006 on conditions for travelling of minors and combating child trafficking. Decrees for Application of the Law, adopted by the Council of Ministers in October 2009.	Yes	Yes <sup>89</sup>	No	In 2018, the Criminal Code (Law 2018-16) was amended. It introduced provisions criminalising trafficking of both adult and child victims.

<b>Burkina Faso</b>	Law No. 029-2008/AN of 15 May 2008 on the Fight Against Trafficking in Persons and Similar Practices.	Yes	Yes	Yes	The law has not seen any recent amendments. In 2018, the Criminal Code was amended by including series of provisions related to TIP (Law 025-2018/AN).
<b>Cabo Verde</b>	Legislative Decree No. 4/2015 of 11 November, adopted in 2015 on amendments to the Criminal Code.	Yes	Yes	Yes	Section 271-A provides a definition of the crime of trafficking in persons for both sexual and labour. A non-punishment clause for victims is included in the amendment.
<b>Côte d'Ivoire</b>	Law 2016-1111 of 8 December 2016 related to the fight against TIP.  Law No. 2010-272 of 30 September 2010 on the Prohibition of Child Trafficking and the Worst Forms of Child Labour and Decree 2014-290 of 21 May 2014 on the application of this law.	Yes	Yes	No	The legislation covers TIP for sexual exploitation and forced labour.

<sup>89</sup> Adult victims of TIP are addressed only in the Criminal Code of Benin.

<b>The Gambia</b>	Trafficking in Persons Act of 6 September 2007, approved by the President on 5 October 2007 and amended in 2010 and 2011.	Yes	Yes	Yes	Highlights the responsibility of commercial carriers and tour operators, hotel owners and workers.
<b>Ghana</b>	Human Trafficking Act No. 694 of 5 December 2005 (amended in 2009). Human Trafficking Prohibition (Protection and Reintegration of Trafficked Persons) Regulations, 2015.	Yes	Yes	Yes	
<b>Guinea</b>	Anti-Trafficking Law, incorporated into the revised Criminal Code, adopted in 2016.	Yes	Yes	Yes	The Children's Code promulgated by Law L/2008/011/AN, adopted on 18 May 2008, includes Articles 385-396 on child trafficking.
<b>Guinea-Bissau</b>	Law No. 12/2011 of 2 May 2011 on Preventing and Combating Trafficking in Persons, in Particular Women and Children.	Yes	Yes	Yes	
<b>Liberia</b>	2005 Act to ban trafficking in persons within the Republic of Liberia, 14 June 2005	Yes	Yes	Yes	Criminal Code, Section 14.55 also criminalises TIP.
<b>Mali</b>	Law No. 2012-023 of 12 July 2012 in relation to the fight against trafficking in persons and similar practices.	Yes	Yes	Yes	

<b>Mauritania</b>	Law No. 20.02017 of 6 August 2020 on the prevention and repression of trafficking in persons and the protection of victims.	Yes	Yes	Yes	Law No. 2020.018 of 6 August 2020 on the repression of illicit trafficking in migrants.  Law 2007-048 of 3 September 2007 on criminalisation of slavery and penalization of slavery practices.  Ordinance 2005-015 of 5 December 2005 on the judicial protection of the child. <sup>90</sup>
<b>Niger</b>	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.
<b>Nigeria</b>	The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003.  In 2015, the Nigerian National Assembly re-enacted the previous Act.	Yes	Yes	Yes	

<sup>90</sup> 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.

<b>Senegal</b>	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 absence of victim's consent or consent given under pressure is crucial for constituting the crime.  Two draft bills on TIP and SoM have been prepared and are awaiting approval by the Ministry of Justice. The adoption is prolonged due to the COVID-19 measures.
<b>Sierra Leone</b>	Anti-Human Trafficking Act of 18 August 2005 (Act No. 7) to suppress the trafficking in persons and to provide for other related matters.	Yes	Yes	Yes	New anti-trafficking bill was developed based on conducted evaluation of the current Act. It has gone through the Parliament for reading as well as the Cabinet, but the final draft is yet to be sent to the Parliament. <sup>91</sup>
<b>Togo</b>	Law No. 2015-010 of 24 November 2015 on the Criminal Code, Articles 317-326, on TIP.	Yes	Yes <sup>92</sup>	Yes	Articles 317 to 326 of the Law refer to trafficking in <b>persons</b> , including children, and provides for more severe penalties.

<sup>91</sup> Interviews conducted in Sierra Leone, interview codes SL08 and SI11.

<sup>92</sup> Law No. 2015-010 of 24 November 2015 on the Criminal Code covers adult victims of trafficking. However, there are no established referral processes for adult victims of trafficking as opposed to child victims. Furthermore, no policy or strategy frameworks dealing with the protection and assistance of adult victims or prosecution of traffickers have been set up.



## **Other legal provisions enabling prosecution of TIP and support of victims**

TIP is a complex crime, so CUS are implementing different legislative tools, in addition to the main anti-trafficking acts, 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 Code is the main legislative document targeting TIP (Cabo Verde, Guinea, Togo). In others, they include specific provisions on TIP as a crime, complementing the main anti-trafficking law. Most national Criminal Codes offer 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 a 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.

Moreover, anti-corruption and money laundering legislation (Benin, Ghana, Guinea-Bissau, Liberia, Mali, Sierra Leone, etc.), as well as counter-terrorism legislation (Mali, Niger, The Gambia), often offer articles related to and used in the prosecution of TIP cases.

Addressing TIP with the means of fighting cybercrimes (including online child pornography) is set up by national legislations in Mali and Senegal.

### **Child protection legislation**

Laws addressing child abuse and exploitation have been introduced in all CUS, 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, The Gambia, Ghana, Liberia, Niger, Nigeria, Senegal, Togo, and Mauritania), the sale and commercial use of children in prostitution or pornography (Burkina Faso, Cabo Verde, Guinea, Niger, Nigeria, Sierra Leone, Togo, and Mauritania), child labour or servitude (Burkina Faso, Cabo Verde, Guinea, Ghana, Liberia, Nigeria, Sierra Leone, and Togo), early/forced marriage (Côte d'Ivoire, The Gambia, Ghana, Guinea, Senegal, Sierra Leone, and Togo), and children travelling abroad (Benin, Cabo Verde).

#### **Example: Mali**

**Inter-ministerial circular on the prevention, protection and return to families of children associated with armed forces and groups** (of 1 July 2013).

The occupation of the northern regions of Mali in 2012 brought up for the first time the phenomenon of child soldiers, i.e. the use of children as fighters, cooks, weapon carriers, etc., by jihadist groups. The purpose of the circular was to invite the various administrative, political, judicial and security authorities and communities to take the necessary measures to protect these children associated with armed forces or groups.

The Children's Codes/Acts of Ghana, Guinea, Liberia, Mauritania and Togo have specific provisions on child trafficking. The regulation of the movement of children as a protection measure against TIP is provided by the national legislation in Benin.

The Education Reform Act of Liberia eliminates the gap between the compulsory age of education and the minimum age for work, thus preventing the possibility for children to be sent to work instead of to school.

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).

### **Migration-related legislation**

Various migration-related laws are also used in the prosecution of TIP cases, very often related to the national entry regulations, movement and residing of foreigners, etc. (Cabo Verde, Ghana, Nigeria), or falsification of travel documents (Cabo Verde, Ghana). The National Migration Policy of Ghana addresses the effective implementation of the national anti-trafficking law. Both Ghana and Nigeria address legally through their Immigration Acts the connection between smuggling of migrants and TIP. In 2020, Mauritania introduced a law against smuggling of migrants, in parallel with the new anti-trafficking legislation.

### **Labour-related legislation**

Labour codes and related legislation in all CUS criminalise forced labour of adults and children. Most commonly, the legislation that can be used in relation to TIP sets the minimum age for legal employment (Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Liberia, Mali, Nigeria, Senegal, Sierra Leone, and Togo) and defines decent working conditions, hazardous labour, night labour, etc. (Burkina Faso, Cabo Verde, Côte d'Ivoire, Mali, 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. (Benin, Burkina Faso, Cabo Verde, The Gambia, Ghana, Guinea-Bissau, Mali and Niger). The Constitutions of Côte d'Ivoire and Mauritania explicitly list TIP alongside other forms of “debasement of a human being”<sup>93</sup> as prohibited.

### **Other legislative provisions**

Numerous countries have adopted legislation related to gender-based violence and sexual 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, The Gambia, Ghana, Guinea-Bissau, Nigeria and Sierra Leone. Côte d'Ivoire, The Gambia and Senegal have introduced special legislative measures against female genital mutilation.

<sup>93</sup> ICMPD (2020), Assessment of Anti-Trafficking Gaps, Needs and Transferable Practices in ECOWAS Member States and Mauritania.

The Nigerian National Agency for the Prohibition of Trafficking in Persons (NAPTIP) administers the provisions of the Violence against Persons Prohibition Act, which seeks to prevent “*violence against vulnerable persons, especially women and girls, prohibits economic abuse, forced isolation and separation from family and friends, criminalises incest and abolishes female genital mutilation, unfair widowhood practices forceful ejection of spouse, spousal and children abandonment, etc.*”

Legislation targeting **support of the family** also provides for the protection victims in TIP-related cases (Benin). Mauritania aligns its newly updated anti-trafficking legislation with the previously existing legislation prohibiting **slavery and slavery practices**.

In order to address TIP and sexual exploitation, Cabo Verde introduced a Code of Ethics for the **Tourism Sector**. The Gambia criminalises sexual exploitation and use of sexual services of minors in tourist areas (Tourism Offences Act, 2003).

## 5.2. National Policy Instruments Related to TIP

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 document has been developed) into specific actions, and sets out the implementing stakeholders, the budget and the time frame for implementation. A Plan of Action (PoA) facilitates results-oriented planning and implementation of a national anti-trafficking response in those states which lack an established national strategy.<sup>94</sup> The time frame of a national PoA may vary, but most commonly it is from one to five years.

With the exception of Burkina Faso and Togo, all ECOWAS MSs and Mauritania are currently implementing their national PoAs. Due to the multifaceted nature of TIP and the close connection between TIP and other areas of social support, crime prevention, child protection, etc., all CUS have additional instruments for tackling TIP.

<sup>94</sup> ICMPPD (2021a), Developing and Monitoring National Anti-Trafficking Response - A Practitioner's Guide.

Table 6: Current national anti-trafficking policy framework in ECOWAS MSs and Mauritania

State	Policy Framework Focused on TIP	Policy Framework Focused on TIP-related Issues
<b>Benin</b>	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.  National Child Protection Policy and 2016-2018 PoA.  2014 National Social Protection Policy and Strategy.  2009 National Policy for Integrated Early Childhood Development.
<b>Burkina Faso</b>	No existing PoA against TIP.	2016-2023 National Child Protection Strategy and PoA.  2016-2025 National Strategy for the Prevention and Elimination of Child Marriage.  2019-2023 National Strategy to Combat the Worst Forms of Child Labour and its Rolling Operational Action Plan.  2015-2019 National Programme to Combat Child Labour in Artisanal Mines.
<b>Cabo Verde</b>	National Plan against Trafficking in Persons 2018-2021.	
<b>Côte d'Ivoire</b>	2016-2020 National Plan of Action to Combat Trafficking, Exploitation and Child Labour.  National Strategy to Combat Trafficking in Persons.	The National Child Protection Policy.  The National Plan of Action to Combat Trafficking, Exploitation and Child Labour.

<b>The Gambia</b>	National Anti-Trafficking Action Plan 2016-2020 2021-2025.  2020 Communications Strategy and Plan of Action for Combatting TIP in The Gambia (NAATIP).	2016-2020 National Child Protection Strategy.
<b>Ghana</b>	National Plan of Action for the Elimination of Human Trafficking in Ghana (2017-2021).	2016 National Migration Policy of Ghana.
<b>Guinea</b>	2020-2022 Plan of Action to Combat Trafficking in Persons.	
<b>Guinea-Bissau</b>	2019 – 2024 Plan of Action to Prevent and Combat Human Trafficking.	2018–2030 National Policy for the Protection of Children and Adolescents.
<b>Liberia</b>	2019–2024 National Action Plan.	2019 National Action Plan on the Elimination of the Worst Forms of Child Labour.  National Child Welfare and Protection Policy.  National Social Welfare Policy.
<b>Mali</b>	2018-2022 National Action Plan to Combat Trafficking in Persons and Related Practices.	2011-2020 National Action Plan for the Elimination of Child Labour in Mali.  2019-2030 Holistic National Strategy to Combat Gender-based Violence.  2014 National Child Promotion and Protection Policy and 2015-2019 PoA.  2016-2019 Strategic Plan to Combat Begging in Mali.  2014 National Migration Policy and 2015-2019 PoA.  National Girls' Education Policy and PoA.  National Social Development Policy.  National Employment and Vocational Training Policy and PoA.

<b>Mauritania</b>	National Plan of Action to Combat Trafficking in Persons 2020-2022.	National Plan of Action for the Elimination of Child Labour in the Islamic Republic of Mauritania (PANETE-RIM).
<b>Niger</b>	2014-2019 National Plan of Action against Trafficking in Persons.  The new PoA is in the adoption process.	
<b>Nigeria</b>	2015-2018 (Extended to 2019 <sup>1</sup> ) National Plan of Action on Trafficking in Persons.  National Policy on Protection and Assistance to victims of Trafficking in Nigeria, 2008 – currently in revision. <sup>2</sup>	2015 National Migration Policy.  2014 National Policy on Labour Migration.
<b>Senegal</b>	2021- 2023 Plan of Action to Combat Trafficking in Persons.	National Strategy for the Protection of Children.
<b>Sierra Leone</b>	2021-2023 National Action Plan on Trafficking in Persons.  2014 National Policy on Protection and Assistance to Victims of Trafficking and Related Issues.	2017 National Labour Migration Policy.
<b>Togo</b>	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 PoA is in place.	

<sup>95</sup> UNODC (2020b), NAPTIP Kick-Off Process to Develop a New National Action Plan against Human Trafficking <https://www.unodc.org/nigeria/en/press/naptip-kick-off-process-to-develop-a-new-national-action-plan-against-human-trafficking.html>.

<sup>96</sup> In this regard, the Action against Trafficking in Persons and Smuggling of Migrants in Nigeria (A-TIPSOM) project funded by European Union, and implemented by the FIIAPP, supported NAPTIP to hold technical review workshop on the zero draft of the National Policy (February, 2020).

Considering the above, it becomes clear that numerous efforts to legislate TIP have been made in recent years, and that the anti-trafficking response in the ECOWAS region has gradually become stronger and more consistent. While the challenges to the implementation of the national anti-trafficking response posed by the COVID-19 pandemic are evident, numerous PoAs and policies adopted in the period 2019-2021 (Benin, Guinea, Guinea-Bissau, Liberia, Mauritania, Senegal, Sierra Leone) and several others currently in the process of adoption (The Gambia, Nigeria) are proof of the continuous work being undertaken. However, many challenges remain. In some cases, the governments fail to ensure full (or partial) funding for the implementation of the policy documents and PoA. In other cases, the system of allocation of budgets is not aligned with the actual activities foreseen in the PoA and the policies.

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 lack motivation and initiative, do not have enough trust each other, or are not aware of the responsibilities held by their colleagues.

### 5.3. National Anti-Trafficking Stakeholders

The main anti-trafficking coordination body on the state level is the institution responsible for the implementation and overall coordination of the national anti-trafficking PoA and the national anti-trafficking policies. All CUS have set up such coordinating body as a national agency, a unit, a committee, a commission or a task force. They are funded primary through the national state budget. At times, these budgets are complemented by external funding – from UN agencies, international NGOs, foreign governments, other technical or financial partners, private donations, confiscation of assets related to TIP, etc.

In addition, a number of ministries and governmental agencies at central and local levels, national, regional and international NGOs, as well as international organisations form the profile of the national anti-trafficking stakeholders in all CUS. A detailed list of the national key stakeholders in all CUS is provided in .

Table 7: National anti-trafficking coordination bodies

Country	Established	Anti-Trafficking Coordination Body
<b>Benin</b>	2019	Inter-Ministerial Committee composed of:  Trafficking Steering Body. Technical Committee for the Management of Trafficking. Permanent Secretariat for the Management of Trafficking – provided by the Observatory for Social Change. Executive Secretariat for the Management of Trafficking – provided by the Central Office for the Protection of Minors.
<b>Burkina Faso</b>	2009	National Committee for Monitoring and Surveillance.
<b>Cabo Verde</b>	2018	Observatory for Monitoring and Rapid Identification of Human Trafficking Situations.
<b>Côte d'Ivoire</b>	2016	National Committee for Combating Trafficking in Persons (CNLTP).
	2011	National Committee for Monitoring Actions to Combat Child Labour (CNS).
	2011	Inter-Ministerial Committee for the Fight against Trafficking, Exploitation and Child Labour (CIM).
<b>The Gambia</b>	2007	National Agency against Trafficking in Persons (NAATIP).
	2004	National Task Force (NTF).
<b>Ghana</b>	2006	Human Trafficking Management Board (HTMB); Human Trafficking Secretariat (HTS).
<b>Guinea</b>	2017	National Committee for Combating Trafficking in Persons and Related Practices (CNLTPPA).
<b>Guinea-Bissau</b>	2008	National Committee for Preventing and Combating Trafficking in Human Beings, particularly Women and Children.
<b>Liberia</b>	2006	National Anti-Human Trafficking Task Force.
<b>Mali</b>	2011	National Committee on the Coordination of the Fight against Trafficking in Persons and Similar Practices.



<b>Mauritania</b>	2021	Central Office for the Repression of Trafficking in Migrants and Human Beings (OCRTMTEH).
<b>Niger</b>	2012	National Commission for the Coordination of the Fight against Trafficking in Persons (CNCLTP); National Anti-Trafficking Agency (ANLTP).
<b>Nigeria</b>	2003	National Agency for the Prohibition of Trafficking in Persons (NAPTIP).
<b>Senegal</b>	2012	National Unit for Combating Trafficking in Persons.
<b>Sierra Leone</b>	2005	National Taskforce on Human Trafficking; Inter-Ministerial Committee on Human Trafficking.
<b>Togo</b>	2021	National Commission against Child Trafficking (CNLTP).

## Chapter 6: Regional Mechanisms for Cooperation on TIP

The CUS apply numerous approaches to fight transnational TIP – official bilateral or multilateral mechanisms for cooperation on different aspects of TIP, a variety of operational frameworks for cooperation on TIP cases, as well as numerous formal and informal networks of NGOs, IOs and ad hoc developed coordination paths. ECOWAS has the lead in the region in establishing cooperation mechanisms and tools to counter TIP and enhance the bilateral and multilateral initiative of its MSs. The implementation of regional projects funded by external donors and usually channelled by international organisations with a presence in the region also offers support to the regional cooperation.

### 6.1. Cooperation Mechanisms Set Up by ECOWAS

At regional level, the most prominent cooperation frameworks are the ECOWAS Plan of Action to combat TIP and the Multilateral Agreement on Combatting Trafficking in Persons between ECOWAS and ECCAS Member States (see also in Chapter 4.2., Table 4).

#### The ECOWAS Plan of Action on Combating Trafficking in Persons

In 2001, ECOWAS Member States first declared their commitment to the eradication of TIP: by adopting the *“Declaration on the fight against trafficking in persons”*, the ECOWAS Heads of State adopted the *Initial Plan of Action (2002 – 2003)* on combating Trafficking in Persons. The Council of Ministers renewed the PoA for the period 2007 – 2011. After the term of the PoA ended, the ECOWAS Commission, in collaboration with partners, conducted an impact assessment and the current PoA (2018 – 2022) was developed, reflecting the outcomes of this assessment, the discussions and the input from MSs at the 2016 edition of the Annual Review Meeting of MSs and the input from several technical partner organisations. In 2017, the current PoA was presented to and adopted by the Council of Ministers.

The development objective of the 2018-2022 ECOWAS PoA against TIP is *“All persons, especially women and children within ECOWAS regions benefit from effective protection measures against trafficking in persons”*.

There are seven main specific objectives, related to the actual implementation measures and the coordination, monitoring and evaluation measures:

- 1 To ensure compliance with appropriate legal, policy and institutional frameworks for preventing and responding to TIP.
- 2 To strengthen the mechanism to protect and support victims of TIP.
- 3 To ensure appropriate promotion of special measures to reduce TIP vulnerability rate within the ECOWAS Community, especially among women and children.
- 4 To improve the knowledge and exchange of TIP data within the region.

- 5 To strengthen the capacity of state and non-state actors to respond effectively to TIP issues through specialised trainings.
- 6 To strengthen appropriate measures for authentic and relevant travel and identity documents within the ECOWAS Community.
- 7 To strengthen the coordination, monitoring and evaluation mechanism for effective and efficient implementation of the PoA.

### The ECOWAS/ECCAS Joint Plan of Action and Multilateral Cooperation Agreement

In 2006, the ECOWAS and ECCAS regions, disturbed by the growth of trafficking within the regions, organised a joint Ministerial Conference between West African States (ECOWAS MSs) and Central African States (ECCAS) in Abuja, Nigeria, during which the *ECOWAS/ECCAS Joint Plan of Action on Trafficking in Persons and a Multilateral Cooperation Agreement* were adopted.

The objective of the ECOWAS/ECCAS joint Plan of Action is *“All women and children within ECCAS and ECOWAS regions benefit from effective protection measures against TIP”*. The Joint PoA has the following elements:

- 1) Legal framework and policy development.
- 2) Protection and support to victims of TIP mechanisms are effective and implemented in their best interests.
- 3) Prevention and awareness raising strategy.
- 4) Collection, exchange and analysis of information drawn up, updated and published.
- 5) Specialisation and training.
- 6) Travel and identity documents.
- 7) Monitoring and evaluation of PoA.

### Operational and Strategic Review Mechanism

The ECOWAS Initial Plan of Action (2001-2003) mandated the establishment of a **Trafficking in Persons Unit** (operational since 2005). The Unit created a **working network** of ECOWAS MS National Focal Points (NFPs) on TIP and a reporting mechanism based on Annual National Reports, prepared by the focal points. The Reports address the compliance of Member States with the ECOWAS Plans of Action. The TIP Unit uses the shared information to prepare the **Annual Synthesis Report**. The report presents analysis of TIP trends in the MSs, determination of MSs’ progress, detailed setting of future priorities, sharing of experiences, networking and mutual learning. The Report is presented during **Annual Review** meetings on the implementation of the ECOWAS Plans of Action to combat TIP (regularly held since 2008).

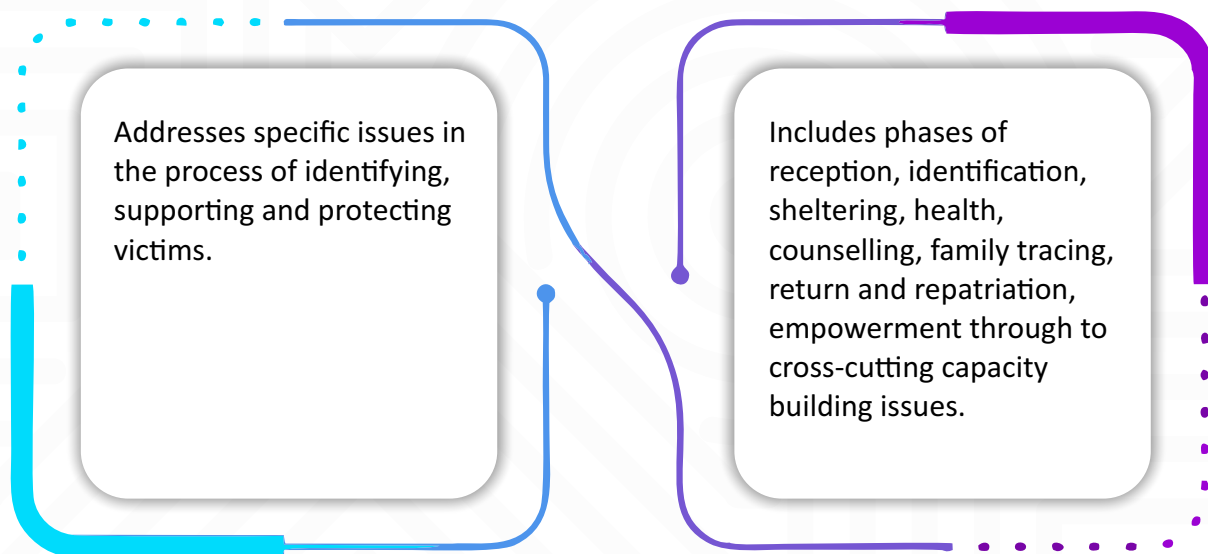
In 2017, the ECOWAS Plan of Action to combat TIP was revised and a new **Plan of Action for the period 2017-2022** was adopted by the ECOWAS Council of Ministers and approved by Heads of States. In order to reflect the key orientation of the new Plan of Action and to support the 2018 Operational and Strategic Review Session held in Abuja, Nigeria, a **new Reporting Template** for the Annual National Reports was developed.

During the 2018 Annual Review, the TIP Unit held a Partners Session focused on the mobilisation of resources for technical and material support to MSs in the implementation of their National Plans of Action. The Session highlighted key coordination priorities for ECOWAS and its partners in the areas of provision of holistic support to MSs and upholding key standards in counter-TIP programming.

The Operational and Strategic Review Mechanism (Annual Review) continues to serve as a central coordination, peer review, accountability and resourcing system, as stipulated in the current ECOWAS Counter Trafficking Plan of Action. The mechanism has resulted, over the years in concrete interventions in Member States by ECOWAS and its partners, including a five-state initiative for operational collaboration on cross-border trafficking (Senegal, The Gambia, Guinea, Mali and Niger) funded by the EU (see Chapter 6.3., presentation of 5+1 Network) and capacity building initiatives in three other MSs, namely: Nigeria, Liberia and Niger. It also continues to provide an avenue for ECOWAS to foster peer review and accountability amongst Member States, closer cooperation on cross-border human trafficking flows and systematic implementation of National Action Plans (based on the ECOWAS Plan of Action).

### **ECOWAS Policy on Protection and Assistance to Victims of Trafficking in Persons**

The Policy is adopted by the ECOWAS Council of Ministers and approved by ECOWAS Heads of States in 2009. The Policy seeks to establish a coherent framework within ECOWAS in order to collectively undertake the fight against Trafficking in Persons and the rehabilitation of victims. This is an overarching instrument that supplements the existing TIP provisions in regards to safeguarding the efficiency and efficacy of the efforts made by the various anti-trafficking stakeholders. It provides a number of complementary standards:



## **ECOWAS Guidelines for Protection, Support and Assistance to Witnesses**

- Provides specific measures for combatting witness intimidation.
- Also covers the provision of critical support to witnesses.
- Prescribes specific legislation for the protection of witnesses.
- Recommends establishment of full witness protection programs as might be appropriate.
- Support and Assistance Units in all law enforcement agencies.
- Protection at all stages of criminal proceedings.
- Sensitisation of the public.
- Covers training of judges and judicial officers as well as inter-agency collaboration and international cooperation.

### **Regional Guidelines for the Protection, Support and Assistance to Witnesses**

The Regional Guidelines were adopted by ECOWAS Member States sectoral ministers in 2009, in Accra, Ghana. The major objective of the Regional Guidelines is to provide a framework that ensures that witnesses are supported in the process of providing testimonies in the courts. The comprehensive Guidelines were developed for criminal justice practitioners to ensure adequate protection, support and assistance to witnesses and to eliminate or reduce the likelihood of attack or retaliation from organised criminal groups to the witness and their family.

### **Regional Action Plan for the Elimination of Child Labour, especially the Worst Forms**

The Regional PoA was adopted by the Ministers of Labour and Social Protection in 2012 in Dakar, Senegal. The Regional Action Plan aims at ensuring that children are protected from activities that are detrimental to their physical, social or psychological well-being. The ECOWAS Regional PoA is necessitated by the need for a coherent framework for the coordination of activities to eliminate child labour at regional and national levels and to strengthen coordination systems, build capacities and ensure an effective monitoring and evaluation and peer review system for responding to the malaise of child labour.

### **ECOWAS Common Approach to Migration**

The ECOWAS Common Approach on Migration was adopted at the 33rd Ordinary Session of the Heads of State and Government in Ouagadougou, Burkina Faso in January 2008. The document was adopted in view of the numerous challenges related to irregular migration, especially the turning back of migrants often in difficult conditions, human trafficking and irregular migration, human rights of migrants, forced or voluntary returns.

The major principles of the ECOWAS Common Approach to Migration are:

- 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 Combatting human trafficking is a moral and humanitarian imperative.
- 4 Harmonising policies.
- 5 Protection of the rights of migrants, asylum seekers and refugees.
- 6 Recognising the gender dimension of migration.

## 6.2. Official Cooperation Agreements on TIP

In addition to the cooperation mechanisms mentioned above, the research identified a total of 26 **bilateral or multilateral cooperation agreements** in the field of combatting TIP signed by ECOWAS MSs or Mauritania (including 2 with Central African states) and more than 9 **agreements in different phases of development**.<sup>97</sup> The majority of the agreements focus on combatting child trafficking. Most of the bilateral agreements have a geographic rationale in terms of trafficking routes and are therefore, signed by states that share a land border. In 2021, ICMPD concluded an assessment of the implementation of anti-trafficking cooperation agreements in the Gulf of Guinea.<sup>98</sup> The findings of this report are added to the current research findings. The table below provides an overview of these agreements.

<sup>97</sup> Information collected until December 2021.

<sup>98</sup> ICMPD (2021b), Assessment of Transnational Cooperation Practices and Mechanisms in the Gulf of Guinea Countries in the Fight against Trafficking in Persons, commissioned by Expertise France.

Table 8: Bilateral and multilateral cooperation agreements on combatting TIP in the ECOWAS region and Mauritania (to December 2021)

States Parties	Date	Agreement
1. Côte d'Ivoire, Mali	Sep. 2000	Bilateral Cooperation Agreement on Cross-Border Trafficking of Children.
2. Togo, Benin, Ghana, Nigeria	Dec. 2003	Quadripartite Agreement on Police Cooperation and Investigation.
3. Mali, Senegal	July 2004	Bilateral Agreement against Cross-Border Trafficking and Smuggling of Children.
4. Burkina Faso, Mali	June 2004	Bilateral Cooperation Agreement against Cross-Border Trafficking of Children.
5. Benin, Nigeria	June 2005	Bilateral Cooperation Agreement to Prevent, Suppress and Punish Trafficking in Persons.
6. Guinea, Mali	June 2005	Bilateral Agreement against Cross-Border Trafficking of Children.
7. Benin, Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo	July 2005	Multilateral Cooperation Agreement on the Fight against Child Trafficking in West Africa.
8. Benin, Republic of Congo	Sep. 2011	Bilateral Cooperation Agreement on Combating Child Trafficking.
9. Côte d'Ivoire, Burkina Faso	Oct. 2013	Bilateral Cooperation Agreement to Combat Cross-Border Trafficking and Joint Declaration of the First Ladies.
10. Senegal, The Gambia	2013	Partnership Agreement (MoU) on Child Trafficking between the National Anti-Trafficking Coordination Bodies NAATIP and CNLTP.

<b>11. Ghana, Côte d'Ivoire, USA</b>	2015	Bilateral Child Protection Compact Agreement.
<b>12. Côte d'Ivoire, Ghana</b>	Sep. 2016	Joint Declaration of the First Ladies on Combating Cross-Border Trafficking and the Worst Forms of Child Labour.
<b>13. Côte d'Ivoire, Ghana</b>	Sep. 2016	Bilateral Cooperation Agreement on Combating Cross-Border Trafficking and the Worst Forms of Child Labour.
<b>14. Côte d'Ivoire, Ghana</b>	Nov. 2016	Bilateral Agreement on the Elimination of Child Labour in the Cocoa Industry.
<b>15. Guinea, Guinea-Bissau, Senegal</b>	2016	Roadmap against Trafficking in Human Beings.
<b>16. Guinea, Senegal</b>	2017	Cooperation Agreement between the Child Protection Directorates of Senegal and Guinea for the Protection of Children on the move.
<b>17. Senegal, The Gambia, Mauritania, Mali, Guinea, Guinea-Bissau</b>	Oct. 2017	Memorandum of Understanding between the Anti-Trafficking Focal Points of the Six Countries (5+1 Network). <sup>99</sup>
<b>18. Togo, Gabon</b>	Sep. 2018	Bilateral Agreement on Child Trafficking, especially on Victim Protection.
<b>19. Benin, Gabon</b>	2018	Bilateral Agreement on Child Trafficking.
<b>20. Burkina Faso, Côte d'Ivoire</b>	2019	Memorandum of understanding on cooperation for the protection of children in situations of cross-border mobility.
<b>21. Benin, Burkina Faso, Togo</b>	Dec. 2019	Tripartite Cooperation Agreement for the Protection of Children on the move or victims of trafficking.
<b>22. Benin, Burkina Faso, Togo</b>	Dec. 2019	Anti-trafficking Cooperation Agreement to Facilitate Law Enforcement Data Sharing and Repatriation Coordination.

<sup>99</sup> This was a product of the work of the ECOWAS Counter Trafficking Units Annual Review Mechanism (ARM) supported; in this case, through the project on Free Movement and Migration West Africa (FMM), a joint ECOWAS-EU-funded project.



<b>23. Benin, Togo</b>	Jan. 2020	Joint Strategic Actions Paper to Strengthen the Mechanism for Combating Cross-Border Human Trafficking.
<b>24. Niger, Nigeria</b>	Nov. 2021	MoU to Strengthen the Cooperation against Trafficking in Persons.
<b>25. Côte d'Ivoire, Nigeria</b>	Nov. 2021	Cooperation Agreement to prevent, suppress, and punish trafficking in persons especially trafficking in women and children.
<b>26. Burkina Faso, Nigeria</b>	Dec. 2021	Cooperation Agreement to prevent, suppress and punish trafficking in persons especially women and children.
<b>27. Guinea, Guinea-Bissau</b>		Bilateral Cooperation Agreement on Combating Child Trafficking and the Cross-Border Flows of Children – in the process of validation (2020).
<b>28. The Gambia, Ghana</b>		Draft Cooperation and Mutual Assistance Agreement on the Protection of Children from Cross-Border Trafficking – to be adopted.
<b>29. The Gambia, Guinea-Bissau, Guinea-Bissau, Senegal</b>		Two Bilateral Cooperation Agreements on the Subject of Combating Child Trafficking and the Cross-Border Flows of Children – currently being validated.
<b>30. Ghana, Mali</b>		Draft Bilateral Cooperation Agreement to Combat Child Trafficking – currently under discussion.

In addition, **Nigeria** reports several bilateral agreements that are in the process of development: (1) Draft agreement with **Mali** – vetted and sent to the Malian authorities for inputs; (2) Draft agreement with **The Gambia** – ready to be signed; (3) Draft agreement with **Guinea and Ghana** – waiting for a response from the respective Ministries of Foreign Affairs.<sup>100</sup> The research obtained information about a trilateral agreement on information-sharing and cooperation in transnational TIP investigations between **Benin, Nigeria** and **Togo** currently in the process of development. Finalisation of this agreement is one of the recommendations to the Government of Benin, listed in the latest TIP Report.<sup>101</sup>

In June 2020, the anti-trafficking committees of **Guinea** and **Sierra Leone** met to discuss joint actions to fight TIP in the two states. The meeting concluded with a recommendation for an official cooperation agreement to be signed. The model cooperation agreement is currently in process of development.<sup>102</sup>

Furthermore, **Nigeria** has signed bilateral cooperation agreements on TIP with Luxembourg (2006), the United Kingdom (2004), the Netherlands (2009) and Italy (2010 and 2016).<sup>103</sup> **Guinea** and **Sierra Leone** also report cooperating with EU states. **Burkina Faso** reports projects with Italy, Japan, Spain and Germany. **Benin** has signed a labour migration agreement with Kuwait, whilst **Côte d’Ivoire** has signed an agreement with Tunisia. **Ghana** has signed bilateral agreements with Qatar (2018) and UAE (2019) to regulate the migration of work force.<sup>104</sup> In 2018, Mauritania signed a bilateral agreement with Saudi Arabia to set protective measures for **Mauritanian** domestic workers wishing to settle in that state.

In addition, two regional multilateral agreements on TIP support the implementation of the ECOWAS Action Plan to combat TIP. The ECOWAS Plan of Action to Combat TIP itself assumes the status of ‘soft law’, which MSs by the instrument of ECOWAS Regulations based on adoption by the ECOWAS Council of Ministers and approval by Heads of States.

The 2010 ECOWAS Policy on Protection and Assistance to Victims of Trafficking in Persons also constitutes a binding agreement between ECOWAS Member States.

2005, Multilateral Cooperation Agreement on the Fight against Child Trafficking in West Africa.

2006, Multilateral Cooperation Agreement on the Fight against Trafficking in Persons, especially Women and children in West and Central Africa.

Some of the agreements are initiated by national governments, following emerging TIP or child labour trends, other are supported by third parties – governments of third states, regional organisations or international organisations present in the CUS.

<sup>100</sup> Conducted interview in Nigeria, interview code Ng04.

<sup>101</sup> US Department of State (2021), Trafficking in Persons Report.

<sup>102</sup> Country report Sierra Leone.

<sup>103</sup> The signing of the labour migration agreement between Nigeria and Italy was facilitated by the International Labour Organization. ILO supported the drafting process, review of the document and, upon request, monitoring of implementation of the Agreement.

<sup>104</sup> The US Department of State TIP report 2021 refers to the fact that these two agreements were not implemented in 2020.

At the time of their development, the agreements naturally derived from the latest regional and international legislative and policy developments and initiatives in the fields of prevention and elimination of TIP and child labour, the fight against transnational organised crime, migration, legal assistance, etc. The content of the agreements follows the international standards established in the areas of TIP, protection of victims, child protection, safe return and repatriation, mutual legal assistance, information sharing, the successful practices of transnational law enforcement and legal cooperation, etc.

*“The main challenge that remains is the actual implementation of the agreements – the lack of political will and engagement to push further and transform a signed agreement into working operational framework, and to ensure at national level the administrative and financial capacity required for the agreement’s functioning.”<sup>105</sup>*

### Example: NIGERIA – established mechanisms and procedures for transnational cooperation and work on TIP cases

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

- 1 **Sharing intelligence** – using day-to-day communication channels according to the different national regulations.
- 3 **Exchange programmes** – officers learning about experiences in other states. NAPTIP shared experience with Ghana’s Human Trafficking Management Board, Niger’s dedicated National Agency for Combatting Trafficking in Persons and Smuggling of Migrants, The Gambia’s National Agency against Trafficking in Persons, and other agencies.
- 3 **Cooperation on cases** – responding to requests in cases of transnational TIP. Local forum of police liaison officers based at the embassies of West African states in
- 4 **Nigeria** – for presentation of cases, and discussion of challenges and practices. Between its establishment and 2020, the forum had four editions, and it is perceived as a very useful and successful practice.
- 5 **Capacity building** – NAPTIP provides trainings for national and foreign anti-trafficking authorities.
- 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”.
- 7 **Memorandums of Understanding** – through the Ministry of Justice, NAPTIP has signed MoUs on TIP cases with Benin, Mali and recently with Côte d’Ivoire, Niger and Burkina Faso. In 2011, 100 TIP victims were returned from Timbuktu, Mali. 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.<sup>106</sup>

<sup>105</sup> ICMPD (2021b), Assessment of Transnational Cooperation Practices and Mechanisms in the Gulf of Guinea Countries in the Fight against Trafficking in Persons.

<sup>106</sup> Ibid

### Non-TIP regional cooperation instruments

There are three regional cooperation instruments which do not directly address TIP but which are used in the operational anti-trafficking response in the CUS. These agreements are mentioned by the stakeholders during the field research phase as useful instruments in the prosecution of TIP cases.

1992, ECOWAS Convention on Mutual Assistance in Criminal Matters.

1994, ECOWAS Convention on Extradition.

2003, ECOWAS Agreement on Cooperation in Criminal Police Matters.

### 6.3. Regional Networks

Numerous networks for cooperation on TIP cases exist in the region. With few exceptions, they are either initiated or entirely supported by international organisations. The networks dedicated to TIP are focused on the law enforcement cooperation on TIP cases. The only network focused solely on the support of victims of TIP and SoM was officially launched in November 2021 and is still in the process of establishing partners. The majority of victim-focused networks have broader target groups – vulnerable children, working children, migrants. Support of TIP victims is part of their operations.

#### West Africa Network for Protection of Children (WAN)

The most significant influence on the transnational cooperation on cases of child victims of TIP is the cooperation established under the West Africa Network for Protection of Children. WAN is a transnational coordination and collaboration mechanism for the referral, care and protection of vulnerable children on the move in West Africa. All ECOWAS MSs and Mauritania are members of the Network.

#### Structure of the Network

- 1 The highest organ of the West African Network is the **Steering Committee**. It is composed by directors from the ministries in charge of child protection in the ECOWAS MSs and Mauritania, and the Department of Humanitarian and Social Affairs of the ECOWAS Commission.
- 2 **WAN National Coordination** is a body composed of government and NGO stakeholders charged with the following responsibilities:
  - Coordination of the casework in the country.
  - Assuring the quality of the casework.
  - Communication.
  - Advocacy.
  - Representation of the country in the West African Network.
  - Representation of the country in the Steering Committee.

- 3 International Social Service - West Africa (ISS-WA) provides monitoring of the implementation of the referral, casework, etc., technical assistance, and financial support to WAN. The data on cases is stored and processed using software called CASEDATA, developed by ISS. All National coordinations send their data to ISS-WA.

In 2017, WAN supported 907 children and young people on the move – 364 girls and 543 boys were identified and cared for. Of these cases, transnational cases account for 85.2%; 206 cases of labour exploitation were identified, making it the most common type of identified cases throughout the year.<sup>107</sup>

The identification of trafficked children in CUS, their protection, return assessment, and the provision of essential services is in the most cases conducted by WAN. In the cases of transnational TIP, the police in the state of exploitation contacts the national WAN focal point and refers the case. This focal point then contacts WAN focal point in the country of origin of the victim in order to start the risk assessment process and prepare the return of the child, guided by the results of the assessment and the child’s best interest. WAN has established a case management database, where each case is registered alongside the progress and follow-up.<sup>108</sup>

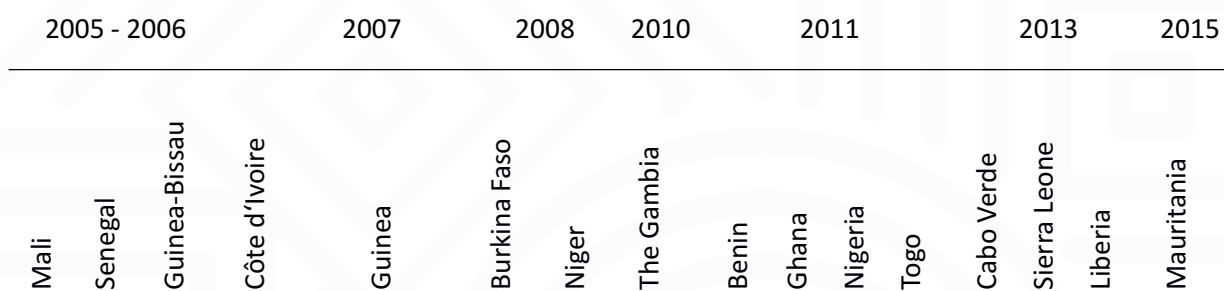


Figure 6: Expansion of WAN Network

At national level, every state participating in WAN has representatives from governmental, non-governmental or international organisations working in the field of child protection, including protection of child victims of TIP. The number of representatives vary from state to state, with Benin having the largest national network (199 registered institutions and organisations in 2018).

Overall, in 2018, WAN brought together **612 institutions and organisations** across all ECOWAS MSs and Mauritania to work in a unified manner to protect vulnerable children, including child victims of TIP.

<sup>107</sup> ISS WA, WAN (2018), Rencontre Annuelle des Coordinations et des Points Focaux Du Rao 2018, Rapport.

<sup>108</sup> Interview conducted with international organisation, interview code lo02.

Table 9: WAN member states and national representatives

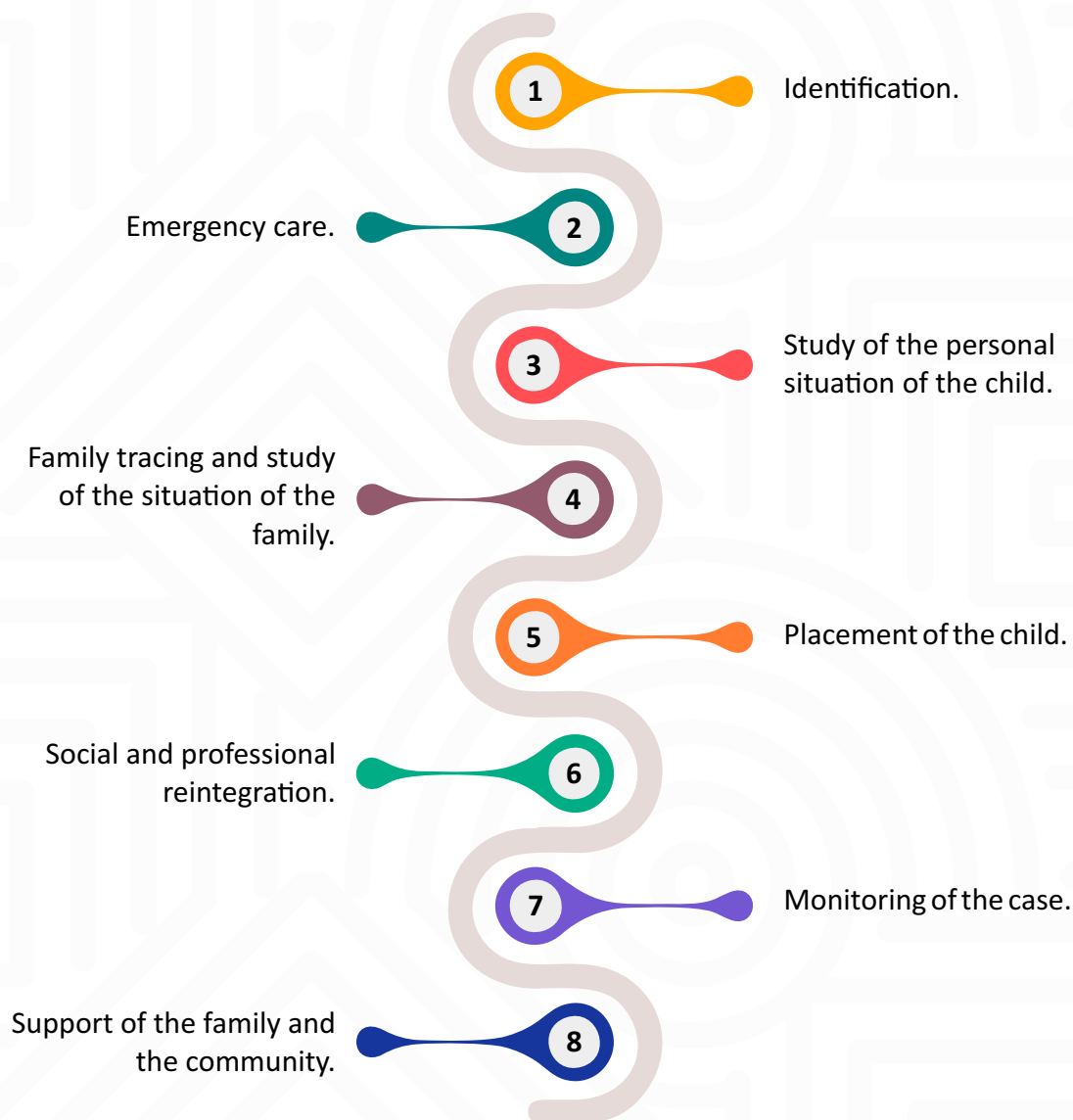
### National Networks by Countries 2018

	Governmental Social Services	Non-governmental Organisations	Community-based Organisations	Security Services (Police, Immigration Service, etc.)	International organisations and Embassies	Coordinating NGO
<b>Bénin</b>	77	28	7	83	4	Benin Alafia
<b>Burkina Faso</b>	24	8	1	7	8	KeooGo
<b>Côte d'Ivoire</b>	4	5	1	1	2	Vie Saine
<b>Gambie</b>	1	2	2	3	1	Child and Environmental Development association - The Gambia (CEDAG)
<b>Ghana</b>	8	6	3	2	5	Street Girls Aid (S. Aid)
<b>Guinée Bissau</b>	8	8	3	4	5	Associação dos Amigos da Criança (AMIC)
<b>Guinée Conakry</b>	2	2	4	1	1	Sabou Guinee/Mouvement afriain des enfants et des jeunes travailleurs (MAEJT)
<b>Mali</b>	15	18	2	1	1	ENDA-Mali
<b>Niger</b>	12	21	48	7	3	Association Nigerienne pour le Traitement de la Delinquance et la prevention du crime (ANTD)
<b>Nigéria Nord</b>	4	9	11	3	3	Save The Child Initiative (STCI)
<b>Nigéria Sud</b>	4	17	2	3	3	Girls Power Initiative
<b>Sénégal</b>	11	17	4	6	1	Enda Jeunesse Action
<b>Sierra Leone</b>	2	6	4	2	1	Advocacy Movement Network (AMNet)
<b>Togo</b>	19	11	4	4	3	Espace Fraternite
<b>Total</b>	<b>191</b>	<b>158</b>	<b>96</b>	<b>127</b>	<b>40</b>	

Source: Based on ISS-WA, *The West Africa Network in QUESTIONS and ANSWERS* (brochure).

The Network's actions are based on the **Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants**. The approach was recognised by ECOWAS as *"viable mechanism for transnational protection and care of children"*<sup>109</sup> and adopted as regional standards in 2015.

**The high-quality care and successful referral of children is structured into eight steps:**



<sup>109</sup> ECOWAS (2015), Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants.

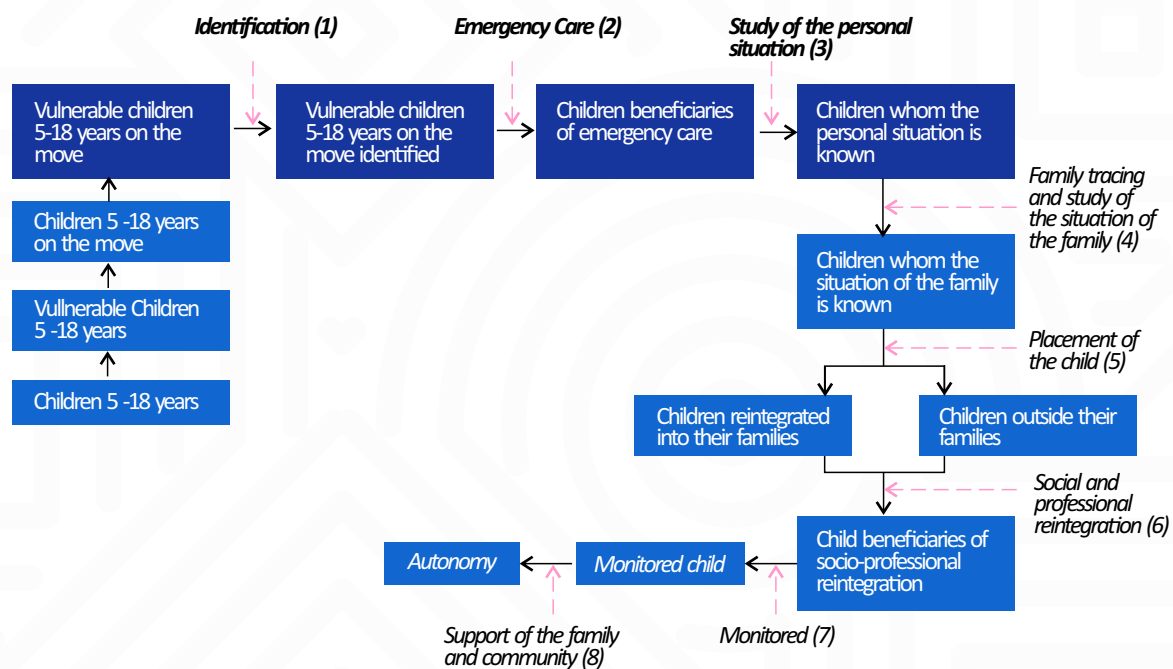


Figure 7: Steps for delivering support and care to a child in need. Source: ECOWAS Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants

### African Movement of Working Children and Youth (AMWCY)

The organisation was founded in 1994 in Côte d'Ivoire. The majority of members are children or young people. All CUS are members of the Movement. The AMWCY mission is to inform and train children on their rights and carry out actions related to their well-being, to fight poverty, and contribute to the active participation of children in decision-making processes. The activities are focused at community level, at national and at international level. The Movement receives support from NGOs and IOs at all levels, and thus ensures wider reach and sustainability of its actions.<sup>110</sup>

### Migration Dialogue for West Africa (MIDWA)

This dialogue forum on migration in West Africa was created in 2001 as a platform for encouraging ECOWAS MSs 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.<sup>111</sup> TIP is a topic of interest and is discussed in the framework of the Dialogue.

### West Africa Coalition against Trafficking in Person and Smuggling of Migrants (WACTIPSOM)

This is the youngest network in the region, established in November 2021, and the only network dedicated to the support of TIP victims. It is a coalition of NGOs across West Africa focused on TIP and SOM. The establishment of WACTIPSOM is supported by the European Union through the ATIPSOM project, implemented by FIIAPP. The Nigerian NGO NACTAL is the lead on the implementation of the regional collaboration between the organisations, with the support of West African Civil Society Forum (WACSOFF).

<sup>110</sup> AMWCY website: [maejt.org](http://maejt.org).

<sup>111</sup> di Cortemiglia, V.L. 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.



The Coalition aims to foster collaboration among NGOs to reduce the incidence of human trafficking and migrant smuggling in West African region. NGOs should work closely and effectively together, and leverage the strength, experiences and resources of each other. The focus of the Coalition is victim support, prevention and information sharing and it is still in the process of setting up and adding member organisations.<sup>112</sup>

### Niamey Declaration Permanent Mechanism

This is another young regional mechanism for law enforcement cooperation on TIP-related issues. In March 2018, the Ministers of the Interior and Foreign Affairs of Burkina Faso, Chad, Côte d'Ivoire, France, Germany, Guinea, Italy, Libya, Mali, Mauritania, Niger, Senegal and Spain, along with the EU, UNODC, UNHCR, IOM, the African Union Commission, the Permanent Secretariat of the G5 Sahel and the Community of Sahel-Saharan States participated in a high-level ministerial meeting organised by the Government of Niger. The aim of the meeting was to exchange experience on ways to address the challenges and security threats posed by TIP and SOM. To improve coordination and operational efficiency to tackle these phenomena between origin, transit and destination countries, the participants adopted a **Joint Declaration**.

UNODC was nominated to lead and manage the creation and implementation of the permanent mechanism, and acts as its Secretariat. The permanent follow-up mechanism aims to ensure that the strategic priorities and actions that state parties' delegations committed to in the Niamey Declaration are systematically monitored and delivered.

The mechanism is currently composed of **18 focal points**, officially nominated by each of the participating states. They act as entry points within each state, and the EU has also appointed a focal point. The mechanism remains open to any state or international organisation/entity willing to be a member, as long as the nomination is endorsed by participating states. The most recent meeting of the national focal points was held in March 2021. Methodological and technical support missions are planned to be carried out in the participating states, on the basis of requests received from the national focal points and their governments. The communication and visibility aspects of the permanent mechanism of the Niamey Declaration will be developed to reach a larger audience.<sup>113</sup>

Currently, the implementation of the mechanism is facing several **challenges**: (1) Appointment of focal points is delayed. The appointed focal points often change, impacting the continuity of the dialogue. (2) Receipt of information from the focal points is weak. This challenge can be linked to the very detailed tools that require large-scale investment in information collection; to the heterogeneous and short-term (quantitative and qualitative) information collected; and to the capacities of the focal points to access data. (3) To date, the permanent mechanism for monitoring the Declaration has been funded by existing UNODC projects or short-term external funding, generating little long-term financial visibility for the annual meetings and secretariat role. (4) Staffing is not sufficient to ensure the tasks entrusted to the Secretariat and mandated through the Terms of Reference adopted.<sup>114</sup>

<sup>112</sup> WACTIPSOM – West Africa Coalition against Trafficking in Person & Smuggling of Migrants WACTIPSOM (n.d.), Overview, <https://www.wactipsom.org/#overview>.

<sup>113</sup> Interview conducted with international organisation, interview code Io01.

<sup>114</sup> UNODC (2020c), Summary of the Niamey Declaration progress.

In December 2021, an official meeting was held in Dakar, Senegal to assess the progress on implementing the decisions set out in the Declaration.

### **West African Network of Central Authorities and Prosecutors (WACAP)**

Established in 2013, this network of focal points of the 15 ECOWAS Member States and Mauritania is a UNODC initiative implemented with the support of the ECOWAS Commission and the ECOWAS Court of Justice. The Network is an outcome of the Bamako Declaration on Impunity, Justice and Human Rights in West Africa, adopted in 2011, where ECOWAS MSs agreed to take specific action to promote mutual legal assistance networks among prosecutors in different states and develop a regional strategy to facilitate prosecution of persons involved in transnational organised crime.

WACAP is strengthening capacity and operational cooperation among authorities responsible for international cooperation in criminal matters and supporting prosecutors/magistrates, in particular, to more effectively combat all forms of organised and serious crime, including terrorism, and to recover the proceeds of such crimes. The Network promotes the establishment and strengthening of central authorities in the region and is the UNODC attempt to address impunity and the low numbers of prosecuted cases of serious crimes and state officials in the region.<sup>115</sup>

Each state is represented by two contact points from central authorities, international cooperation units. These teams of focal points have the responsibility of facilitating the cooperation between the member states and provide support on criminal legal matters. In addition, many different working groups are formed on cooperation of particular topics. However, there is no working group on TIP. Benin, Côte d'Ivoire, Togo and Nigeria are among the states that use the Network to facilitate their legal assistance activities.<sup>116</sup>

Through regular meetings and training, the Network enables central authorities and relevant practitioners to exchange information about their respective legal systems and procedures, develop a common language, and share good practices. In the framework of WACAP, in 2019 a training of trainers (ToT) on international judicial cooperation on TIP and SoM cases was held in Abidjan, Côte d'Ivoire and two trainings on adult teaching methodology were held, in Accra, Ghana and Abidjan, Côte d'Ivoire.<sup>117</sup>

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<sup>115</sup> Interview conducted with international organisation, interview code lo01.

<sup>116</sup> Ibid.

<sup>117</sup> WACAP (n.d.), Signature of the Liaison Magistrate Partnership Declaration, <https://www.wacapnet.com/content/wacap>.

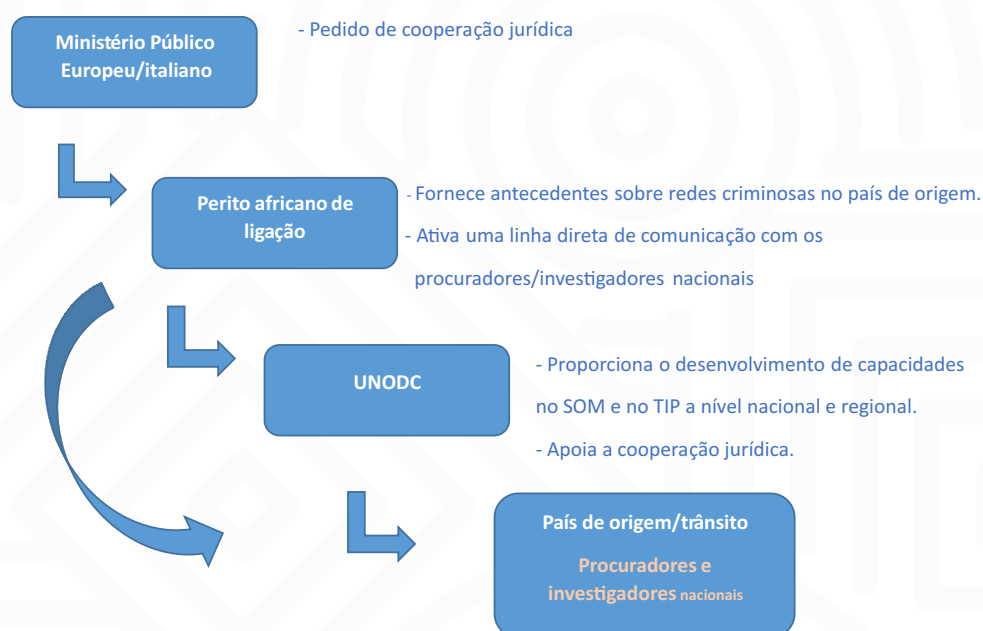
## Liaison Magistrate Initiative

This is an innovative approach for the West Africa region, which allows for the first time the deployment of liaison magistrates from African states in EU states in order to establish a direct line of communication between the respective central authorities solely based on the UNTOC. The deployments allow the mutual exchange of investigative material and the transmission of mutual legal assistance requests on cases of transnational organised crime.

The model is based on the European Judicial Cooperation Network as well as the functioning of the EUROJUST and has a large focus on TIP and SOM.<sup>118</sup> Implemented by UNODC and the OHCHR) with funding from the Netherlands and Italy, it aims at countering the smuggling of migrants and related crimes while promoting the protection of the human rights of migrants in West African states. Through the project, UNODC supports the deployment of two Nigerian liaison prosecutors, one to Italy and one to Spain, to better handle and overcome obstacles to the execution of mutual legal assistance requests related to these crimes, in line with Article 18.13 of the UNTOC and Article 17 of the Protocol against the Smuggling of Migrants by Land, Sea and Air.

The deployment of the liaison magistrates is preceded by a series of consultations held in the host country (in this case Italy and Spain) to assess the feasibility and conditions of the deployment.

Relying on the newly built trust, EU prosecutors transmitted to the Nigerian liaison magistrates a larger amount of investigative material related to cases not covered by investigative secrecy, reactivating – and, in some cases, launching – judicial cooperation between the home country and the host country. Following these outstanding results, two additional liaison magistrates, from Ethiopia and Eritrea, were deployed for a short-term period to Italy (September – October 2019).



Source: UNODC, OHCHR (2016), PROMISE project leaflet

<sup>118</sup> Interview conducted with international organisation, interview code IO01.

UNODC assistance to the deployment of the liaison magistrates includes both logistical and substantive support on issues related to the application of the UNTOC and the Protocols thereto. At the same time, the Nigeria's liaison magistrates continue to maintain all their prosecution powers and dependence on the Nigerian Attorney General during their deployment, acting de facto as representatives of the Nigerian central authority in Italy and Spain.<sup>119</sup>

By February 2021, 44 cases had been transmitted by Italy and Spain through the two Nigerian liaison magistrates, including 31 TIP cases, 1 SoM case, and 4 cases where the crimes of TIP and SoM are interrelated. In addition, two cases are related to fraud, four to money laundering, one to cybercrime and one to terrorism. Moreover, 13 rogatory letters, 22 requests for MLA, 3 international arrest warrants, 1 extradition and 9 informal requests have been transmitted between the national central authorities of the countries concerned.<sup>120</sup>

### 5+1 Network

In April 2016, at the ECOWAS TIP Units Annual Review Meeting,<sup>121</sup> the ECOWAS Focal Points on TIP from Senegal, The Gambia, Guinea, Guinea-Bissau, Mali and Mauritania declared their will to work closely together on TIP cases.<sup>122</sup>

This collaboration focuses on actions by a wider regional network of national focal points on TIP that recognises common specific trends and impacts of TIP based on geographic proximity. The commitment resulted in a joint declaration/MoU by the five ECOWAS MSs and Mauritania, and is assessed as a major step in strengthening the subregional cooperation and coordination in combatting transnational cases of TIP and provision of support for victims.

The MoU is setting up the development of a subregional TIP strategy, designed and based on the fifth ECOWAS Action Plan against trafficking in persons. The strategy will be used to coordinate the existing national action plans in the six participating states and develop new plans.

The six states have set up a communication space and have regular meetings. *"The agreement has been mentioned by almost all interviewed national stakeholders. It seems that it is known by the authorities and the developed communication channel is appreciated."*<sup>123</sup>

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<sup>119</sup> UNODC, OHCHR (2016), PROMIS project leaflet.

<sup>120</sup> In January 2021, a liaison magistrate from Libya was appointed by the Ministry of Justice, to be deployed to Italy as soon as the COVID-related restrictions allow for this. The nomination of a liaison magistrate from Sudan is also underway. A virtual side event showcasing the liaison magistrate as good practice of international judicial cooperation in investigating and prosecuting TIP/SOM in Africa was organised at the margins of the Commission on Crime Prevention and Criminal Justice on 17-21 May 2021; Interview conducted with international organisation, interview code IO01.

<sup>121</sup> The Annual Review Meeting/Mechanism for the year was supported by the FMM West Africa project.

<sup>122</sup> FMM West Africa project website: [fmmwestafrica.org](http://fmmwestafrica.org).

<sup>123</sup> ICMPD (2021b), Assessment of Transnational Cooperation Practices and Mechanisms in the Gulf of Guinea Countries in the Fight against Trafficking in Persons.

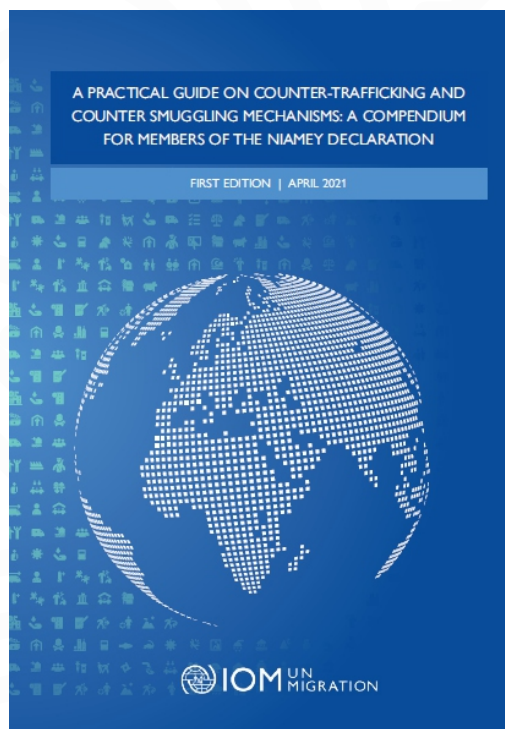
## 6.4. Operational Documents Supporting Cross-Border Cooperation

### Compendium for Members of the Niamey Declaration (IOM Niger)

As identified by the stakeholders in the Niamey Declaration, the lack of clarity on existing counter-trafficking and counter-smuggling mechanisms, agencies and structures across various states along the major routes of the subregion is underlined as a major gap obstacle in addressing the issue in a joint and coordinated manner.

The mechanism is developed by the IOM and aims at strengthening bilateral and multilateral cooperation in the region, with an emphasis on establishing communication channels amongst the counterparts.

The document *A Practical Guide on Counter-Trafficking and Counter Smuggling Mechanisms* provides information on the current regional legal framework, mechanisms and contacts, as well as national legal and institutional frameworks, coordination and referral mechanisms, available assistance and service providers, bilateral and multilateral cooperation, contact details and directories to facilitate identification of, and the exchanges between actors.<sup>124</sup>



The document focuses on the mechanisms in place in Burkina-Faso, Chad, Côte d'Ivoire, The Gambia, Guinea, Libya, Mali, Mauritania, Niger, Nigeria, and Senegal, as main countries of origin and transit in the region, and France, Germany, Italy, the Netherlands, Portugal, Spain and the countries of the United Kingdom as major countries of destination.

<sup>124</sup> IOM in Niger (2021), *A Practical Guide on Counter-Trafficking and Counter Smuggling Mechanisms: A Compendium for Members of the Niamey Declaration*.

## **Standard Operating Procedures to prevent and respond to cross-border child trafficking in the Mano River Union**

In June 2018, the National Sections of Defence for Children International (DCI) in Sierra Leone, Guinea and Liberia facilitated the signing of SOPs to end cross-border child trafficking between Mano River Union (MRU) states. The SOPs target the prevention and response to cross-border child trafficking and provide a framework to facilitate effective collaboration between border frontline security officials, community leaders and civil society actors in Guinea, Sierra Leone and Liberia. The SOPs were signed and adopted by both local and national level authorities of the states concerned.

In 2019, DCI provided an **operational template for frontline** officials on how to effectively collaborate to address cross-border child trafficking, children on the move and related issues in the border areas. Following the signing of the SOPs, DCI provided training to security officials, community leaders and NGOs to understand the content of the document and how to enforce it. The training led to the development of an implementation plan to ensure the actual implementation of the SOPs.<sup>125</sup>

## **Protocol on Identification, Safe Return and Reintegration of Victims of TIP, Nigeria**

In 2018, Nigeria's National Agency on Prohibition of Trafficking in Persons produced the *Protocol on Identification, Safe Return and Reintegration of Victims of TIP*. The Protocol was validated and endorsed in October 2020. It describes the mechanism for referring a Nigerian victim of TIP exploited abroad, established to *“foster cooperation and linkages between law enforcement agencies and social service providers to provide care and support to victims of trafficking, training and enlightenment to relevant stakeholders and encourage mutual cooperation in investigation of human trafficking cases”*.<sup>126</sup>

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<sup>125</sup> Defence for Children International (n.d.), 'DCI Guinea, Liberia and Sierra Leone to cooperate to end cross-border child trafficking in the MRU countries in West Africa', News, <https://defenceforchildren.org/dci-guinea-liberia-and-sierra-leone-cooperate-to-end-cross-border-child-trafficking-in-the-mru-countries-in-west-africa/>.

<sup>126</sup> WACTIPSOM (2020), 'TIPSOM and NAPTIP Host Validation and Technical Finalization Workshop on Protocol for Identification, Safe Return and Rehabilitation', 14 October 2020, <https://www.wactipsom.org/a-tipsom-and-naptip-host-validation-and-technical-finalization-workshop-on-protocol-for-identification-safe-return-and-rehabilitation/>.

### Example: School Sponsorship and Basic Development Actions (EPAD Niger)

EPAD Niger was created in 2006 to ensure the protection of **children** who are victims of trafficking for sexual exploitation, begging or labour exploitation. The organisation began its activities on the Niger-Burkina Faso border and later extended the target area to the regions of Tahoua, Agadez and Dosso (Niger).

EPAD also extended its focus to migrant girls in Benin City, Nigeria. It cooperated with Girls Power Initiative and Save The Children to work with vulnerable migrants along the EDO-Sokoto-Ilela-Konni-Tahoua-Agadez corridor. The organisation created reception centres in Birni N’Koni, Tahoua and Agadez (Niger).

In the cases of those states sharing a border with Niger, the handing over or reception of victims is done at the border. Partner NGOs, the child protection services and the Minors’ Brigade of Niger are always involved.

In the case of states that do not share a border with Niger, an EPAD social worker accompanies the child to the country of origin, where they are handed over to a partner NGO with the involvement of the competent state services.

#### **There is a six-step referral procedure established with Nigeria:**

- 1 Obtaining the child’s agreement to be taken into care.
- 2 Admission of the child victim into a reception centre while waiting for other formalities to be completed.
- 3 Provision of psychosocial and psychological care.
- 4 Family tracing and socio-economic assessment of the family in order to consider the need to support the child and the family.
- 5 Return and social reintegration of the child.
- 6 Monitoring and evaluation of the reintegration process for a period of two years.

In the period 2008-2015, more than 250 girls were repatriated from Niger to Nigeria and around 100 *talibé children* from Sokoto, Nigeria to Dosso and Tahoua in Niger.

EPAD is a member of the West African Network for Child Protection, the Coalition of Nigerian Children’s Rights Organisations, the Union of West African Coalitions and the Civil Society Forum.<sup>127</sup>

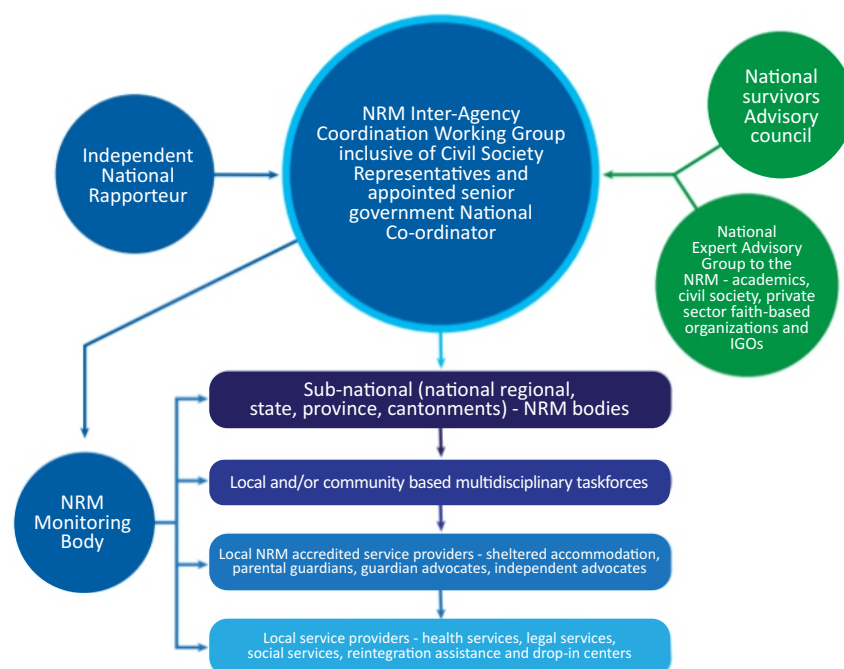
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<sup>127</sup> Country report Niger.

## Chapter 7: National Frameworks for Cooperation on TIP Cases and Support of Victims

The standard for national-level cooperation on TIP cases is the model of **national referral mechanism** developed and presented for the first time by OSCE/ODIHR in the 2004 publication *National Referral Mechanisms – Joining Efforts to Protect the Rights of Trafficked Persons*.

*“An NRM is a co-operative, national framework through which governments fulfil their obligations to protect and promote the human rights of victims of trafficking. It enables the co-ordination of their efforts in a strategic partnership with civil society organisations, the private sector, survivor leaders and other actors working in the field.”<sup>128</sup>*



Suggested by OSCE/ODIHR

Figure 8: NRM model

All CUS have established some kind of coordinating system for cooperation between stakeholders at national level. With the support of international partners and in consultation with the national anti-trafficking actors, including NGOs, some countries have developed and adopted official NRMs documents and standard operating procedures for referral and support of victims. Other documents such as various guidelines to unify and coordinate the support of victims also exist.

In other states covered in this report, the coordination on cases is arranged by official agreements for cooperation between institutions and/or NGOs. In many of the CUS, informal and ad hoc collaboration on cases is still a valid approach to the referral of TIP victims.

<sup>128</sup> OSCE/ODIHR (2017), Factsheet: National Referral Mechanisms Joining Efforts to Protect the Rights of Trafficked Persons.



Many of the CUS have established coordinating mechanisms that relate solely to child victims of TIP.

There follows below an overview of the CUS national frameworks for cooperation on TIP cases and referral of victims. Several diagrams with examples of full-fledged national referral systems are also provided.

## Benin

At national level, several ministries carry out the tasks of combatting TIP with regard to prevention, suppression and protection of victims. A harmonised strategy or guidelines have not been elaborated. Therefore, the state's cooperation in the fight against TIP is based largely on bilateral agreements between institutions and ad hoc cooperation actions.

Ad hoc police cooperation initiatives – in border regions or between Benin and other states – are established in order to return or receive victims. Often, this cooperation becomes operational with the support of the consular authorities and IOM.

The Beninese institutions provide assistance services to victims of TIP – reintegration, care, family visits, training, etc. Their focus is on fighting child abuse and trafficking in all its forms. The expertise of the responsible institutions might not be focused solely on TIP but on issues related to TIP such as raising public awareness of violence and abuse against children, promoting schooling, social assistance to vulnerable children and women, eradication of all forms of exploitation and abuse of children, support for children at risk, protection of migrant children.

Benin is still in the process of appointing stakeholders and developing procedures for dealing with victims of sexual exploitation and accommodating the support of adult victims of TIP in the currently existing structures.

## Burkina Faso

Child protection actors are grouped together in an informal framework to promote synergy of action called the **Child Protection Working Group**, with branches at local level (villages) called **Child Protection Networks**. This network is a national mechanism for sharing experiences, building the capacities of actors and coordinating actions. A WhatsApp group has been officially set up to enable members to interact on a daily basis regarding activities, particularly regarding case management. The working group focuses on all issues related to children's rights and protection – violence against children, child marriage, child exploitation (including child trafficking).

In 2016, the Ministry of Women, National Solidarity and Family introduced the *Child Protection Case Management Guide* to guide all actors in the referral and care of child victims of TIP.

When a child or group of children who are victims, or presumed victims, of trafficking are intercepted by the defence and security forces (police, gendarmerie, customs and the military), they are handed over to the local social services for care. Support services such as accommodation, food, and health care, legal matters, etc. are provided based on an assessment of the child's protection needs. Family tracing is also provided by the state authorities to support the child's return to their families and reintegration.

## Côte d'Ivoire

In 2021, the National Committee for Combating Trafficking in Persons of Côte d'Ivoire worked on a document related to the national referral of mechanism for victims of TIP, including a list of all state and non-state anti-trafficking actors within the national territory.<sup>129</sup> Currently, there are no officially established national mechanisms for cooperation on cases of TIP or referral of victims, but an open collaboration between state and NGO actors exists in the country.

The protection of both children and adult victims of trafficking has three main components: prevention, protection and repression in accordance with national, regional and international instruments.

**Prevention:** The continuous presence of anti-trafficking actors, mainly through patrols and police operations, in areas with high prevalence of human trafficking and in border regions, in order to dismantle trafficking networks.

**Protection:** The involved authorities are the Police or the Gendarmerie, who remove the victims from the places where they were exploited. After reporting to the Public Prosecutor, the victims are referred to reception centres. In the cases of child victims, the Child Protection Directorate is involved. The National Committee to Combat Trafficking in Persons should coordinate the cases.

It should be noted that the Sub-Directorate for the Fight against Child Trafficking and Juvenile Delinquency of the Criminal Police Directorate of the National Police has employed social workers who work with minor victims of TIP during the process of criminal proceedings. NGOs, IOs (UNODC, IOM) and WAN/RAO provide various protection services for victims – accommodation, food, care, family tracing, financial support, income-generating activities, schooling (for children 6-16 years), etc.

**Repression:** As a result of police patrols and operations, traffickers are arrested, legal proceedings are initiated against them and they are brought before the Public Prosecutor's Office.

## Cabo Verde

As a way to minimise the existing problems in combatting TIP, the *Manual of Operational Procedures against Trafficking in Cape Verde* was developed by IOM in partnership with the National Observatory and funded by the USA. The implementation of the procedures is in its initial period. The Manual standardises practices throughout the country and establishes official provisions for cooperation, communication and information sharing.

According to the Manual, the actions should follow the model below:

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<sup>129</sup> At the time of the interview conducted in relation to the current assessment, the document was still in development stage.

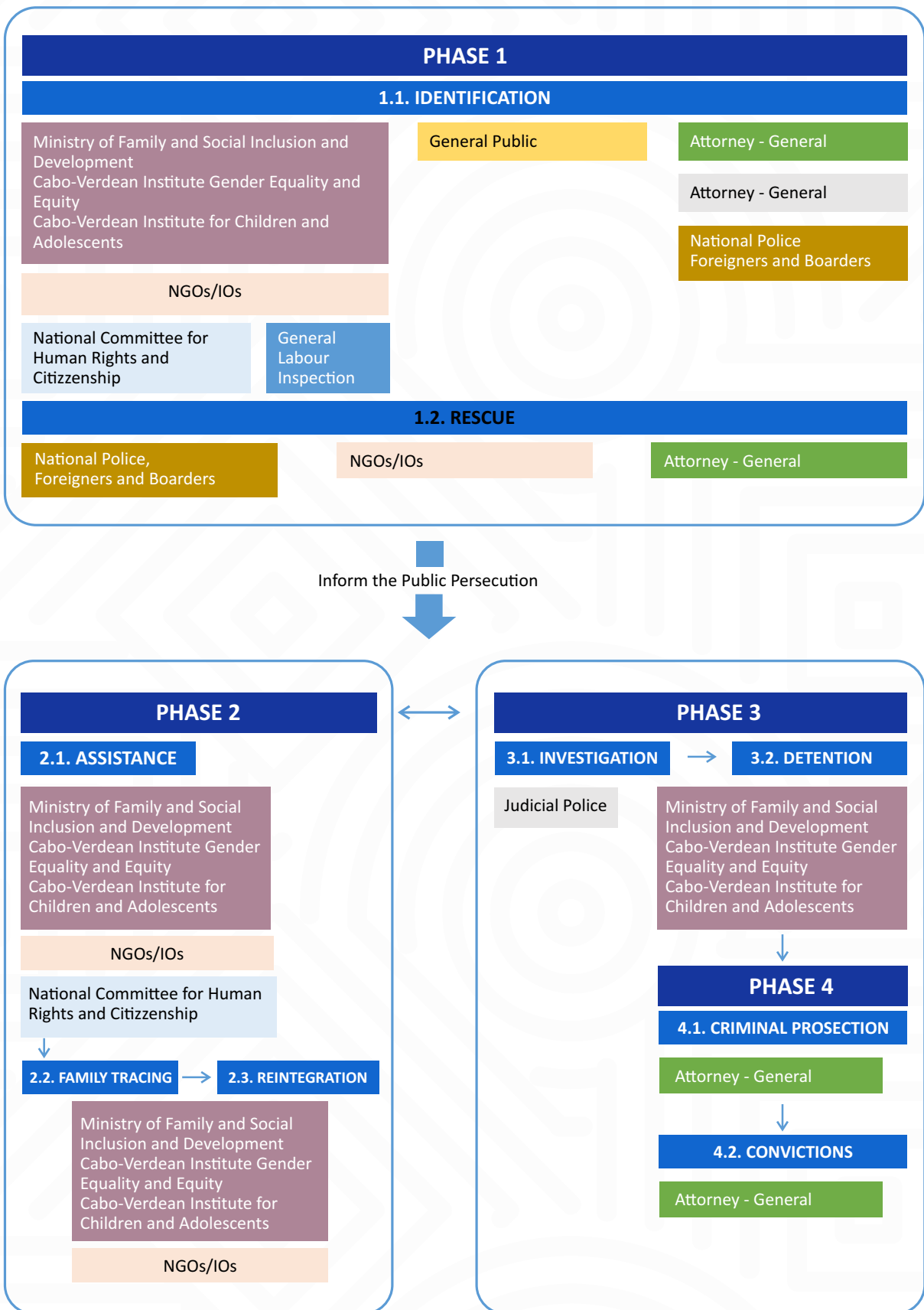


Figure 9: SOPs of Cabo Verde

## The Gambia

In the period 2020-2021, the state developed and validated the ***National Referral Mechanism for the Protection of Vulnerable Migrants in the Republic of The Gambia***. These guidelines are designed to facilitate the understanding and capacity of first responders and non-government actors to effectively respond to the protection needs of vulnerable migrants, including victims of trafficking in persons.

The National Referral Mechanism is a comprehensive document with a referral pathway for the identification and referral of the protection and assistance to vulnerable groups. The NRM is aimed at identifying, assisting and protecting vulnerable migrants, including women and children, stranded migrants, the elderly and victims of trafficking. It institutionalises specific steps and roles for key ministries and other stakeholders in The Gambia, including state and non-state actors.

**SOPs for the Case Management of Vulnerable Children in The Gambia** were developed and validated jointly with the NRM guidelines. The SOPs serve as guidelines for managing cases of vulnerable children, including TIP victims, who need child protection.

The SOPs consist of five major sections, broadly covering **introduction** and **identification** of trafficking in persons cases, step-by-step procedure for **investigation** of identified cases of TIP, and **prosecution** and **protection** for trafficked victims. Furthermore, the SOPs seek to provide updated data on child protection measures that will be added to broader national statistics.

In addition to these documents, the National Agency against TIP has been facilitating and signing **MoUs** for cooperation on TIP cases with different NGOs, religious organisations and foreign authorities present in the country – the Child Environment and Development Association of the Gambia, the Child Fund Protect Project, the Supreme Islamic Council, and the Christian Council, as well as the US Embassy and the Spanish Embassy in The Gambia.

## Ghana

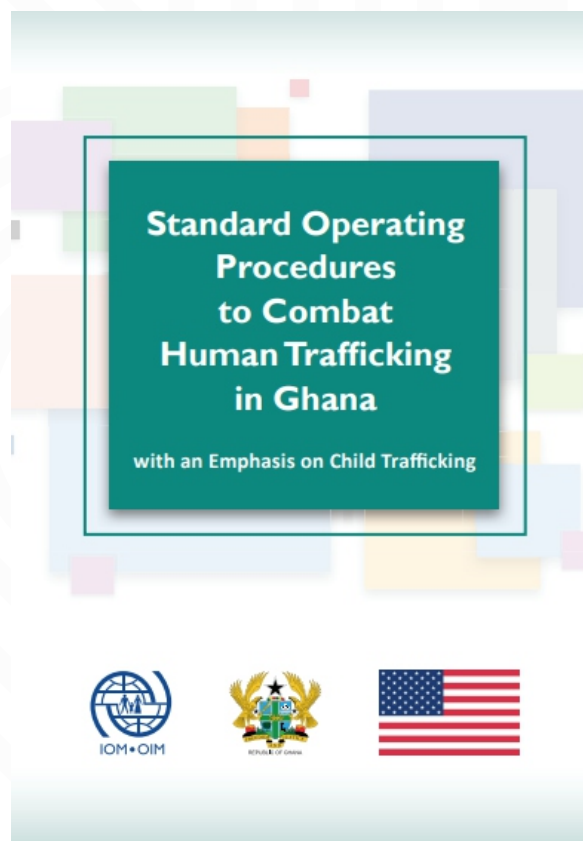
Ghana has a detailed **Standard Operating Procedures to Combat Human Trafficking**, developed in 2017 and equally applicable to child and adult victims.

The guidelines are prepared for all stakeholders responsible for combatting human trafficking in the state, with an emphasis on child trafficking. They aim at improving the efficiency of all stakeholders to protect victims of human trafficking within Ghana, especially children.

The SOPs provide a standardised and harmonised approach for all state and NGO stakeholders in the country. This SOP guide consists of chapters on identification and screening protocols, systematic investigation of cases of child trafficking, and providing comprehensive, gender-sensitive and trauma-informed assistance.

The Department of Social Welfare, the Ghana Police Service, the Ghana Immigration Service, court officials, medical officers, managers of shelters and other NGO representatives are involved in a smooth chain throughout the referral process by serving their respective responsibilities.

In addition, the Human Trafficking Secretariat continues the process of signing **MoUs** for cooperation on TIP cases with new



development partners or with NGOs working with TIP-related challenges.

With support from IOM and NGO partners, the Secretariat developed an online reporting system called the **Trafficking in Persons Information System (TIPIS)**. The System is designed to capture all cases of trafficking across Ghana and be accessible online by stakeholders. The collected data is on reported cases, rescues, prosecutions and convictions. However, it seems that the officials at district and regional offices are not utilising the system regularly, consistently or correctly.<sup>130</sup>

In 2018, the Ghanaian authorities, in cooperation with UNICEF published the **Case Management Standard Operating Procedures for Children in Need of Care and Protection**. These SOPs are intended as a guide for social workers handling cases of children in need of care and protection. This document focuses on direct assistance, case plan, case implementation and reintegration. The SOPs aim at building the capacity of all social workers in Ghana, especially those from the Department of Social Welfare.<sup>131</sup>

<sup>130</sup> Interview conducted in Ghana, interview code Gh08.

<sup>131</sup> UNICEF Ghana (2018), Case Management Standard Operating Procedures for Children in Need of Care and Protection, Department of Social Welfare of the Ministry of Gender, Children and Social Protection.

**The Child Protection System** in Guinea is the national mechanism for the protection of child victims of trafficking. It is coordinated by the Ministry of Social Action, Promotion of Women and Children and its central, regional, prefectural and neighbourhood or village level structures.

Similarly to Ghana, the Ministry, with the support of UNICEF, has developed and adopted **SOPs for management of cases of vulnerable children**. The cases of child victims of TIP are handled by the Child Protection System in Guinea according to these SOPs.

For cases of adult victims of TIP, the CNLTTPA often uses the project management mechanisms of IOM. Together with that UN agency, the CNLTTPA and the NGOs involved in the identification, care and referral of victims developed **SOPs for protection of victims** in order to guarantee adequate care for these adult victims.

In addition, the Government of Guinea has finalised a **support platform to combat trafficking in persons for the purpose of forced labour**.

This platform will be a support body for the activities of the CNLTTPA and will have the following objectives:

- Support the CNLTTPA in the implementation of its activities.
- List the channels/actions likely to represent forms of labour exploitation and transmit them to the CNLTTPA for joint actions to be taken.
- List the national and international legal texts and transmit them to the CNLTTPA to enrich the various national reports.
- Participate in the coordination of CNLTTPA meetings.
- Identify good practices in the area of labour recruitment to strengthen the national framework for combatting trafficking for forced labour purposes.
- Serve as an interface between employers' organisations, trade unions and the CNLTTPA for the development of concerted actions to put an end to TIP through labour in Guinea.
- The Ministry of Labour, represented by its focal point in CNLTTPA, will coordinate the platform.

## Guinea-Bissau

A national referral mechanism for victims of TIP was concluded in 2020. It offers procedures related to four main areas of intervention:

- Identification and initial care of victims.
- Reception, assistance and protection.
- Return of victims.
- Follow-up and evaluation.

The mechanism is not yet operationalised, mainly due to lack of funding.<sup>132</sup>

The services to victims are provided mainly by NGOs and international organisations. In 2020, the Institute for Women and Children began implementing a **victim identification form** developed with the aim of standardising the process of identification and data collection.

Three shelters run by NGOs provide accommodation to child victims. Expanding shelter services towards adult victims is a challenge which the Guinea-Bissauan authorities are facing.

The periodic meetings organised by National Committee for the Prevention and Fight against Trafficking in Human Beings with public institutions, NGOs and international organisations constitute a mechanism for coordination, acting as a forum for coordination and consultation between the anti-trafficking actors. The meetings also serve as a space for consultation in emergencies related to TIP.

## Liberia

**Referral Pathway for Victims of Trafficking** The **Referral Pathway** is a framework for identifying victims of TIP and ensuring that they receive appropriate care. A range of entities may be involved in a trafficking case, such as the Liberia National Police, the Bureau of Immigration and Naturalization, local authorities and NGOs. The NRP facilitates cooperation and information sharing, as well as access to advice, accommodation, and support.

The overall objective of the NRP is to ensure and strengthen cooperation and coordination among the TIP Secretariat, Taskforce members, the judicial system, national and international organisations, civil society organisations, UN agencies and local government with respect to the identification and protection of victims of trafficking. More importantly, the referral pathway complements the SOPs among anti-trafficking stakeholders. This framework document highlights key areas for coordination and cooperation that are global and should be adapted and adjusted to particular regional and national contexts. In particular, the document focuses on key responsibilities of the TIP Secretariat: the identification of victims of trafficking, the provision of protection, assistance and promotion of sustainable solutions.

<sup>132</sup> US Department of State (2021), Trafficking in Persons Report, Guinea-Bissau.

## Incident Reporting and Referral Diagram - Liberia

### First point of entry (Agency 1 alerted)

Victims or someone tells entity about the incident or victims reports self to service provider:

- Receive victim
- Provide services
- Document services
- Refer victim to other appropriate providers (example, health center, shelter provider, psychosocial service, law enforcement) as needed, and based on what the victim wishes



### Agency (second point of contact) and other Service Providers

Agency 2 offers safe caring environment and respect the victim's wishes and confidentiality, learn the immediate needs and give honest and clear information about services available. If agreed or requested by victim, Agency 2 obtain informed consent and make referrals to other service providers. Agencies may work



If the victim wants to pursue police/legal action, or if there are immediate safety and security risks to others, contact the TIP secretariat, refer and accompany victim to police/security/legal assistance/protection officer.



If the victim is a refugee, contact the TIP secretariat, and the Liberian Refugee Repatriation & Resettlement Commission (LRRRC).

Figure 10: Referral mechanism of Liberia



## Mali

Mali has established a victim referral process, carried out as agreement for cooperation between NGOs and state authorities. However, there is no formal document adopted to standardise this process of referral. Various actors that are involved in the process of identification, reception, accommodation, repatriation, family tracing, social reintegration and case monitoring and evaluation implement the referral of victims:

- Victim identification and obtaining information on the victim's civil status, nationality and trafficking situation is carried out by the competent state services and certain NGOs.
- Reception and accommodation are provided by reception and transit centres where victims are accommodated and provided with basic needs support. These centres are set up by NGOs. Support services are also provided by IOM, UNICEF and WAN/RAO.
- The family tracing, social reintegration and case monitoring and evaluation are implemented by the state authorities, supported by NGOs, IOM, and UNICEF.
- The return process/repatriation of a migrant victim is carried out in accordance with the 2006 ECOWAS/EECAC Multilateral Cooperation Agreement on Combating Trafficking in Persons and in the best interests of the child.

The Ministry for the Advancement of Women, Children and the Family, as the ministry responsible for the promotion and protection of children, coordinates the national referral mechanism, especially when it concerns children, in partnership with NGOs.

## Mauritania

NGOs and victim service providers are often at the forefront of the fight against TIP. They respond to the immediate and pressing needs of victims, act as advocates, help victims understand laws and regulations and identify possible avenues for shelter and care, and work with government agencies.

No official state system for referral of TIP victims exists in Mauritania. No public structure provides accommodation or emergency shelter. However, there is no official agreement for cooperation between state anti-trafficking authorities and NGOs.

## Niger

In September 2020, the CNLTP/TIM launched its **National Referral Mechanism for victims of trafficking**. The mechanism is developed with the support of IOM and defines the roles of all anti-trafficking stakeholders – police, prosecutors, judges, labour inspectors, diplomats, international organisations, NGOs and union actors. One important addition to the NRM is the **Anti-trafficking Stakeholders Mapping**. The document provides information about all state, non-governmental and international institutions and organisations involved in the support of TIP victims. The stakeholders received training related to the implementation of the mechanism. The dissemination of the NRM’s content among all involved stakeholders is ongoing.<sup>133</sup> It is foreseen that all NRM actors will meet annually to assess the implementation of the mechanism and update the stakeholders mapping.

Niger has one state transit centre for victims of TIP and several centres operated by IOM and NGOs that accommodate TIP victims. IOM provides direct assistance at the state transit centre.

## Nigeria

Following the approval of the National Policy on Protection and Assistance to Trafficked Persons in Nigeria, the **Guidelines on National Referral Mechanism for Protection and Assistance to Trafficked Persons in Nigeria (NRM)** were developed by the National Agency for the Prohibition of Trafficking in Persons in 2003 as the framework of coordination for care-givers and other service providers. The key elements of the NRM include:

- Identification of the trafficked persons.
- Support and Protection Services. Safe Return and Social Inclusion.
- Basic Principles of Co-operation Agreements.

NAPTIP is the focal agency in the fight against human trafficking in Nigeria and is empowered by the TIPPLE Act to coordinate all interventions aimed towards reducing the incidence of the human trafficking crime. The agency operates at national, zonal and state levels. NAPTIP zonal offices should coordinate activities at the state level and provide leadership for stakeholders at the state and local government levels. The NRM directory is expected to be made available in print and electronic copy for partners’ use, and to be updated annually; with the electronic copy available on partners’ websites and that of NAPTIP ([www.naptip.gov.ng](http://www.naptip.gov.ng)).<sup>134</sup>

### **Standard Operating Procedures (SOPs) for the coordination of Law Enforcement Response to Human Trafficking in Nigeria, 2017**

This SOPs for the Coordination of Law Enforcement Response to Human Trafficking in Nigeria was developed by NAPTIP to “...strengthen co-operation with relevant law enforcement and Security Agencies, International Organizations and other relevant partners”. It also “...seeks to provide Law Enforcement Officers with an additional toolkit to effectively deal with the crime of human trafficking”.<sup>135</sup>

<sup>133</sup> IOM (2021), Evaluation Report: Final Internal Evaluation of the Project: “Enhancing capacities to fight trafficking in persons in Niger”.

<sup>134</sup> The NRM Directory has not been developed yet.

<sup>135</sup> NAPTIP (2017), Standard Operating Procedures (SOPs) for the coordination of Law Enforcement Response to Human Trafficking in Nigeria.

The SOPs highlights include the following:

- States the mandates of the relevant stakeholder Law Enforcement Agencies including NAPTIP, the Nigeria Police Force, the Nigeria Immigration and seven other agencies, as well as the Federal Ministry of Justice.
- Provides key indicators of TIP and a checklist for victim protection.
- Sets out the mode, channel and sequence of communication among Law Enforcement Agencies.
- Provides for the establishment of a coordination committee, chaired by NAPTIP with membership from the identified Law Enforcement Agencies to guide them in the course of their duties in relation to TIP.

There are no specific referral mechanisms for child victims. However, of note in this regard is the document ***Guidelines for Protection of Children in Formal Care 2014***.

These guidelines were issued by NAPTIP in 2014, as a reference document for officials to complement the ***National Policy for Protection and Assistance to Trafficked Persons in Nigeria, 2008***. The document broadly cover the rights of victims/children in formal care and the obligation of victims/children in formal care. **The specific areas covered in detail include** Shelter, Health, Counselling, Family Tracing, Return/Repatriation, Follow-Up, Empowerment, Aftercare and Disengagement.

The guidelines also provide for a code of conduct for caregivers, a code of conduct for the mass media and a code of behaviour for victims and children in formal care.

## Senegal

When victims of TIP are identified on the territory of Senegal, they are transferred to the Guindi Centre (supported by the Ministry of Good Governance and Child Protection). The Guindi Centre is funded by the Government of Senegal and has the capacity to accommodate more than 400 children and women. Child victims are also referred to an emergency assistance centre or to NGOs. The Ministry of Justice, through the Directorate of Supervision and Social Protection, runs three reception centres for child victims of crime, child witnesses of crime and children in an emergency situation.

Beyond the Senegalese capital Dakar, NGOs are providing support structures and services for victims of violence, including victims of TIP – reception, emergency accommodation and assistance. Some NGOs (Unies Vers'Elle, Caritas PARI) have structures to accommodate adult victims of TIP.

The Government of Senegal encourages victims to cooperate with the LEAs. A detailed list of services aiming at the protection of victims and the protection of their rights are provided to those who decide to support the investigation and prosecution processes.

## Investigation

- Interviewing victims at police level. In the case of a minor, the Juvenile Brigade is involved.
- Referral to the Department of Open Educational Action (AEMO) for support of the victim throughout the procedure. If the victim is a minor, the Ministry of Justice is involved.
- Accommodation at the Guindi Centre and other structures.
- Possibility for legal support and representation at all stages of the procedure.

## Prosecution and trial

- Possibility for the judge to issue a provisional custody order to a care facility in the case of a child victim.
- Possibility of videoconference hearing in the courtroom to preserve the identity and protect victims.
- Victims can be excused from physically appearing at the court hearings.
- The victim cannot be removed from the national territory until the judge issues a final decision.
- Possibility for legal support and representation at all stages of the procedure.
- Associations or public services can represent victims in court.
- Possibility for compensation of victims for damages suffered.

## Post-trial

- Receiving resident status or refugee status after a court decision, if the victim is a foreigner and wishes to reside in Senegal.
- Support for return – by regional networks and IOs (IOM, WAN/RAO).

## Sierra Leone

In 2015, the National Task Force on Human Trafficking adopted the National Referral Mechanism for Protecting and Assistance of Victims of Human Trafficking. This Mechanism outlines the steps after an identification of a Sierra Leonean or foreign victim of TIP. Furthermore, the Alternative Care Policy and the Reintegration Guidelines developed by the Ministry of Social Welfare are supplementary policy instruments that *“have been designed to ensure that minimum standards are maintained in the rehabilitation of victims in care homes or shelters and for facilitating the return of such victims to their communities”*.<sup>136</sup>

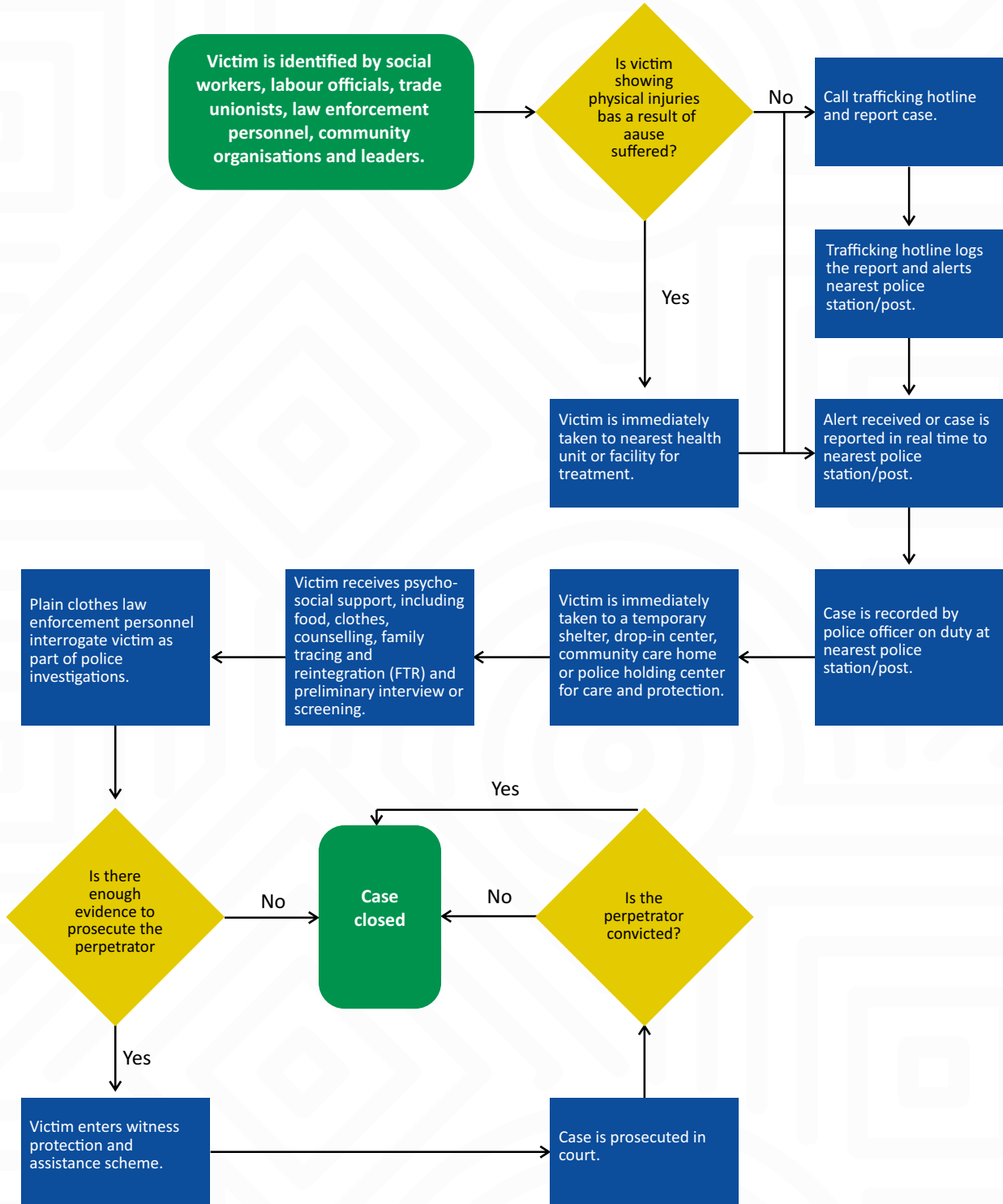
The National Task Force is the key institutional structure within which the Referral Mechanism operates: *“When a victim is identified, the Task Force is the first institutional structure where all plans are made to deal with the matter as a collective unit with all stakeholders playing specialised role.”*<sup>137</sup>

<sup>136</sup> Country report Sierra Leone.

<sup>137</sup> Interview conducted in Sierra Leone, interview code SL10.

The leading case management agency on human trafficking in Sierra Leone is World Hope International (WHI). This organisation is working across communities in Sierra Leone to empower grassroots communities to identify cases of human trafficking and refer them to WHI holding facilities.

Figure 11: Referral path in Sierra Leone.



The support of child victims of TIP in Togo is coordinated by the Directorate General for Child Protection with the involvement of the National Committee for the Reception, Reintegration and Follow-up of Trafficked Children (CNARSEVT).

The ***Manual of Procedures for the Protection of Children at Risk or Victims of Trafficking*** is a reference document for the provision of care for child victims and prevention activities. In addition to this document, the **standards of WAN/RAO** defining the procedures of care and the **West African regional standards for the protection and reintegration of children** in vulnerable situations are used to guide and harmonise the interventions of the stakeholders. The phases of support are:

- **Identification of victims** by social workers, police, community workers, etc.
- **Emergency support and care for victims** (especially children) by state structures under the coordination of the General Directorate for Protection of Children, NGOs and networks (e.g. WAN/RAO).
- **Assessment of victims' personal situation** by state structures (e.g. regional and prefectural Directorates of Social Action and social centres) and civil society (WAN/RAO, SOS Children's Village, CREUSET Togo, etc.).
- **Assessment of victims' family and environmental situation** by state authorities (e.g. regional and prefectural Directorates of Social Action and social centres) and civil society (e.g. BNCE, RAO, SOS Children's Village, CREUSET Togo).
- **Social, educational or professional reintegration** – provided by state structures and NGOs.
- **Development of victims' family capacities** – educational support, measures to combat poverty and social difficulties

In addition, the Government of Togo, with the support of UNICEF, strengthened its national system of protection of vulnerable children by creating a **centralised system for the referral of children without parental care**. An orientation centre providing emergency shelter and monitoring of all children without parental care was established, as well as an interdisciplinary team providing support (counselling, rehabilitation and reintegration) for children within foster families. The application of this strategy has decreased the number of vulnerable children in institutions, established a national mechanism for collecting information on vulnerable children and supported the development of a welfare system for children in alternative care.<sup>138</sup>

The coordination between the anti-trafficking actors for the support of adult victims of TIP presents a challenge to the state authorities. There is no official document for cooperation developed and the collaboration is informal, occurring on a case-by-case basis.

<sup>138</sup> Centre for Excellence for Children's Care and Protection (n.d.), Strategy of care for vulnerable children in foster care, Togo, <https://www.alternativecareguidelines.org/PromisingPractice/Strategyofcareforvulnerablechildreninfoster/tabid/2652/language/en-GB/Default.aspx?tabid=2654&language=fr-FR>.

## Chapter 8: Impact of the COVID-19 Pandemic on National Anti-Trafficking Response and TIP Trends

Beginning in spring 2020, the COVID-19 pandemic spread throughout the world, including in the West Africa region, bringing additional challenges for national and regional anti-trafficking responses. The measures taken by governments to prevent the spread of the disease – closure of businesses and public services, social distancing, long periods of quarantine, national lockdowns, closure of the national borders, etc. – led also to economic and social challenges for the majority of population. The measures largely contributed to deepen existing vulnerabilities to exploitation. Trafficking and exploitation took new forms, and new anti-trafficking priorities were shaped in some of the CUS.

### 8.1. Impact on the Factors Influencing TIP: New TIP Trends and Needs

#### Unemployment, poverty, child labour

Social isolation, the reduction of movement and the forced closure of businesses has caused a decline in the economic activity in all CUS and left many unemployed or with reduced sources of income. This applies especially to low-wage and informal-sector workers. Significant numbers of people who were already vulnerable to exploitation found themselves in even more precarious circumstances.

The closure of national borders halted the commuting of workers to neighbouring countries. The closure of inter-city and provincial routes forced businesses to fold. With decreased or no means of income, people take high-risk opportunities to earn money. Children became part of the family effort to make livelihoods (reported by Burkina Faso, Côte d'Ivoire, Ghana, Mali, Togo, and Sierra Leone). These circumstances and the little chance for survival in the poorer rural areas, pushes parents to search for better opportunities for their children. Reportedly (Sierra Leone), it is easier for traffickers, often being family members or family friends, to convince parents that they will provide work opportunities for their children. Thus, more children from rural areas are trafficked to urban areas for cheap labour and exploitation, sexual exploitation and domestic servitude.

#### Obstructed access to health care and social services

In addition to the limited opportunities for income, in some of the CUS access to health and basic social services has been reduced – due to fear of COVID-19 and travel restrictions (Burkina Faso). A reduction in the use of health services was also recorded in all regions of Guinea, as well as in Guinea-Bissau. Côte d'Ivoire identified the need to improve the technical facilities of its health care system to respond effectively to the consequences of the pandemic.

Victims of TIP are exposed and vulnerable to COVID-19. The conditions of travel, accommodation and exploitative work leave trafficking victims disproportionately exposed to the impact of COVID-19, compared to the general population. The risk of serious health consequences and mortality among TIP victims is high because traffickers are not willing to spend money for health care for trafficked children (Burkina Faso).

### No access or limited access to education

According to UNICEF, the closure of schools, learning spaces and child-friendly spaces during the COVID-19 pandemic deprived children of a protective environment that provides them with time to play and socialise.

*“Delayed schooling and the risk of dropping out of school are the two major risks that children mention as an impact of COVID on their lives. As a result, physical violence, juvenile delinquency, prostitution of minors, child marriages, female circumcision, hunger and child labour could increase according to the respondents.”<sup>139</sup>*

All CUS reported closure of schools for different periods during 2020-2021. Impoverished households were greatly affected by the loss of the opportunity for their children to have at least one hot meal a day at school. This imposed additional pressures on families and led to a large number of children taking up economic activities and being recruited or given away to ‘support’ extended family members. As part of the Government of Ghana’s response to the pandemic, all educational facilities and other sectors were closed to varying degrees over an extended period of approximately eight months. During this period, children were out of school and in their home communities. Côte d’Ivoire identified the need to support better access to education to respond effectively to the consequences of the pandemic. Togo reported a rise in the exploitation of children in construction work and street trading during the periods of school closure. The Government of Burkina Faso used media to fight the school dropout occurring and many children managed to continue their education in school.

### Increased exposure to violence

CUS report a serious increase in the number of **domestic violence and abuse** cases reported. With the loss of sources of income and the increase of interpersonal violence, the family environment has become less protective, especially for children (The Gambia). Therefore, vulnerable groups of people have become at greater risk of abuse and exploitation. Guinea and Ghana report an increase in the number of cases of child pregnancies because of domestic violence and involvement in sexual exploitation. Many girls found themselves in sexual exploitation as a result of the closure of schools and the need for their family to survive (Ghana).

The authorities in Guinea-Bissau report that the COVID-19-related restrictions have encouraged within the home the growth of practices and destructive attitudes on rape and abuse, **forced marriage** and other forms of gender-based violence, separation of children from their parents, excessive exposure to COVID-19 (children crowded in reception centres, talibés children in Koranic schools, etc.).

In Mali, the COVID-19 pandemic and deteriorating socio-economic conditions have led to an increase in forced recruitment of children by armed groups. According to UNHCR,<sup>140</sup> armed groups force children to work in gold mines, using the profits to enrich their fighters. This trafficking feeds the arms trade and finances the violence; *“Exorbitant taxes are also imposed on adults who work in these gold mines.”<sup>141</sup>*

<sup>139</sup> UNICEF (2020), Burkina Faso COVID-19 et protection de l’enfant au Burkina Faso, rapport d’enquête auprès des enfants dans les régions de l’Est, du Nord et du Sahel.

<sup>140</sup> UNHCR (2020), Child-trafficking in Mali increasing because of conflict and COVID-19, Press Release, 1 December 2020, <https://www.unhcr.org/news/press/2020/12/5fc62ead4/child-trafficking-mali-increasing-conflict-covid-19.html>.

<sup>141</sup> Ibid.



### More dangerous migration routes

As a paradoxical effect of the “restricted movement of people” measure introduced by all governments in the West Africa region, the movement of people did not fully stop but rather was undertaken by different, often dangerous means. The closure of the borders has not discouraged migrants to walk the migration routes in the region. They rather have turned to alternative routes that expose them to greater risks, including of exploitation by traffickers (Niger).

Although Sierra Leone reports a reduction in the number of cases of transnational TIP, illegal pathways in deep forest and bush areas are being used by people to illegally cross the border into Liberia. People smuggle goods through these unidentified crossing points, bypassing customs and immigration officials. The restrictions on movement were used by traffickers to circulate freely without being apprehended by security forces (Cabo Verde, Côte d’Ivoire, Guinea, Mali, and Senegal).

Togo reports that the increasing instability of young people due to the COVID-19 pandemic has led to a new wave of mobility in that state. In addition, the use of social media networks and online communications provide opportunities for human traffickers to attract and recruit victims online (Senegal).

In a situation of global pandemic, children and young adolescents on the move are particularly vulnerable to exploitation and abuse. Protecting these groups means ensuring access to health care, education, and social and psychological support.

*“As of May 2020, there are an estimated 9.3 million children on the move in West and Central Africa, including 5.9 million internally displaced children, 1.1 million refugee children and 2.2 million children migrating internationally. The current COVID-19 pandemic could have a disproportionate impact on children on the move in the region, if they are not included in response and post-pandemic recovery plans.”<sup>142</sup>*

<sup>142</sup> UNICEF West and Central Africa Regional Office (WCARO) (2020), Reaching out to partners in the time of COVID-19, <https://www.unicef.org/wca/documents/reaching-partners/>.

## 8.2. Impact on National Anti-Trafficking Responses/Actions

The COVID-19 pandemic also influenced the implementation of the planned national actions, part of the national anti-trafficking response. Although, some countries report little impact on their counter-trafficking needs and services (Benin), the majority of CUS report significant delays in the implementation of their actions.

### **Delayed implementation of national PoAs**

Negative effects on the implementation of some activities of the national coordination structures are reported by Mali, Nigeria, Liberia and The Gambia (particularly on information actions and community awareness programmes). Senegal reports delays in the implementation of its national Plan of Action. Guinea faced challenged anti-trafficking projects implementation, especially field actions. Burkina Faso also reports restricted outreach activities. In Sierra Leone, the final consultations to adopt the New Anti-Trafficking Bill have been delayed. The budget allocated to support this process has been diverted to actions related to COVID-19 response. The regular monthly coordination meetings between TIP stakeholders from government, NGOs, international partners and representatives of the US Embassy in Monrovia, Liberia were cancelled. Mali reports the cancellation or obstructed implementation of cross-border initiatives and actions.

### **Decreased number of TIP prosecutions and trials**

Due to COVID-19 pandemic-related restrictions in all CUS, significant numbers of criminal proceedings were halted and courts proceedings suspended for a long period of time (Benin, Cabo Verde, The Gambia, Guinea, Liberia, Togo).

In Benin, given the difficulty of holding hearings, the courts were dealing only with urgent cases and cases with specific time limits. In Cabo Verde, the pandemic reduced judicial operations from March to June 2020 and exacerbated existing judicial delays, including for TIP cases. Similarly, Guinea and The Gambia report pending TIP cases and no convictions of traffickers during the entire period that court hearings were suspended.

The pandemic also slowed prosecution in Liberia as well as the monthly TIP coordination meetings. In addition, there were instances of lawyers not willing to appear in courts in a timely manner. Due to delayed prosecutions, some potential perpetrators had to be released. Due to COVID-19 restrictions, there have been no convictions for human trafficking offences in Togo since 2019.

On contrary to the above-mentioned impact of the pandemic, and despite the new working modes adopted, Ghana did not see a significant negative impact on rescues, investigations and prosecutions.

### **Decreased funding for anti-trafficking activities**

In many of the CUS, the need for emergency funding of the COVID-19 response led to reduced budgets for anti-trafficking initiatives. In Burkina Faso, the financial resources of state authorities, and partially those of their partners, were redirected mainly towards the management of the pandemic.

A Similar redirection of significant state funding also occurred in Senegal and Sierra Leone. In Guinea, the regular programme resources were redirected toward emergency response, similarly to Ghana, where the majority of NGOs had to reduce their operations, partly because of restrictions and protocols required by their donors.

### **Obstructed services for victims**

Many CUS report significant negative impacts on their victim support actions and services. The COVID-19 pandemic influences the access of victims of TIP to support services but also the availability of these services. Measures such as border closures, prohibition of social gatherings, social distancing, limitation of movement of people slowed down in a drastic way the activities of anti-trafficking actors in Côte d'Ivoire. The **provision of support services** to victims has become almost non-existent, resulting in a considerable drop in the efficiency of anti-trafficking actions. The restriction of movement presented a significant challenge for anti-trafficking officers' meetings with victims in Ghana and Guinea.

Sierra Leone reports affected **operations in shelters**. The number of persons cared for in the shelters had to be reduced. One of the referral centres was partially closed, because some of the accommodated victims got infected with COVID-19. A quarantine period of two weeks for newcomers in the shelters and centres was introduced.

Ghana also faced challenges in finding appropriate accommodation for victims. The requirement for multiple COVID-19 tests at the various stages of the process of support led to the introduction of new priorities and working rules to safeguard the health of both officials and victims.

The closure of national borders immediately prevented the work on transnational and cross-border cases of TIP. Although part of the work could still be carried out by telephone or online, the **return and repatriation of the victims became impossible**. The quarantine measures and border closures have hindered repatriation procedures and family reunifications (Burkina Faso). The reintegration process for foreign victims identified in Ghana was adversely affected, as well as the rescue and return of Ghanaian victims exploited abroad.

### **Example: Ghana**

*"The pandemic made the work get worse. This is because people took advantage of COVID-19, since schools were closed and children were home for over eight months. The traffickers took advantage to operate on the lake. Although our NGO was still operating, we didn't have the full strength to monitor the whole lake. Children were everywhere, doing anything they wanted, and traffickers benefited. This destroyed most of what we had done. We supported the kids that were under our care while following all the protocols. We supplied them with all the Personal Protective Equipment (PPE) and hand sanitisers. We went beyond the island we were working on, we distributed PPE and talked to them about the risks of trafficking, and also about child labour practices."<sup>143</sup>*

<sup>143</sup> Interview conducted in Ghana, interview code GH04.

### 8.3. New TIP Priorities

The management of the COVID-19 pandemic also brought new priorities to the national anti-trafficking stakeholders in CUS.

#### **New working methods and means of communication**

COVID-19 obliges actors to integrate remote reporting and rescue through hotlines and other virtual working means. These changes in working methods require adapted equipment and specific training that should be integrated into anti-trafficking programmes (Burkina Faso). In Mali, in-person meetings are transformed into videoconference or online meetings. To carry out the planned activities, the state and non-government actors adopted the strategy of organising smaller meetings according to the government regulations. Volunteers, and community and religious leaders are trained to deliver shorter sessions on priority topics to smaller groups (Ghana).

#### **New financial needs**

New financial needs are mainly caused by the necessity for **regular purchase of PPE**. The extra protective measures established in Ghana have contributed to financial costs and time constraints not foreseen by the Government. The requirement for multiple COVID-19 tests for both victims and perpetrators, has led to delays in processing cases. Guinea also has identified the need for pandemic protection kits. Liberia is highlighting the need for **special state funding** for victims of trafficking to address their needs in case of emergency.

## Chapter 9: Gaps and Challenges in the Implementation of the International, Regional and National Mechanisms for Cooperation and Referral of TIP Victims

The government of each of the CUS, through their national anti-trafficking task forces, agencies and committees are demonstrating commitment and efforts to provide policy direction, and coordinate the national cooperation and engage in transnational exchange on cases and referral of victims, to support prevention, prosecution, and victim protection and recovery. However, all these processes are difficult to implement due to numerous ongoing challenges that require collaborative efforts and proactive measures.

### 9.1. International and Regional Mechanisms for Cooperation and Referral of Victims

#### Challenge 1: Ineffective implementation of bilateral and multilateral cooperation agreements

The implementation of many bilateral or multilateral agreements is either insufficient or does not take place. The Assessment identified that many of the agreements, signed by the CUS, stay off the radar of some of the state institutions and civil society stakeholders.

One factor that contributes to the insufficient implementation is the **scarce dissemination of information about the existence of agreements** and the practical implications of this among all stakeholders at both policy and operational level. Guinea-Bissau reports such lack of awareness among some national institutions on the existing cooperation agreements and the state's responsibilities.

Another factor that influences the level of implementation of the agreements is the existing **discrepancy between policy and practice**. In many cases, no (or not enough) steps are taken to operationalise the agreed measures. This leaves the agreements at the level of a policy document. Furthermore, some agreements are not translated into the local national legislative framework or into an actual Plan of Action. Furthermore, the specificities of the legal and policy framework of each country part of the agreement should be taken into consideration when planning the effective implementation (Togo).

The authorities in Mali and Guinea recognise the need to revitalise the existing cooperation frameworks to make them operational. The failure to apply the agreements effectively leads to inefficient coordination and challenged victim referral.

Lastly, the agreements are not fully operational, because often their **content does not match the current TIP situation and needs** between the signatory states. Some agreements have been drafted and signed over 15 years ago, with their content naturally reflecting the anti-trafficking response and developments at national, regional and international level of that time. The Guinean authorities believe that some regional cooperation agreements should be updated to cover emerging issues in the region and in TIP – such as new migration elements in the region. Benin also reports challenges related to the effective implementation of international agreements.

Nigeria raised an important challenge of the language barrier, especially in the operational day-to-day work.

### **Challenge 2: Insufficient monitoring of the cooperation mechanisms**

All agreements set up a monitoring and coordination mechanism – usually in the form of a monitoring committee. The members, functions and regulations of these committees are also set forth in detail. However, representatives from many CUS (Togo, Burkina Faso, Liberia, Nigeria, Guinea, etc.) mentioned that for many of these agreements the monitoring bodies are either established but do not meet, or no such committee has been set up. In some cases, there is no follow-up on the work of the joint committees or no monitoring meetings to report on the implementation of the agreements (Burkina Faso). A lack of feedback to operational-level officials on implementation of the agreements was also reported. The field actors are also not directly involved in the monitoring and coordination meetings (Guinea).

However, the same anti-trafficking stakeholders are often part of the coordination and monitoring committees of all TIP-related agreements signed by their state. Therefore, participation in regular meetings related to each agreement might become challenging in terms of time and workload (Liberia).

### **Challenge 3: Insufficient number of bilateral cooperation initiatives and agreements**

While this assessment finds that a significant number of bilateral and multilateral agreements, MoUs, protocols, etc. on TIP in the ECOWAS region have been signed, some states have fewer official bilateral initiatives than other. While all ECOWAS MSs are part of several multilateral agreements on trafficking in persons in the region, some of them have no sufficient bilateral agreements specifically focused on TIP (Niger).

Bilateral agreements and initiatives are usually the result of identified common challenges that need to be addressed. Therefore, there is a need for assessment at national level of existing gaps in the anti-trafficking response that should be targeted in cooperation with other states. Such knowledge would help the development of adequate and effective bilateral or cross-border initiatives focused on TIP.

### **Challenge 4: Insufficient use of the mechanisms for judicial cooperation**

There is further need to strengthen the international law enforcement cooperation on TIP. Many CUS mention the lack of use of judicial cooperation tools – mutual legal assistance, extradition, etc. (Benin, Senegal, The Gambia, Niger). This is a major obstacle to the fight against TIP and particularly to the investigation and prosecution – tracing of international criminal networks, arrests, extraditions, etc.). Nigerian authorities report limited cooperation in prosecution of trafficking cartels, of freezing and repatriation of their assets. The Gambia expresses need to use transnational investigation initiatives in order to prevent and investigate child sex tourism in the country.

### **Challenge 5: Scarce funding**

One of the most commonly reported challenges is the lack of budgets attached to the bilateral and multilateral cooperation agreements. This prevents the implementing authorities from conducting any initiatives. Therefore, introducing budget-related provisions for operationalisation of the measures in the text of the agreement or in the Plan of Action attached to it is of great necessity (Togo).

Sometimes the implementing stakeholders use the budget assigned to them for other activities. However, in general the majority of the ministries, state agencies and NGOs have restricted budgets. In some cases, the implementation of the agreements can benefit from an external funding but inevitably, the implementation of the measures stops the moment the project from where finances are coming, finishes. Ensuring financial sustainability for the implementation of the agreements proves to be a common challenge shared by many CUS with no successful solutions so far.<sup>144</sup>

In addition, there is a tendency of decrease of funds, provided by international technical partners for the fight against (child) trafficking in the region. The funding is focused on the broader topic of child mobility (Burkina Faso), or (in the past years) on the response to COVID-19. TIP-related activities, including support of victims are often funded in the framework of non-TIP related projects.

### **Challenge 6: Challenged referral of victims between the countries in the region.**

The international referral of victims of trafficking is a challenging process. It requires common understanding of the elements of the return, of victim's needs and the necessary support. It requires effective communication between the stakeholders in the sending and receiving countries and mutual trust. The research identified the need for common approach to the support and return of victims that reflects the specificities of the region, the victims and the TIP phenomenon, expressed by numerous anti-trafficking stakeholders.

WAN/RAO has established a well-functioning mechanism for return of children, including victims of TIP. IOM is also a major stakeholder providing funding and support for the return of TIP victims in the region. Some countries have already developed national guidelines for return of victims from abroad (Nigeria) or have established return protocols on bi-lateral basis.

However, the unified approach to the return (especially of adult) victims remains one of the biggest challenges. Common guidelines jointly developed and adopted by all the CUS would make the return process smoother, more predictable and more effective for both stakeholders and victims.

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<sup>144</sup> Interview conducted with international organisation, interview code IO02.

## 9.2. National Mechanisms for Cooperation and Referral of Victims

### **Challenge 1: The national mechanism for cooperation and referral is not officially established.**

The Assessment identified that all CUS has some form of system for cooperation and referral of victims. However, in some CUS, these mechanisms are not officialised, they have no coordination body, not all stakeholders, involved in victim protection and support are part of these measures. For instance, the Togolese and Ivorian authorities point out the absence of official framework for coordination of TIP actions accessible to all national stakeholders. Therefore, many stakeholders stress upon the importance of formal adoption of the existing mechanisms.

The national stakeholders should also take into consideration the needed ongoing revision of the mechanisms. The referral mechanisms are open documents. They should be open for adapting in order to reflect the current TIP situation in the country, new vulnerable groups, new services (Sierra Leone), methods of exploitation, etc.

### **Challenge 2: Insufficient collaboration between the national anti-trafficking stakeholders.**

A consequence of the lack of officialised national cooperation mechanisms where all anti-trafficking stakeholders are represented is the weak collaboration between these stakeholders. It is recognised that the process of building trust and establishing good relations is long and prone to frequent disruptions. This in turn often causes delays and problematic coordination between the partnering agencies and organisations (Côte d'Ivoire, Cabo Verde, Guinea-Bissau, Senegal, Sierra Leone, Niger).

Often the challenge to effective communication between different stakeholders stems from the constant change (due to rotation or leave) in TIP trained officials. One the most commonly manifested example is the challenged cooperation between the law enforcement and protection authorities. As a result, many interventions are not coordinated or happen outside the cooperation framework, leading to ineffective investigations and prosecutions and unprotected victims.

Lack of clarity on mandates and overlapping of roles and responsibilities often affect also the collaboration between state institutions and civil society organisations (Sierra Leone). Ghana also recognises such confrontations as a major obstacle in the effective implementation of anti-trafficking interventions.

Lastly, the national coordination structures have the role to own the coordination and to provide guidelines to all state and non-governmental stakeholders. Institutional weakness at this level might further contribute to the disarticulation, confusing mandates, duplication of actions and ineffective operational work for protection of TIP victims.



### **Challenge 3: Capacity building**

All CUS report the need for ongoing training and knowledge development of their key anti-trafficking stakeholders, related to their roles in casework and referral of victims. States report the need for awareness raising activities on the national anti-trafficking legal and framework (Senegal), training on concrete professional techniques in the field of assistance to victims and prosecution of perpetrators (Togo), training on the instruments available for international judicial cooperation on TIP cases (Niger), and the need for introductory and ongoing training for those involved in the criminal justice system (Benin, Cabo Verde, The Gambia, Senegal, Mali). There are instances of security personnel lacking the capacity to specifically handle the investigation of TIP cases. The concept of TIP should be added into the training curriculum of the security forces (Sierra Leone) and other law enforcement units.

Furthermore, some CUS expressed the vital need for training of government officials on comprehensive standard procedures for victim protection (Benin, Cabo Verde, and The Gambia). Cabo Verde emphasises the necessity of TIP training on proactive victim identification and referral for labour inspectors.

Local versus central authorities. An issue often discussed and brought up by the stakeholders, and identified in the assessment reports, is the need for better training opportunities for institutions based in provincial areas and often-marginalised border areas as opposed to those located in capital cities. In rural areas, there is low awareness on TIP and the quality of response is often insufficient. Guinea-Bissau reports that the training and awareness actions have not extended sufficiently to communities and local administrative sections due to insufficient financial means, insufficient staff and travel means.

Lastly, some of the CUS do not have the capacity to address all forms of exploitation identified on their territory; for example, there is a significant prevalence of commercial sexual exploitation in Guinea, but there are not many actions addressing the issue. Similarly, The Gambia experiences a lack of awareness on child trafficking for sexual exploitation among some of the anti-trafficking stakeholders.

### **Challenge 4: Support services do not accommodate victims of all types of exploitation**

One major challenge in the provision of services for victims of TIP is the scarce availability of services for adult victims. Many CUS face an absence of care structures for adult victims (Togo, Senegal, Guinea, Burkina Faso, etc.). In addition, services and facilities for support of male victims are almost non-existent throughout the whole region.

### **Challenge 5: Incomplete centralised registration system for victims**

A pivotal element of an effective response to TIP is 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. There is a need for a harmonised and coherent system for collecting and sharing data on TIP that would be used by all relevant actors. Properly collected national data will allow for proper appreciation of the scale, nature, profile and trends of trafficking in a each state. There is also an urgent need to collate and publish a national report on trafficking in persons, focused on national priorities (Ghana).

Interest in the establishment of a centralised system for registering victims was expressed by Guinea, Côte d'Ivoire, Burkina Faso and Cabo Verde.

### Challenge 6: Challenged funding sources

Insufficient funding of anti-trafficking activities is a challenge for each of the CUS. Stakeholders in Burkina Faso, Cabo Verde, Côte d'Ivoire, The Gambia, Guinea-Bissau, Niger, and Nigeria clearly and repeatedly have raised the concern. Allocations from the central state budgets often remain low and insufficient for effective anti-trafficking response. The weak commitment at higher national levels results in insufficient allocation of material and human resources.

Service providers particularly suffer from such restricted access to resources. Guinea-Bissau, The Gambia and Nigeria report negative impact on shelter services and long-term rehabilitation services. In Guinea-Bissau, most of the existing shelters do not receive support or any financial contribution from the state to meet the costs of food and other expenses for victims. As a result, many centres have shortened the duration of stay for victims. The Gambia also reports limited budgeting for shelters. Nigeria experiences limited resources for rehabilitation and empowerment of victims of TIP and for the operation of shelters. Therefore, the greatest effort is needed to guarantee systemic allocation of resources for the protection of victims and their rights, as currently there is no sustained, holistic approach.

Although many (state and non-governmental) stakeholders rely on external funding from technical and financial partners, this is not a reliable source of funding. Such type of funding cannot be planned well in advance and can sometimes be focused only on one particular emerging area (region) of TIP or trend.

In the past two years, the COVID-19 pandemic plays a significant role in the decrease of state funding designated to TIP. of this report presents in detail the adverse impact of the pandemic on the anti-trafficking response in the ECOWAS region. The negative impact of the pandemic on the anti-trafficking response, and particularly at its operational level, highlights the essential requirement for maintaining minimum funding to allow services for victims of TIP to run smoothly even in emergency situations.

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- Country report Benin.
- Country report Burkina Faso.
- Country report Cabo Verde.
- Country report Côte d’Ivoire.
- Country report The Gambia.
- Country report Ghana.
- Country report Guinea.
- Country report Guinea-Bissau.
- Country report Liberia.
- Country report Mali.
- Country report Mauritania.
- Country report Niger.
- Country report Nigeria.
- Country report Senegal.
- Country report Sierra Leone.
- Country report Togo.



# Annex 1: List of Key National Anti-Trafficking Stakeholders in CUS

## Benin

**Coordination body:** Inter-Ministerial Committee.

**Year of establishment:** 2019, by Order on the Creation, Attributions, Organization and Functioning of the Management Bodies of the Fight against Trafficking in Persons in Benin.

**Structure:** The Inter-Ministerial Committee is created, bBrings together the members of the Task-Force set up by the Ministry of Development and Coordination of Government Action and other bodies involved in the fight against human trafficking in Benin. The Committee is composed of four bodies:

- Trafficking Steering Body.
- Technical Committee for the Management of Trafficking.
- Permanent Secretariat for the Management of Trafficking – provided by the Observatory for Social Change.
- Executive Secretariat for the Management of Trafficking – provided by the Central Office for the Protection of Minors.

**Funding:** National budget.

### Tasks and responsibilities:

**Technical Committee for the Management of Trafficking** – responsible for implementing the decisions of the Steering Body, proposing management documents, in particular the annual work plan, the related budget and the implementation reports, etc. It is also responsible for executing the communication plan of the Inter-Ministerial Committee and ensuring capacity building of the members of the Inter-Ministerial Committee. The Technical Committee meets on a quarterly basis.

**Trafficking Steering Body** – in charge of defining the general direction of TIP-related issues in the state, deliberating on all issues submitted to it by the Technical Committee, and monitoring and evaluating the programme of activities and the action plan. The Steering Body meets every six months.

**Permanent Secretariat for the Management of Trafficking** – monitors and evaluates the actions implemented by the bodies managing TIP.

**Executive Secretariat for the Management of Trafficking** – ensures the day-to-day management of work. It prepares quarterly reports on the progress of the actions carried out and any difficulties encountered, to enable the implementation of corrective measures in an appropriate and proactive manner.

## Other TIP Stakeholders

Other state bodies coordinating activities in TIP-related areas:

- **Department for the Promotion of the Fight against Child Labour** (Service de la Promotion de la Lutte contre le Travail des Enfants), created by Order No. 331/MTFP/DC/SGM/DGT/DNT/SPT of 10 July 2007, on the Powers, Organisation and Functioning of the General Directorate of Labour at the then Ministry of Labour and the Civil Service;
- **National Unit for Monitoring and Coordination of Child Protection (CNSCPE)**, created by Ministerial Order No. 503/MFPSS/DC/SGM/DEA/SPEA/SA of 15 March 2006.

## Burkina Faso

**Coordination body:** National Committee for Monitoring and Surveillance.

**Year of establishment:** 2009.

**Structure:** Composed of representatives from the Ministry of Social Affairs, the Ministry of Territorial Administration, the Ministry of Interior, the Ministry of Health, the Ministry of Education, the Ministry of Agriculture, Ministry of Youth, community-based organisations, NGOs, local governments, and religious leaders.

**Funding:** National budget, funding from technical and financial partners (particularly from ILO, UNICEF and IOM).

**Tasks and responsibilities:** Coordinates anti-TIP actions at national level. Guides the design, monitoring and evaluation of national action plans and programmes on TIP, child sexual exploitation in prostitution, begging, and forced labour or services and other slavery-like practices. Promotes lobbying activities for the effective application of laws and measures for protection, rehabilitation and social reintegration of victims. Promotes lobbying and social mobilisation activities on combatting TIP and exploitation, particularly of children.

## Other TIP Stakeholders

- Ministry of Labour and Social Protection:
  - Directorate for the Protection of Children – deals with the general issue of TIP.
  - Directorate for the Fight against Child Labour.

The combined actions of these two departments contribute to the elimination of TIP and the worst forms of child labour in Burkina Faso.

- Ministry of Women, National Solidarity, the Family and Humanitarian Action.
- Ministry of Foreign Affairs and Cooperation.
- Ministry of African Integration and Burkinabe Abroad.
- Minister of Youth and the Promotion of Youth Entrepreneurship.
- Ministry of Health.
- Department of Justice.
- Ministry of Human Rights and Civic Promotion.
- Ministry of Public Service, Labour and Social Protection.
- Department of National Defense and Veterans Affairs.
- Ministry of Security.
- Ministry of Territorial Administration, Decentralisation and Social Cohesion.
- Ministry of National Education, Literacy and the Promotion of National Languages.

### **Non-Governmental Organisations**

Mainly present at the local level, covering a large part of the national territory and holding agreements with the ministerial departments to provide specific support.

- National Coordination of Associations of Working Children and Youth of Burkina.
- National Union of Road and Passenger Transporters of Burkina.
- West Africa Child Protection Network.
- KEOOGO Children's Aid Association.
- Burkinabe Red Cross.

### **International Organisations**

Support ministries and local structures in their efforts to combat TIP and provide technical and financial support for protection of children in difficult situations (victims of violence of all kinds), in prevention, care and reintegration/rehabilitation activities.

- United Nations Children's Fund.
- International Organization for Migration.
- Save the Children International.
- Plan International Burkina.
- Terre des hommes Lausanne.
- Christian Children's Found of Canada/Children Believe.
- International Bureau for Children's Rights.
- End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT).

**Coordination body:** Observatory for Monitoring and Rapid Identification of Human Trafficking Situations.

**Year of establishment:** 2018, by Resolution No. 40/2018 of 9 May 2018.

**Structure:** 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 National Directorate of Foreigners and Borders (then the General Directorate of Immigration), the Institute of Children and Adolescents, the Institute for Gender Equality and Equity, and the NGOs Association of Disadvantaged Children and Association of the Island of Fogo.

**Funding:** National budget.

**Tasks and responsibilities:** Monitors all TIP activities and provides all governmental structures with technical and training support to respond to TIP effectively.

The Observatory was created to collect and provide information on TIP trends in the state, steering detailed understanding of the phenomenon and supporting the development and implementation of anti-trafficking policies and concrete measures.

### Technical Coordination Council of the Observatory

Resolution No. 40/2018 of 9 May 2018 also provides for the establishment of a Technical Coordination Council under the following regulations:

- Participate in the development of the National Action Plan and Budget.
- Share information/data and follow up as appropriate.
- Support the implementation of the Action Plan and address possible shortcomings and challenges.
- Share information of common interest among stakeholders to optimise resources, create synergies, avoid duplication and overlapping, and maximize results.
- Encourage the establishment of channels of communication and cooperation with various institutions and public and/or private structures involved in the implementation of the National Action Plan and Strategy.

### Other TIP Stakeholders

- Ministry of Family and Social Inclusion:
  - Institute for Equality and Gender Equity – works on gender equality issues and strengthening the capacity of women, coordinates public policies and government strategies.

Côte d'Ivoire has three governmental bodies fully or partially responsible for the implementation of the state's anti-trafficking response.

**Coordination body 1:** National Committee for Combating Trafficking in Persons (CNLTP).

Year of establishment: 2016, by Law 2016-1111 of 08 December 2016 on the Fight against Human Trafficking. Decree 2017.227 of 13 April 2017 determines the powers, composition, organisation and functioning of the CNLTP.

**Structure:** The CNLTP comprises the Council for Supervision and Strategic Orientation and the National Unit for Coordination of the Fight against Trafficking in Persons.

The Committee is an inter-ministerial body, placed under the authority of the Prime Minister. According to Decree 2017.227/13 April 2017, the members are the representatives from thirteen ministries.

**Funding:** State budget.

**Tasks and responsibilities:** The tasks of the CNLTP are to 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, tasked with guiding actions, programmes and projects to combat TIP. The CNLTP is the operational organ of the National Committee, charged with development, implementation and coordination of programmes and projects to combat TIP. At local level, regional anti-trafficking units exist, chaired by the regional governors. Coordination body 2: National Committee for Monitoring Actions to Combat Child Labour (CNS).

**Year of establishment:** 2011, by Decree no. 2011-366 of 3 November 2011.

**Structure:** The CNS is presided over by the First Lady of Côte d'Ivoire and is composed of national and international NGOs working in the area of child protection and appointed by the President of the CNS.

**Funding:** State budget.

**Tasks and Responsibilities:** The CNS has the role of monitoring and evaluating the actions of the Government in the fight against trafficking, exploitation and child labour. As such, it is responsible for: 1) Monitoring the implementation of government projects and programmes in the context of the fight against trafficking in persons, exploitation and child labour; 2) Monitoring the application of conventions on the fight against trafficking, exploitation and child labour; 3) Initiating preventive actions against trafficking, exploitation and child labour; 4) Making proposals to the Government for the abolition of child labour – proposed measures for the care of child victims of child labour; 5) Contributing to the education and professional reintegration of working children.

**Coordination body 3:** Inter-Ministerial Committee for the Fight against Trafficking, Exploitation and Child Labour (CIM).

**Year of establishment:** 2011, by Decree no. 2011-365 of 3 November 2011.

**Structure:** The Inter-Ministerial Committee is chaired by the Minister of State, the Minister of Employment, Social Affairs and Solidarity, assisted by a Vice-President, the Minister of Family, Women and Children. The members are representative of the cabinet of the Prime Minister and twelve ministries.

*The CIM has established a Technical Secretariat responsible for: 1) Proposing actions for the implementation; 2) Serving as the national focal point in the fight against trafficking, exploitation and child labour; 3) Preparing the meetings of the Inter-Ministerial Committee and monitoring the execution of its decisions.*

*The Technical Secretariat consists of the representatives of the ministers in charge of the labour, agriculture, human rights, and children portfolios. The representative of the ministry in charge of labour ensures the presidency of the Technical Secretariat.*

**Funding** State budget.

**Tasks and Responsibilities:** The CIM is responsible for: 1) Designing, coordinating and ensuring the implementation of programmes and projects related to the prohibition of child labour; 2) Defining and ensuring the application of the government guidelines within the framework of the national policy to combat trafficking, exploitation and child labour; 3) Validating the various programmes and partners to verify their compliance with the national policy to combat trafficking, exploitation and child labour; 4) Coordinating the activities of all actors involved in the fight against trafficking, exploitation and child labour; 5) Assessing the execution of programmes and projects related to the fight against trafficking, exploitation and child labour.

The Inter-Ministerial Committee reports on its activities to the National Committee for the Monitoring of Actions to Combat Child Trafficking, Exploitation and Labour through its President or Vice-President.

*“Observers reported coordination between the three bodies improved during the reporting period, although increased collaboration and dedicated resources were still needed for the CNLTP to be fully effective”.<sup>145</sup>*

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<sup>145</sup> US Department of State (2021), Trafficking in Persons Report.

## Other TIP Stakeholders

- Criminal Police Department.
- Sub-Directorate for Child Trafficking and Juvenile Delinquency for the prevention, protection and punishment of perpetrators of crimes against children. Six regional branches were set up in 2021.
- Regional Judicial Police Services – established in 2021 (Order N°197/MSPC/CAB of 18 June 2021).
- Directorate of Information Technology and Technological Tracksi – conducts technological projects for security and investigations of cybercrime, provides technological support to investigations.
- Directorate Unit to Fight against Transnational Organized Crime – collects and analyses information, and conducts investigations transnational crime, including organised crime and TIP.

**Non-Governmental Organisations** provide reception, accommodation, food, clothing, care and family search for reintegration of victims:

- SOS Exclusion, CAVOEQUIVA, CI Prospérité, BICE, JEKWILI, Lait Maternel, Akwaba.

## International Organisations

- IOM, UNODC, UNICEF, SAVE THE CHILDREN, Expertise France.

## The Gambia

**Coordination bodies:** National Agency against Trafficking in Persons (NAATIP) and the National Task Force (NTF).

**Year of establishment:** 2007 (NAATIP), 2004 (NTF).

**Structure:** The NTF is chaired by NAATIP and comprises representatives of a large number of ministries and governmental agencies, NGOs, international organisations and foreign government representatives: the Office of the President, the Ministry of Justice, the Ministry of Foreign Affairs, International Cooperation and Gambians Abroad, the Ministry of Interior, the Child Protection Alliance, Network Against Gender Based Violence, Gambia Committee on Traditional Practices, the Ministry of Women, Children and Social Welfare (Department of Social Welfare and Shelter for Children), Female Lawyers Association - Gambia, the National Human Rights Commission, the United States Embassy, IOM, West Africa Network, Financial Intelligence Unit, the Gambia Tourism Board, Centre for Street Children and Child Trafficking Studies, Child and Environment Development Association, Network of Girls Against Trafficking In Persons.

**Funding:** National budget.

**Tasks and responsibilities:** NAATIP administers the TIP Act of The Gambia and is responsible for the overall coordination of anti-trafficking actions in the state. The Agency is the central institution handling cases of trafficking in persons, and therefore receives signals and investigates TIP cases.

The NTF has policy-related tasks and supports the functions of NAATIP. It periodically presents progress reports to the Board of Directors of NAATIP.



**Coordination body:** Human Trafficking Management Board (HTMB) and the Human Trafficking Secretariat (HTS).

Year of establishment: 2006, by Section 28 of the 2005 Human Trafficking Act. The HTMB serves as a Task Force. The latest Task Force was inaugurated in 2018.

**Structure:** The HTMB and the HTS are hosted by the Ministry of Gender, Children and Social Protection.

The HTMB is composed of a diverse group of representatives from the Ministry of Gender Children and Social Protection, the Ministry of Education, the Ministry of Health, the Ministry of Interior, the 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

**Funding:** National budget, voluntary contributions, external donors, grants, assets confiscated in relation to TIP, etc.

**Tasks and responsibilities:** The HTS is the operational and executive tool of the HTMB. Its overall goal is to facilitate the prevention and combatting of trafficking cases in Ghana. It is also mandated to sensitise all persons to human trafficking and create a peaceful environment to accelerate national development.<sup>146</sup>

The HTMB supervises the actions of the HTS. It 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 ECOWAS. It also advises the Minister on policy initiatives under the TIP Act, and proposes and promotes strategies to prevent and combat trafficking in persons. The HTMB 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. Further functions of the HTMB are to conduct research on international and regional developments and standards on TIP and prepare guidelines for the national and local authorities.

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<sup>146</sup> Republic of Ghana, Ministry of Gender, Children and Social Protection homepage: <https://www.mogcsp.gov.gh/human-trafficking-secretariat-ht/>.

## Other TIP Stakeholders

- Ministry of Interior – coordinates a number of security agencies directly involved in the implementation of the trafficking law:
- Ghana Police Service, Anti-Human Trafficking Unit – primarily responsible for prevention, rescue and protection of victims, and handling the investigation, arrest and prosecution of traffickers. The Unit has established 9 regional offices in the 16 regions of Ghana.
- Domestic Violence and Victim Support Unit – instrumental in dealing with cases of sexual abuse, domestic violence, forced marriage and domestic servitude.
- The Ghana Immigration Service, Anti-Human Smuggling and the Trafficking in Persons Unit – with the support of the Migration Management Bureau, the Unit controls migrant smuggling and cross-border trafficking.
- Ghana Prisons Service – incarcerates convicted traffickers.
- Ministry of Justice:
  - The Attorney General’s Department – responsible for the prosecution of human traffickers.
  - The Economic and Organised Crime Office – currently involved in investigating activities related to organised crimes and money laundering in the context of TIP.
  - Judicial Services (courts) – rule on potential cases of TIP.
- Ministry of Employment and Labour Relations (through its Labour Department, Data Inspectorate and the Child Labour Unit) – in charge of elimination of child labour and related exploitation and the procedural regulation of processes, registration and licences of all labour recruitment agencies, for both domestic and international labour markets.
- Ministry of Defence – rescue of victims, especially at sea and on Lake Volta.
- Ministry of Communications – supports other stakeholders in sensitisation campaigns and leads investigations into online exploitation, in cooperation with the cybersecurity unit of the Ghana Police Service.
- Ministry of Health (through the Ghana Health Services) – provides both physical and mental health interventions for rescued victims.
- Ministry of Education (through the Ghana Education Service) – provides for the educational needs of rescued victims, both during their rehabilitation and reintegration phases.
- Ministry of National Security – provides intelligence on the profile of traffickers, their movements, financial transactions and organised criminal rings.
- Academia (some academic institutions, such as the Centre for Migration Studies and the Legon Centre for International Affairs and Diplomacy, University of Ghana) – involved in research, consultancy, teaching and training in the area of TIP. The Legal Resources Centre has also been consistent in providing technical support in training of stakeholders.

## Non-Governmental Organisations

Various NGOs are involved in the rescue, sheltering, rehabilitation, integration, advocacy, and awareness raising:

Migrant Watch and Skilled Revolution Front, Mercy Project, the NGO Coalition on the Rights of the Child, the Christian Council of Ghana, Breaking the Chains through Education, Right To Be Free, Ghana Make a Difference (shelter), Village of Hope (shelter), Challenging Heights, Parent and Child Foundation, Great International Mission, the Don Bosco Child Protection Centre, City of Refuge Ministries, the Ark Foundation, Partners in Community Development Programme, the SEWA Foundation, Eden Heights, the Centre for Initiatives Against Human Trafficking, Kinder Paradise (shelter), the Nana Aymadu Foundation, Chiefs, Queen Mothers and opinion leaders in communities, Free the Slaves, and the RECFAM Foundation.

## International Organisations

- IOM, ILO, Expertise France, World Vision, International Justice Mission, International Needs Ghana, UNICEF and ICMPD.

**Coordination body:** National Committee for Combating Trafficking in Persons and Related Practices (CNLTPPA).

**Year of establishment:** 2004, by Presidential Decree of 17 February 2017.<sup>147</sup>

**Structure:** The members are an extensive group of governmental representatives from the Ministry of Social Action, Promotion of Women and Children, the Ministry of Justice, the Ministry of Security and Security Services Reform, the Ministry of Foreign Affairs and Guineans Abroad, the Ministry for International Cooperation, the Ministry for Pre-University and Civic Education, the Ministry of Administration of Territory and Decentralisation, the Ministry of Technical Education and Professional Training, the Ministry of Communication, the Ministry of Agriculture, the Ministry of Labour, NGOs and Ios.

**Funding:** National budget and external funding from UN agencies, international and national NGOs, and foreign embassies.

**Tasks and responsibilities:** The National Committee is tasked with elaborating and adopting national TIP policies; performing coordination, monitoring and evaluation of all anti-trafficking activities in the country; ensuring the mobilisation of human, material and financial resources for anti-TIP actions; and representing the state at subregional, regional and international meetings in the field of combatting TIP.

### Other TIP Stakeholders

- Ministry of Security and Civil Protection – collection of trafficking data, law enforcement, suppression of transnational trafficking (border management).
- Office for the Protection of Gender, Children and Morals.
- Central Directorate of the Air and Border Police.
- High Command of the Gendarmerie – collection of trafficking data, law enforcement, suppression of transnational trafficking (border management).
- Special Brigade for the Protection of Vulnerable Persons.
- Ministry of Labour and Social Affairs – compliance with labour legislation (in particular exploitation in the workplace).
  - Labour inspection.
  - Directorate of Labour Legislation.

<sup>147</sup> Food and Agriculture Organization (FAO) (n.d.), Guinea, FOALEX Database, <https://www.fao.org/faolex/results/details/fr/c/LEX-FAOC169185/> (in French).

- Ministry of Foreign Affairs and Guineans Abroad – state relations with Guineans abroad, protection and care of victims of trafficking abroad.
- Diplomatic missions/consular services.
- Department of Justice – drafting laws against trafficking, prosecution of traffickers.

### **Non-Governmental Organisations and National Coalitions**

- Mouvement Africain des Enfants et Jeunes Travailleurs (MAEJT) Guinea – ensures coordination of the activities of WAN. Functions across the state, providing services for people at risk and victims.
- Organisation Guinéenne pour la Lutte contre la Migration Irrégulière (OGLMI) – operates in Conakry, Kindia, Boké, Mamou, Labé, Kankan and N’Zérékor, providing services for people at risk and victims.
- SABOU Guinea – operates in Mamou, Kindia, Boké and Conakry, providing services for people at risk and victims.
- Mêmes Droits pour Tous (MDT) – operates across the state, providing services for people at risk and victims.
- Coalition des Organisations Non Gouvernementales de Lutte contre la Traite des Enfants (COLTE/CDE).
- Jeunesse et Secours – undertakes awareness activities at regional level.

### **International Organisations**

- Terre des Homme, Expertise France, the European Union Delegation in Guinea (the European Union Emergency Trust Fund for Africa), United States Aid (USAID), IOM, UNICEF, OHCHR and APRIES.

**Coordination body:** National Committee for Preventing and Combating Trafficking in Human Beings, particularly Women and Children.

**Year of establishment:** 2008, by Decree Law No. 05/2008.

**Structure:** The Institute for Women and Children is the secretariat and chair of the National Committee. It consists of approximately 20 key governmental and non-governmental institutions and organisations working on protection: the Ministry of Women, Family & Social Cohesion, the Ministry of Interior, the Ministry of Civil Service and Labour, the Ministry of Education, the Ministry of Health, the 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.

**Funding:** Ensured through partnership between the Government and UNICEF

**Tasks and responsibilities:** 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 state.

### Other TIP Stakeholders

- Institute for Women and Children – Executive Secretariat for Children and Women – public institution established in 2010, responsible for defending and protecting the rights of women and children. In the field of TIP, the Institute serves as the secretariat and chair of the National Committee for Preventing and Combating Trafficking in Human Beings, particularly Women and Children.
- National Guard – encompasses several institutions which due to their specific functions play an important role in preventing and combatting cross-border trafficking:
  - Directorate General of Customs.
  - Directorate General of Forests.
  - Border Guard.
  - Directorate General for Migration and Land Borders.

- Public Order Police – responsible for maintaining public order and ensuring the safety of citizens.
- Ministry of Interior, Directorate Service of Human Rights, Promotion and Protection of Women and Children – cooperates with the Central Commissioner of Police of Public Order to respond to violence against women and children.
- Judicial Police – assists the judicial authorities in investigative activities related to TIP cases.
- Public Prosecutor’s Office – the body constitutionally charged with initiating and promoting TIP-related criminal proceedings.
- Courts – in accordance with the constitutional law and other ordinary legislation, cases of crimes against trafficking in human beings are heard and judged by the courts.
- Ministry of Justice – responsible for the development and adoption of the laws against trafficking in persons and female genital mutilation.
- Ministry of Women, Family and Social Cohesion – responsible for the design of policies in the field of social protection, including TIP.
- Ministry of Public Service, Labour and State Modernisation – responsible for ensuring and conducting national security policy.
- Ministry of Internal Administration – responsible for ensuring and conducting national security policy.
- Ministry of Public Service – responsible for formulating labour policies.

### **Non-Governmental Organisations**

Assistance to child victims of TIP in Guinea-Bissau is provided by various NGOs:

- Associação Amigos da Criança (AMIC) – carries out activities related to the promotion and protection of children’s rights, education (day care centres), health, environment, legal assistance to victims of violence. AMIC runs a reception centre in Gabú, with capacity for 30 children.
- SOS Criança Talibés – focused on the protection of children’s rights, in particular of Talibés children. Supports children’s schooling, raises awareness in the communities about children’s rights, the need to abandon harmful traditional practices, such as early marriage, fanado (female genital mutilation) and the handing over children for Koranic studies.
- Other organisations that have no focus on TIP but are involved partially in TIP-related activities:
  - National Human Rights Commission.
  - Human Rights Observatory.
  - Liga Guineense dos Direitos Humanos (LGDH).
  - National Network of Fight against Violence.
  - Religious organisations, Forum de Ref.
  - National Committee to Abandon Harmful Practices.

**Coordination body:** National Anti-Human Trafficking Task Force.

**Year of establishment:** 2006.

**Structure:** The members of the Task Force are: the Ministry of Labour (serves as Chair), the Ministry of Justice, the Ministry of Gender, Children and Social protection, the Ministry of Health, the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Liberia National Police, the Liberia Immigration Service, the Liberia Drugs Enforcement Agency.

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.

**Funding:** National budget.

**Tasks and responsibilities:** 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, helps detect criminal groups, 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.

### Other TIP Stakeholders

- Ministry of Gender, Children and Social Protection – provides shelter to child trafficking victims and assists family reunification, including through the operation of a case management system. Implements a number of projects with non-governmental and international organisations, such as the Liberia Society Safety Nets Project with the World Bank to provide support for low-income households.
- Department for Children and Social Protection – coordinates child protection efforts as well as programmes and policies to targeted at other vulnerable social groups. Advises and coordinates advocacy on child protection issues, including child labour and trafficking.
- Ministry of Health – manages registration of births, which plays a part in effective documentation and monitoring of children’s education.
- Ministry of Internal Affairs.
- Ministry of Justice – in addition to advising on and codifying law, the Ministry investigates, prosecutes and sentences various crimes, including TIP. Works in collaboration with other government ministries to monitor borders and migration.



- Liberia Drug Enforcement Agency – investigates and charges individuals related to the transfer and sale of illicit drugs. These cases often capture incidents of trafficking or child labour, such as underage girls and boys engaged in the sale of illicit drugs.
- Liberian Immigration Services (LIS) – response for the assessment of travel facilities and management of people and border.
- Anti-Human Trafficking and Migrant Smuggling Unit – plays a significant role in investigating transnational trafficking. The LIS may also secure temporary shelter for trafficking victims.
- Liberian National Police:
  - The Women and Children Protection Section (WACPS) is responsible for investigating trafficking cases.
- Ministry of Labour – responsible for enforcement of labour laws. Funds and administers a variety of anti-trafficking programmes, including the anti-trafficking hotline and awareness campaigns.
- Ministry of Education.

### **Non-Governmental Organisations**

- National Coalition of Civil Society Organizations of Liberia – a conglomeration of over 200 CSOs established to promote education, sexual reproductive health, societal mobilisation, solidarity action, advocacy on gender-based violence, VAW and the exchange of information and skills, thereby enhancing CSO capacities, visibility, and potential as well as combatting human trafficking and child labour. Since its establishment in 2005, the Coalition has sought to increase cooperation and enhance institutional capacity of CSOs to hold government accountable to its constituents.
- Community Watch Forum.
- Beersheba Ministries Liberia.
- Community Watch Forum.
- West Point Women for Health and Development Organisation.
- Liberia National Law Enforcement Association.
- Alliance for Women and Girls.
- Liberia Female Sociologists.
- Citizens’ Initiative for Dialogue.

### **International Organisations**

- International Development Law Organization – works with government to strengthen its anti-trafficking institutional set-up, legislation and its enforcement.
- Defence for Children International Liberia – engages in protection of children’s rights, juvenile justice, advocacy and psychosocial counselling.
- International Organization for Migration.
- Winrock International.
- World Hope International.

## Mali

The issues of child labour and trafficking are institutionally separated in Mali. Thus, labour issues (including child labour) are the responsibility of the department in charge of labour, whereas trafficking issues are the responsibility of the department in charge of the promotion of the child and the family and, in part, the Ministry of Justice.

**Coordination body:** National Committee on the Coordination of the Fight against Trafficking in Persons and Similar Practices

**Year of establishment:** 2011, Decree No. 2011-036/PM-RM of 3 February 2011.

**Structure:** The National Committee is under the competencies of the Minister of Justice and Human Rights, Keeper of Seals. Its members consist of representatives from the National Director of Judicial Affairs, the Ministry for the Promotion of Women, Children and the Family, the Ministry of Security and Civil Protection, the Ministry of Territorial Administration, the Ministry of Solidarity, Humanitarian Action and Northern Reconstruction, the Ministry of Education, the Ministry of Labour, Public Service and State Reform, the Ministry of Employment and Vocational Training, Youth and Citizen Construction, the Ministry of Equipment and Transport, the Ministry of Culture, Crafts and Tourism, the Ministry of Foreign Affairs and International Cooperation, the Ministry of Malians Abroad, the 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 Ios.

The Committee is represented at the level of each region and of the District of Bamako, in each circle (Art.10).

**Funding:** No specific funds allocated.

**Tasks and responsibilities:** 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. It prepares the annual report on anti-trafficking activities as well as national reports on the implementation of subregional action plans to combat trafficking in persons.

**National Unit to Combat Child Labour** – created in 2010, as part of the fight against child labour, particularly in its worst forms. The mission of the Unit is to study all issues concerning child labour and to promote actions aimed at its elimination. The Unit has a National Steering Committee responsible for guiding, supervising and evaluating all actions to combat child labour. The Committee is composed of representatives of the technical structures of the state, civil society, professional organisations, and employers' and workers' organisations. The Unit is represented at the regional and local level by the *Orientation, Coordination and Monitoring Committees*.

The Unit also has a *Technical Coordination Committee*, which assists the Director of the Unit in coordinating actions to combat child labour. Coordination between the two bodies exists only at central level – the National Unit to Combat Child Labour is a member of the National Coordination Committee to Combat Trafficking in Persons and Related Practices. However, coordination at the operational level (regional and local) is reported as a challenge.

### Other TIP Stakeholders

- The Ministry for the Advancement of Women, Children and the Family – responsible for the development of TIP actions, preparing reports on the implementation of international legal instruments for the promotion and protection of women’s and children’s rights.
- National Directorate for the Advancement of Women.
- National Directorate for the Advancement of Children and the Family.
- Ministry of Labour – sets up the National Unit to Combat Child Labour, adopts projects and programmes to combat child labour and oversees the National Plan of Action for the Elimination of Child Labour in Mali.
- Ministry of Social Development – develops and implements policies related to the promotion and protection of vulnerable groups, including women, economically exploited children (especially in begging), poor families, elderly people, disabled citizens, etc. It has also adopted the National Strategic Plan to Combat Begging in Mali.
- Ministry of Internal Security, Judicial Police Department – intervenes effectively in investigations to detect offenders and, in the specific case of trafficking, transnational organised crime and terrorism, to track down and arrest offenders and their accomplices and bring them to justice:
  - Operational Brigades: Brigade for the Protection of Morals and Children, Judicial Investigation Brigade, Anti-Narcotics Brigade, Brigade for the Suppression of the Smuggling of Migrants and Trafficking in Persons.
  - Border Police Directorate.
  - Immigration Service.
  - National Gendarmerie.
- Ministry of Malians Abroad and African Integration – responsible for the migration management and the implementation of Mali’s National Migration Policy.
- Ministry of Foreign Affairs and International Cooperation – involved in the development of various bilateral and multilateral agreements to combat TIP in the West and Central African subregion. The diplomatic and consular authorities are also involved in the repatriation of certain victims of TIP.

## Non-Governmental Organisations

The majority of NGOs are grassroots actors working on protecting the rights of vulnerable groups . The National Coordinating Committee to Combat Trafficking in Persons and Related Practices considers these actors *its exclusive partners*.<sup>148</sup>

- Save the Children, Enda-Mali, Caritas-Mali, Kanuya, Coalition Malienne des Droits de L'enfant, Aid Association, The Child Rights Action Research Group Mali, Samu Social, etc.
- West Africa Child Protection Network, African Movement of Working Children and Youth, Mali.

## International Organisations

- ILO, UNICEF, UNESCO, IOM, UNODC, ECPAT Luxembourg, WILDAF, Terre des Hommes Lausanne, Plan International, Right To Play, etc.

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<sup>148</sup> Country report Mali.

## Mauritania

**Coordination body:** Central Office for the Repression of Trafficking in Migrants and Human Beings (OCRTMTEH)

**Year of establishment:** 2021, by Order No. 644/MIDE/DGSN of 26 May 2021.

**Structure:** The Central Office is created within the Directorate of Air and Border Police at the General Directorate of National Security. It is headed by an official of the Police Commissioner Corps, who holds the title of Head of the Office and has the rank of Head of Service of the Central Administration of the General Directorate of National Security.

The OCRTMTEH includes the following divisions and units:

- Secretariat.
- Analysis, Synthesis and Intelligence Division.
- Intervention and surveillance brigade.
- Coastal Surveillance Brigade.
- Document Fraud Division.
- Regional branches.

The Head of the OCRTMTEH is responsible for the administration, organisation and coordination of the activities of the office.

**Funding:** State budget.

**Tasks and responsibilities:** The OCRTMTEH has jurisdiction over the entire national territory. It is responsible for:

- Combatting the smuggling of migrants.
- Fighting all organised forms of trafficking in human beings.
- Fighting national and international transport networks involved in these types of organised crime.
- Fighting human trafficking and migrant smuggling in the framework of international judicial cooperation.
- Implementation of the National Action Plan.

### Other TIP Stakeholders

- Ministry of Public Service and Labour – responsible for the implementation of Programme for the final eradication of child labour, forced labour, human trafficking and modern slavery with the assistance of the United States Department of Labour.
- Ministry of Justice – initiates legal texts, protection and reintegration of children in conflict with the law, controls and monitors the work of NGOs in this field.
- Ministry of Health.

## Non-Governmental Organisations

- SOS Slaves – legal support to victims of slavery, social and economic integration. Works for promotion of human rights in general and for the final eradication of slavery in Mauritania.
- Mauritanian Association for Mother and Child Health – ensures support for vulnerable groups, the promotion of women’s and children’s rights and their full participation in the process of economic and social development.
- Association des Femmes Chefs de Familles – aims to promote human rights and defend the rights of women and children, to provide support to victims of slavery and to create small income-generating projects.
- Association de Lutte Contre la Dépendance con -contributes to improving the living conditions of the population, in this case the most vulnerable groups through the promotion of their rights. The ALCD, in partnership with Free the Slaves organises training workshops for journalists and lawyers.
- The Initiative for the Resurgence of the Abolitionist Movement – accompanies and assists victims of slavery, raises awareness among public authorities, humanitarian bodies and organisations, promotes and defends the universality of human rights.

**Coordination bodies:** National Commission for the Coordination of the Fight against Trafficking in Persons (CNCLTP) and the National Anti-Trafficking Agency (ANLTP).

**Year of establishment:** 2012, Order No. 2010-86 of 16 December 2010 and Decree No. 2012-082/PRN/MJ of 21 March 2012 determining its organisation, composition and operating procedures.

**Structure:** Composed of the Ministry of Justice (President), the Ministry for the Promotion of Women and Protection (Vice-President), the Ministry of Interior, Public Security, Decentralisation and Traditional and Religious Affairs, and representatives of NGOs active in the anti-trafficking field.

Membership is made by representatives from the Ministry of National Defense, 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, the Ministry of Finance, the 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.

**Funding:** National budget and contributions from technical and financial partners.

**Tasks and responsibilities:** The CNCLTP has a strategic role in designing policies, programmes and action plans to combat trafficking in persons and smuggling of migrants. In this capacity, it develops national policies and programmes to combat trafficking in persons, which it submits to the Government.

The ANLTP is the operational structure for the execution and implementation of national policies and strategies adopted by the CNCLTP as well as the implementation of the National Action Plan on the fight against trafficking in persons.

### Other TIP stakeholders

- **The National Human Rights Commission** – deals with issues relating to trafficking in persons as part of its general mandate to promote and protect human rights. Therefore, when faced with a question relating to TIP or SoM, the Commission should refer the victims or the persons, objects of trafficking to the structures specially created by the state to deal with these issues.
- **Ministry of Foreign Affairs and Cooperation** – involved in anti-trafficking actions, both through its diplomatic and consular representations and through its technical directorates, in the management of the care of victims of transnational trafficking.

- **Ministry of the Interior** – involved mainly through its technical services, notably the Directorate of Civil Status, Migration and Refugees and the General Directorate of Territorial Surveillance, to which the Border Police is attached, and more recently the Special Investigations Division.
- **Ministry of Public Service and Employment** – responsible for monitoring the implementation of all conventions related to the prohibition of forced labour, the worst forms of child labour and the minimum age for admission to employment. Its role is to ensure compliance with labour legislation and record violations of that legislation.
- **Ministry for the Advancement of Women and the Protection of Children** – works in close collaboration with NGOs to assist women and children who are victims of violence or any form of exploitation, or are in a position of vulnerability of any kind.
- **Judicial services** – the courts of Niger and the Public Prosecutor’s Office. Magistrates from the state’s various district courts are chosen to act as focal points to the ANLTP at regional level. Juvenile judges are responsible for all matters concerning child offenders and children at risk.
  - Judicial centre specialising in terrorism and transnational organised crime, including TIP.
- **Judicial police services** – the National Police and the Gendarmerie.

### Non-Governmental Organisations

The following associations and organisations have been selected by ANLTP:

- Timidria – takes care of victims of slavery and slavery-like practices by covering the costs of care for the victims, their psychological follow-up and their accommodation in its premises or in the homes of its members.
- RDM Tinafili – supports victims of slavery through their social reintegration, in their administrative procedures to obtain civil status documents, etc. Like TMIDRIA, it specialises in the fight against slavery, the caste phenomenon and the Wahaya practice.
- Organisation for the Restoration of Human Dignity – works together with the above two organisations, accompanies the victims in their legal action by taking charge of the expenses of the lawsuit.
- School-Sponsorship and Basic Development Actions – protects child victims of trafficking for sexual exploitation, begging and labour.
- Organisation for the Fight against Human Trafficking and Prostitution – supports victims, working on TIP cases.
- Organisation for the Fight against Child Labour and Trafficking.
- Association for the Fight against Child Labour.
- ADDENA.
- Nigerien Association for the Treatment of Delinquency and the Repression of Crime.

### International Organisations

- UNODC (GLO ACT project), IOM, EUCAP-SAHEL



**Coordination body:** National Agency for the Prohibition of Trafficking in Persons (NAPTIP).

**Year of establishment:** 2003, by the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2003.

**Structure:** NAPTIP is a separate entity under the supervision of the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development. A part-time Governing Board is established which consists of a Board Chairman, two representatives from CSOs, and representatives from the following institutions: the Federal Ministry of Justice, the Federal Ministry of Women Affairs, the Federal Ministry of Labour and Productivity, the Nigeria Police Force, the National Intelligence Agency, the Nigeria Immigration Service, and the National Planning Commission.

**Funding:** Government funds.

**Tasks and responsibilities:** NAPTIP is the Nigerian Federal Government response to TIP. It is a unique entity, because it covers all aspects of the anti-trafficking response – developing and implementing anti-TIP policies and legislation, prevention, law enforcement, prosecution, and victim protection and support. NAPTIP has the power to investigate whether any person, body or entity has committed a TIP offence. NAPTIP conducts searches, arrests, detains and prosecutes offenders under the TIP Act or any other law on trafficking in persons in Nigeria. NAPTIP can trace, seize, detain or retain in custody, for the purpose of investigation and prosecution, and can seal premises upon reasonable suspicion of such premises being involved in, or used in connection with, TIP offences. It seeks and receives information from any person, authority, corporation or company in relation to TIP cases. NAPTIP performs its functions through eight specialised departments:

- Investigation and Monitoring.
- Legal and Prosecution.
- Counselling and Rehabilitation.
- Public Enlightenment.
- Research and Programmes Development.
- Training and Manpower Development.
- Administration.
- Finance and Accounts.

In addition to the departments, there are nine units, three regional directorates and nine regional offices strategically covering all zones of the state.

### Other TIP Stakeholders

- Nigeria Police Force, Anti-Human Trafficking Unit (within Force Criminal Investigations Department) – investigates cases of human trafficking.
- Nigeria Immigration Service – plays a role in the investigation of TIP and migrant smuggling. A recent amendment of the Immigration law mandated the Service to enforce the legislation on smuggling of migrants from and into Nigeria.
- Federal Ministry of Justice.
- Nigeria Security and Civil Defence Corps – supports NAPTIP in relation to information sharing and operations.
- Nigeria Customs Service – collaborates with NAPTIP to identify TIP at the borders.

### Non-Governmental Organisations

Over 100 NGOs play important roles in countering human trafficking, providing protection and assistance services to victims and working with state actors to prevent and combat TIP and the smuggling of migrants.

- Network against Child Trafficking Abuse and Labour (NACTAL) – established by the Women Trafficking and Child Labour Eradication Foundation (WOTCLEF), it is the coordinating body for non-state actors in NAPTIP. NACTAL maintains a presence in all the six geopolitical zones of Nigeria and with over 136 member organisations,<sup>149</sup> and carries out the following
  - Capacity development for member organisations.
  - Rescue and rehabilitation of victims of child abuse and trafficking and reporting of cases of abuse and trafficking to the appropriate authority.
  - Campaigning against child trafficking, labour and abuse in both Nigeria and the Republic of Benin.
  - Production and distribution of informational and educational materials.
  - Drafting of policy documents on child trafficking, labour and abuse, such as NAPTIP acts, etc.
  - Documentation and collection of data on issues of child abuse, labour and trafficking.

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<sup>149</sup> NACTAL homepage: [atipsom.com/nactal/](https://atipsom.com/nactal/).

**Coordination body:** National Unit for Combating Trafficking in Persons.

**Year of establishment:** 2012.

**Structure:** The Unit comprises the membership of various ministerial departments and NGOs.  
**Funding:** National budget and additional funding from international organisations.

**Tasks and responsibilities:** 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 state and responsible for the identification of suspicious and potential TIP cases in the community.

### Other TIP Stakeholders

The institutional framework that addresses TIP issues includes various ministries, such as:

- Ministry of Women, Family, Gender and Child Protection – supports vulnerable groups, particularly the families of disadvantaged children. Support and reintegration of children engaged in begging into their families.
- Ministry of Justice, The Directorate of Criminal Affairs and Pardons – evaluates the performance of the public justice service in the judicial handling of trafficking. Regularly collects judicial statistics throughout the state.
- Department of Supervision and Social Protection – plays a key role in the system of services for children at risk and in conflict with the law. It is responsible for the prevention, protection, rehabilitation, training and mediation of minors. The Department opened the first reception centre for children in need of urgent assistance.
- Ministry of Health and Social Action – provides access for and protection of vulnerable groups.
- Ministry of the Interior:
  - Air and Border Police Directorate – responsible for border surveillance and combatting cross-border crime and irregular migration, and for cross-border intelligence.
  - Special Cyber Security Division of the National Police – responsible for analysing various digital data or “processing” tools seized during police operations, such as mobile phones, computers and hard drives.
  - National Division for Combating the Smuggling of Migrants and Similar Practices – the special unit in charge of investigations into migrant smuggling and trafficking in persons.
  - Special Protection Brigade for Minors – plays an essential role in protecting children at risk (including talibés children).
  - Criminal Investigation Division – responsible for combatting serious national and international crime.
  - Directorate of Foreigners' Police and Travel Documents.

- Ministry of Foreign Affairs.
- Ministry of the Armed Forces, Territorial Gendarmerie – responsible for regular operations to combat illegal migration. In this capacity, it dismantled several trafficking networks between 2020 and 2021.<sup>150</sup>
- Ministry of Labour, Social Dialogue, Professional Organisations and Relations with Institutions, Labour Directorate, Child Labour Coordination Unit – monitors the implementation of actions at operational level. It is the connecting element between the Ministry of Labour and the other operational actors, including the technical ministries.
- Senegalese Human Rights Committee – independent national institution for the promotion and protection of human rights in Senegal.

### Non-Governmental Organisations

Section 17 of the Trafficking in Persons Act 2005-06 allows NGOs to be a civil party in cases involving victims of trafficking. The most active organisations are:

- West African Child Protection Network, represented by Enda Jeunesse Action.
- Centre for Assistance to Children in Difficult Situations – cares for at-risk children living on the street.
- Platform for the Protection of Children’s Rights – supports talibés children.
- La Lumière – contributes to the socio-economic and harmonious development of vulnerable and disadvantaged groups, promotion of children’s and women’s rights, education and training, etc.
- De la Maison de la Gare – supports social integration of talibés children.
- Association Univers-elles (Maison Rose) humanitarian aid to children and women in vulnerable situations or victims of violence in West African states.
- Du Village Pilote – protects children’s rights.
- National Coalition of Associations and NGOs for Children – acts as a child-centred human rights organisation.
- Samu Social Senegal – supports at-risk children in dangerous and emergency situations.
- Association of Women Lawyers – provides legal and judicial assistance.
- African Meeting for the Promotion of Human Rights.

### International Organisations

- UNODC, IOM, UNICEF, ILO, USAID, Plan International, OHCHR, the FIIAPP, INTERPOL, Free the Slave, Anti-Slavery, African Programming and Research Initiative to End Slavery, etc.

<sup>150</sup> The Territorial Gendarmerie has set up naval resources to strengthen the capacity of surveillance units in the coastal areas, which have become a main departure point for traffickers – Interview conducted in Senegal, Interview number SN29.

**Coordination body:** National Taskforce on *Human Trafficking* and the Inter-Ministerial Committee on Human Trafficking.

**Year of establishment:** 2005.

**Structure:** The Secretariat of the *National Taskforce on Human Trafficking* is stationed in the Ministry of Social Welfare and headed by a National Coordinator. The Taskforce members are the Ministries of Social Welfare, Justice, Education, Health, Tourism, Information, Labour, Local Government, Foreign Affairs and Internal Affairs; the Police; the Immigration Department, 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 *Inter-Ministerial Committee on Human Trafficking* is composed of various line ministries, including the Ministry of Social Welfare, the Ministry of Gender and Children's Affairs, the Ministry of Labour and Social Security, the Ministry of Justice, the Ministry of Health and Sanitation, the Ministry of Local Government and Community Development, the Ministry of Youth Affairs, the Ministry of Internal Affairs, etc.

**Funding:** National budget, Ministry of Social Welfare budget, grants from external donors, gifts, donations.

**Tasks and responsibilities:** 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, and prevent trafficking through the adoption and encouragement of local initiatives aimed at improving the economic well-being of and opportunities for potential victims. The Taskforce receives and investigates TIP reports, monitors immigration and emigration patterns for evidence of TIP and initiates measures to inform and educate the public, including potential victims. Finally, the National Taskforce cooperates with other governments in the investigation and prosecution of TIP cases, cooperates with NGOs and advises the Government on TIP, including the need to cooperate in any international anti-trafficking efforts and economic alternatives to prevent and eliminate trafficking.

The task of the *Inter-Ministerial Committee on Human Trafficking* oversees and provides advice and policy guidance to the National Taskforce.

## Other TIP Stakeholders

- Ministry of Social Welfare, Gender and Children's Affairs – cooperates with other stakeholders to gather, store and disseminate statistics on the nature and trend of TIP in the state. Adopts measures to inform and educate the public, including schoolchildren and potential victims, about the causes and effects of TIP. Engages in efforts against trafficking, including preparing recommendations for economic alternatives to prevent and deter TIP.
- Ministry of Justice – advises law enforcement agencies in the investigation and prosecution of TIP cases assists in the enforcement of laws against TIP, including the prosecution of corrupt public officers who facilitate trafficking, and cooperates with the judiciary in ensuring speedy and fair trial of trafficking offences.
- Ministry of Health and Sanitation – cooperates with NGOs to provide comprehensive and free health care services to victims, including mental health care.
- Ministry of Labour and Social Security – enacts measures to prevent and protect workers against abusive recruitment practices and working conditions, and collaborates with labour-receiving countries for the adoption of standardised and enforceable employment contracts for migrant workers.
- Ministry of Foreign Affairs and International Cooperation – cooperates in any international efforts against TIP, including the adoption of legal and policy frameworks, and economic alternatives to prevent and deter trafficking. Collaborates with foreign embassies, governments, and NGOs to promote and protect the rights of migrant workers inside and outside the state, and facilitate repatriation of suspected victims where the need arises.
- Ministry of Interior – oversees security forces in charge of crime services.
- Transnational Organized Crime Unit – receives and investigate reports of TIP activities from the public, particularly those involving adult victims, and cooperates with law enforcement agencies in other states in investigation and prosecution.
- Family Support Unit – receives and investigates reports of TIP activities from the public, particularly those involving child victims and works with other law enforcement agencies.
- Justice and Legal Support Department – cooperates with other law enforcement agencies in the prosecution of human trafficking cases in court.
- Witness Protection and Assistance Unit – ensures safety and security for trafficking witnesses/victims and their family members and cooperates with the judiciary in ensuring that a witnesses/victims are comfortable and safe to testify in court (in a way that the person's identity is not disclosed to the public).
- Sierra Leone Immigration Department – monitors the immigration and emigration patterns of Sierra Leone for evidence of TIP and cooperates with border communities and law enforcement agencies to prevent cross-border trafficking activities and apprehend offenders.
- Office of National Security – coordinates intelligence among other law enforcement agencies targeting organised criminal activities, including TIP.

- Human Rights Commission, Sierra Leone – receives and investigates reports of human rights abuses from the public, including on TIP, and lobbies and advocates for legal representations for victims in the prosecution of TIP cases.
- INTERPOL – cooperates with foreign law enforcement agencies to forestall or break trafficking activities involving Sierra Leone as a destination, transit or country of origin.

### Non-Governmental Organisations

Civil society and service-providing NGOs cooperate with government agencies to provide psychosocial support to victims of trafficking, including through the provision of food, clothes, medical care, temporary shelter, family tracing and reunification, foster care, repatriation programmes, and skills training and basic education.

## Togo

**Name of the coordination body:** National Commission against Child Trafficking (CNLTP).

**Year of establishment:** 2021.

**Structure:** The Commission comprises sectoral ministries and CSOs. It The Commission is composed of 13 persons – led by the Ministry of Social Action, co-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 CSOs.

**Funding:** State budget.

**Tasks and responsibilities:** The CNLTP is the body promoting design and development of policies and programmes in the fight against child trafficking. Within the framework of its mission, the CNLTP cooperates with national and international institutions and structures involved in the fight against trafficking in persons.

In addition, since 2001, Togo has a working group focused particularly on child trafficking – the **National Commission for the Reception and Social Reintegration of Child Victims of Trafficking** – and an established network of monitoring and surveillance committees on child trafficking at community level. These committees serve as early warning mechanisms for any potential risks or suspected cases of trafficking in their local areas.

### Other TIP Stakeholders

Some ministries, due to the nature of their overall tasks, are dealing with TIP:

- Ministry in Charge of Social Action, Promotion of Women and Child Protection.
- Ministry of Justice.
- Ministry in Charge of Security.
- Ministry in Charge of Labour.
- Ministry of Health.
- Ministry of Primary and Secondary Education.
- The National Human Rights Commission.

## Annex 2: Guiding Questions for Conducting Field Research

### Baseline Assessment for the Anti-Trafficking Component of “Organised Crime: West Africa Response – Trafficking” (OCWAR-T)

#### Interviews and Consultation Meetings

##### Guiding Questions - Content

Dear researchers,

The research methodology of the current Baseline Assessment foresees **semi-structured** interviews and consultations. Therefore, the questions below guide you only through the thematic content of the interview or the consultation meeting. The way you ask the questions may be adapted, according to the interviewees’ specific expertise and the progress of the field research and data collection.

You must try to collect facts and opinions regarding **all thematic areas**, and provide as much substance to it as possible. If you discover gaps in the available information or cannot obtain certain information, you must explicitly refer to it and explain the circumstances in the interview summary.

The field research will be conducted in sixteen states – the 15 member states of ECOWAS and Mauritania. Therefore, prior to each field mission, the project team will have a preparatory meeting with each researcher. The goal of this meeting will be to tailor the mission goals, especially in regards to the content, and to focus the research questions based on the information already available through the ongoing desk research and other sources.

For each conducted interview or consultation meeting, you must fill in a **short summary**, up to a maximum of 2 pages for interviews and maximum of 4 pages for consultation meetings, depending on the quantity of obtained relevant information. The templates will be provided to you by the project team.



## I. TIP trends

1 What are the most common forms of exploitation in your state?

- Of adults?
- Of children?

*e.g. commercial sexual exploitation,  
labour exploitation (which sectors?),  
forced/servile/early marriage,  
domestic servitude,  
exploitation in drug trafficking,  
illegal adoption,  
exploitation in begging,  
exploitation in petty crime,  
Other forms?*

2 Which **factors** influence the existence of TIP and exploitation in your state?

3 What are the **profiles of victims?** (age, male/female, occupation, origin, etc.). Which are the most vulnerable groups and individuals?

4 Who are **the traffickers?** What is their profile? (age, male/female, occupation, origin, etc.)

5 How do traffickers get in contact with the victims?

6 How does trafficking occur? (methods of recruitment, transportation, transfer, harbouring, receipt and exploitation.)

## II. Anti-trafficking legal, policy and institutional framework in the ECOWAS region and Mauritania – national level

Could you provide information about the main anti-trafficking set-up in your state?

1. What is the main anti-trafficking law?

- Are there any recent amendments?
- Are there other laws that are used to deal with TIP cases – to protect victims and to prosecute traffickers?

2. Are there TIP-related national strategy and national action plans?

- Are there any recent amendments?
- Are they properly implemented? Any challenges?
- Are there national strategy and national action plans related to other topics (such as child labour, transnational organised crime, gender violence, etc.) but also used to address TIP?

3. Which organisation is the main anti-trafficking stakeholder in your state? (anti-trafficking commission, task force, coordinator, etc.)

- Who are the other TIP stakeholders? (governmental institutions, civil society organisations, international organisations)

### III. International and regional mechanisms for cooperation on TIP

- 1 Is your state part of any (sub)regional or international cooperation mechanism (bilateral, multilateral agreements) on victims' protection, referral of victims, etc.? Which one? Could you describe how it works?
  - What are the main advantages? How was the situation for the victims improved?
  - Do you see any disadvantages?
  - Is there an established monitoring process of this agreement? How is the agreement's implementation monitored?
  - Is there something that still needs to be improved or introduced as a practice?
- 2 Is your state part of any (sub)regional or international cooperation mechanism (bilateral, multilateral agreements) on prosecution of TIP cases? Which one? Could you describe how it works?
  - What are the main advantages? How does this help to secure prosecutions and/or convictions?
  - Do you see any disadvantages?
  - Is there an established monitoring process of this agreement? How is the agreement's implementation monitored?
  - Is there something that still needs to be improved or introduced as a practice?
- 3 Based on your knowledge and experience, could you give any recommendations for overcoming the already mentioned challenges?
- 4 Are there any other (sub)regional or international cooperation mechanisms that are used for dealing with TIP cases but which are not specifically dedicated to TIP?
- 5 Can you point out a practice from your state that you find successful and worth sharing with other states?
- 6 Are you aware of such successful practices of other states that can be shared and implemented in your state? Please explain.

### IV. National mechanisms for cooperation on TIP cases, national referral mechanisms for victims

1. Please describe the governmental and non-governmental institutions and organisations that are involved in the anti-trafficking response in your state. Please mention their function in the anti-trafficking response.
2. Is there a national cooperation mechanism established among anti-trafficking stakeholders in your state?
3. What is the form of the mechanism? (for example: standard operating procedures (SOPs), memorandums of understanding (MoUs) between different stakeholders, etc.)

## VI. Concluding questions

1. Do you have anything else to add?
2. Are there regular national anti-trafficking reports produced and available?
3. Do you know of any other relevant publications, reports or statistics?
4. Are there any other organisations or individuals that should be interviewed?
5. Would you be interested in being involved in future activities related to this research or other similar activities?
6. Do you have any remaining questions related to this research?

## Annex 3: List of Consultations Conducted

Information regarding the conducted interviews, consultations and written inputs is provided below, in accordance with the level of consent on anonymity given by each person interviewed.

Benin	
BN01	Ministry of Foreign Affairs and Cooperation, Directorate of Legal Affairs
NB02	Ministry of Interior and Public Security, Central Office for Protection of Minors
BN03	Ministry of Justice and Legislation Ministry of Planning and Development General Directorate of Development
BN04	Policies (MPD)
BN05	Anonymous
BN06	Anonymous

Burkina Faso	
BF01	Ministry of Women, National Solidarity, Family and Humanitarian Action
BF02	Ministry in charge of Labour
BF03	Anonymous
BF04	Ministry of Justice, Keeper of the Seals
BF05	Transporters' Union of Burkina Faso
BF06	Network of Communicators on Child Trafficking
BF07	Anonymous
BF08	IOM
BF9	ECPAT France/Luxembourg
BF10	Association of Working Children and Young People of Burkina Faso
11	Kéogo Association
BF12	GIZ

Cabo Verde	
CV01	IOM Cabo Verde
CV02	Cape Verde Institute for Gender Equality and Equity (ICIEG)
CV03	Institute for Children and Adolescents (ICCA)
CV04	Anonymous
CV05	High Authority for Immigration
CV06	National Commission on Human Rights and Citizenship (CNDHC)

## Côte d'Ivoire

CI01	Ministry of Interior and Security
CI02	LAIT MATERNEL
CI03	Comite National de la Lutte Contre la Traite des Personnes (CNLTP)
CI04	Ministry of Interior and Security, Brigade de Lutte Contre la Traite des Personnes Ministry of Interior and Security, Directorate against Child Trafficking and Youth Delinquency
CI05	Delinquency
CI06	Ministry of Women, Family and Children, Directorate for Child Protection

## The Gambia

GM01	National Agency Against Trafficking in Persons
GM02	Centre for Street Children and Child Trafficking Studies
GM03	Shelter for Children under the Ministry of Gender, Children & Social Welfare Department of Social Welfare under the Ministry of Gender, Children and Social Welfare
GM04	Welfare
GM05	National Centre for Civic Education
GM06	US Embassy in Banjul
GM07	Gambia Committee of Traditional Practitioners
GM08	Child and Environmental Association - The Gambia
GM09	Ministry of Justice
GM10	IOM
GM11	Ministry of Foreign Affairs, International Cooperation and Gambians Abroad
GM12	Office of the President, Department of Strategic Policy and Delivery
GM13	Network Against Gender Based Violence
GM14	National Human Rights Commission

## Ghana

GH01	Ministry of Interior
GH02	Anonymous
GH03	Department of Social Welfare, Ministry of Gender, Children and Social Welfare
GH04	Partners in Community Development Programme (PACODEP)
GH05	Ghana Police Service
Gh06	Challenging Heights
GH07	Anonymous
GH08	Anonymous
GH09	Ministry of Gender, Children and Social Protection
GH10	Ministry of Justice, Attorney General's Department
GH11	World Vision International

## Guinea

GN01	National Committee for Combating Trafficking in Persons and Related Practices (CNLTPPA)
GN02	Association of Child Workers and Young Workers (AEJTG) and WAN
GN03	African Programming and Research Initiative to End Slavery (APRIES)
GN04	Special Brigade for the Protection of Vulnerable Persons (BSPPV)
GN05	IOM Guinea
GN06	Office for the Protection of Gender, Childhood and Morals (OPROGEM)
GN07	SABOU GUINEE
GN08	Terre des Hommes Guinea
GN09	Anonymous

## Guinea-Bissau

GW01	Association of Friends of Children (AMIC)
GW02	IOM Guinea-Bissau
GW03	Islamic Youth
GW04	People's National Assembly
GW05	MANITese
GW06	Institute for Women and Children
GW07	National Committee for the Abandonment of Harmful Practices

## Liberia

LR01	Ministry of Labour (TIP) Secretariat
LR02	Ministry of Justice
LR03	Ministry of Foreign Affairs
LR04	Ministry of Gender, Children and Social Protection
LR05	Ministry of Internal Affairs
LR06	Liberia National Police
LR07	Liberia Immigration Service
LR08	International Development Law Organisation
LR09	Community Watch Forum
LR10	Liberia Female Sociologist Association
LR11	Beersheba Ministries INC Liberia
LR12	Citizens' Initiative for Dialogue
LR13	World Hope International
LR14	West Point Women for Health and Development
LR15	Liberia National Law Enforcement Association
LR16	Alliance for Women and Girls Protection
LR17	Transnational Organised Crime Unit (TOCU)
LR18	IOM
LR19	Defence for Children International
LR20	Winrock International
LR21	Ministry of Health
LR22	ECOWAS National Office in Liberia

## Mali

ML01	Enda-Mali Vocational Training Centre and coordinator of RAO-Mali
ML02	National Coordination Committee for the Fight against Trafficking in Persons and Related Practices (CNCLTPPA)
ML03	National Directorate for the Promotion of the Child and the Family
ML04	Brigade for the Fight with Smuggling of Migrants and Trafficking in Human Beings
ML05	Interpol National Central Bureau
ML06	National Directorate of Judicial Affairs and Seal
ML07	Association against the Sexual Exploitation of Children in Mali (ACESEM) Deputy Public Prosecutor of Commune VI of the District of Bamako, part of the
ML08	Specialised Judicial Pole
ML09	The National Unit to Combat Child Labour
ML10	The Centre d'Accueil et de Placement Familial (Pouponnière)

## Mauritania

MR01	Anonymous
MR02	Anonymous
MR03	Anonymous
MR04	Anonymous
MR05	Anonymous
MR06	Anonymous
MR07	Anonymous
MR08	Anonymous
MR09	Anonymous
MR10	Anonymous
MR11	Anonymous
MR12	IOM Mauritania
MR13	Anonymous
MR14	Anonymous
MR15	Anonymous
MR16	SOS-Esclaves
MR17	Anonymous
MR18	Anonymous
MR19	UNODC (office in Nouakchott)
MR20	Mauritanian Association for Mother and Child Health (AMSME)

## Niger

NE01	Organisation for the fight against human trafficking and prostitution (LTHP)
NE02	National Coordination Commission for the Fight against Trafficking in Persons and Illegal Trafficking of Migrants (CNCLTP/TIM)
NE03	Women and Children Victims of Domestic Violence
NE04	Nigerian Association for the Treatment of Delinquency and Crime Prevention (ANTD)
NE05	Association TIMIDRIA
NE06	UNDOC Niger
NE07	IOM Niger
NE08	EUCAP-Sahel
NE09	Ecole Parrainage et Actions de Développement de Base du Niger
NE10	Niger's Immigration Services (DST), Special Investigations Division
NE11	The Central Counter-Terrorism and Transnational Organised Crime Unit (SCLCT-CTON)

## Nigeria

NG01	Ministry of Justice
NG02	Ministry of Foreign Affairs
NG03	Nigerian Immigration Service
NG04	NAPTIP)
NG05	NAPTIP Anonymous
NG07	Network Against Child Trafficking and Labour (NACTAL)
NG08	Nigeria Police Force
NG09	Anonymous



## Niger

SN01	Ministry of Foreign Affairs
SN02	Child Labour Unit
SN03	Directorate for the Rights and Protection of the Rights of the Child
SN04	Ministry of Justice, Directorate of Education and Social Protection (DESPS)
SN05	Ministry of Justice, Directorate of Criminal Affairs and Amnesty (DACG)
SN06	UNIES VERS' ELLE
SN07	Senegalese Human Rights Committee
SN08	African Meeting for the Defence of Human Rights (RADDHO)
SN09	Anti-Slavery
SN10	IOM Senegal
SN11	UNODC Senegal
SN12	Anonymous
SN13	Directorate of Air and Border Police (DPAF)
SN14	Court of Major Instances (TGI) Dakar
SN15	Department of Open Educational Action (AEMO) Ziguinchor
SN16	Department of Open Educational Action (AEMO) Kolda
SN17	Maison de la Gare, Saint Louis
SN18	The Light, Kédougou
SN19	Court of Major Instances (TGI) Kédougou
SN20	European Coordinator POC project
SN21	Directorate for the Fight against Migrant Trafficking
SN22	DIADEM
SN23	Dakar Court of Appeal
SN24	Court of Major Instances (TGI) Thiès
SN25	Court of Major Instances (TGI) Tambacounda
SN26	Court of Major Instances (TGI) Kolda
SN27	Enda Tiers Monde (WAN/RAO focal point)
SN28	Platform for the Promotion and Protection of Human Rights (PPDH)
SN29	Research Section Gendarmerie
SN30	UNODC

## Sierra Leone

SL01	Defence for Children International Sierra Leone
SL02	National Commission for Social Action
SL03	GOAL Sierra Leone
SL04	Office of National Security
SL05	Anonymous
SL06	Anonymous
SL07	Anonymous
SL08	Anonymous
SL09	Foundation for Literacy Development
SL10	Anonymous
SL11	Ministry of Justice
SL12	Sierra Leone Police
SL13	IOM Sierra Leone
SN14	Transnational Organized Crime Unit of Sierra Leone
SN15	Advocacy Network Against Irregular Migration
SN16	National Commission for Children
SN17	Don Bosco Childline

## Togo

TG01	WAN Togo
TG02	Forum of Organisations for the Protection of Child Rights (FODDET)
TG03	National Catholic Child Bureau
TG04	The Collective of Associations Against Impunity in Togo (CACIT) National Commission for the Reception and Social Reintegration of Child Victims of Trafficking
TG05	Central Directorate of the Judicial Police
TG07	Network for the Fight Against Child Trafficking in Togo (RELUTET)
TG08	UNICEF Togo
TG09	CREUSET - TOGO
TG10	Central Criminal Research and Investigation Service
TG11	SOS Child Village
TG12	Ministry of Foreign Affairs, Regional Integration and Togolese Abroad
TG13	IOM Togo

## International and Regional Organisations

IO01	UNODC Regional Office West Africa and HQ Vienna
IO02	International Social Services West Africa
IO03	ECOWAS Commission



ECOWAS COMMISSION  
COMMISSION DE LA CEDEAO  
COMISSÃO DA CEDEAO



EUROPEAN UNION



cooperation  
germany - ecowas  
ZUSAMMENARBEIT DEUTSCHLAND - ECOWAS