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# Assessment of Transnational Cooperation Practices and Mechanisms in the Gulf of Guinea Countries in the Fight against Trafficking in Persons

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## REPORT

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This assessment report is produced within the framework of the regional **Project to Support the fight against human trafficking in Gulf of Guinea countries - Benin, Cote d'Ivoire, Ghana, Guinea, Nigeria, and Togo**. The project is implemented by **Expertise France** and financed by the European Union, within the framework of the Emergency Trust Fund (EUTF) with a contribution from the Ministry of Europe and Foreign Affairs of France.

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

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## List of Abbreviations

|          |  |
|----------|--|
| AMWCY    | The African Movement of Working Children and Youth   |
| AU       | African Union  |
| BF       | Burkina Faso   |
| BJ       | Benin  |
| CNARSEVT | National Commission for the Reception and Social Reintegration of Child Victims of Trafficking, Togo |
| CNCLTP   | National Unit for Coordination of the Fight against Trafficking in Persons, Cote d'Ivoire            |
| CNLTdP   | National Committee for Combating Trafficking in Persons, Cote d'Ivoire                               |
| CNSCPE   | National Unit for Monitoring and Coordination of Child Protection, Benin                             |
| CG       | Republic of Congo  |
| CI       | Côte d'Ivoire  |
| CUS      | Countries under study  |
| CVOS     | Council for Supervision and Strategic Orientation, Cote d'Ivoire                                     |
| ECCAS    | Economic Community of Central African States   |
| ECOWAS   | Economic Community of West African States  |
| EF       | Expertise France   |
| EU       | European Union   |
| EUTF     | European Union Emergency Trust Fund  |
| GA       | Gabon  |
| GH       | Ghana  |
| GN       | Guinea   |
| GM       | The Gambia   |
| GW       | Guinea Bissau  |
| HTMB     | The Human Trafficking Management Board, Ghana  |
| ICMPD    | International Centre for Migration Policy Development  |
| IDP      | Internally displaced person  |
| ILO      | International Labour Organization  |
| IO       | International Organisation   |
| IOM      | International Organization for Migration   |
| ISS      | International Social Service   |
| ISS-WA   | International Social Service West Africa   |
| ISWAP    | Islamic State West African Province  |
| JPRMC    | Joint Permanent Regional Monitoring Commission   |
| LR       | Liberia  |
| MFA      | Ministry of Foreign Affairs  |
| MIDWA    | Migration Dialogue for West Africa   |
| ML       | Mali   |
| MoU      | Memorandum of Understanding  |
| MR       | Mauritania   |
| MS       | Member State   |

|                 |   |
|-----------------|---|
| NAPTIP          | National Agency for Prohibition of Trafficking in Persons, Nigeria  |
| NATC SEE        | Network of the Anti-Trafficking Coordinators in South-East Europe   |
| NE              | Niger   |
| NG              | Nigeria   |
| NGO             | Non-Governmental Organisation   |
| NFP             | National Focal Point  |
| PoA             | Plan of Action  |
| SL              | Sierra Leone  |
| SMC             | Standard Monitoring Committee   |
| SN              | Senegal   |
| SOM             | Smuggling of Migrants   |
| TG              | Togo  |
| TIP             | Trafficking in Persons  |
| UN              | United Nations  |
| UNHCR           | United Nations High Commissioner for Refugees   |
| UNICEF          | United Nations Children's Emergency Fund  |
| UNODC           | United Nations Office on Drugs and Crime  |
| UN TIP Protocol | Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime |
| UNTOC           | UN Convention against Transnational Organized Crime   |
| WA              | West Africa   |
| WACAP           | West African Network of Central Authorities and Prosecutors   |
| WAN/RAO         | West Africa Network for the Protection of Children and Young Migrants   |

## A. Introduction

The **Assessment of Transnational Cooperation Practices and Mechanisms in the Gulf of Guinea Countries in the Fight against Trafficking in Persons** was conducted in the framework of the regional Project to Support the fight against human trafficking in Gulf of Guinea countries - Benin, Cote d'Ivoire, Ghana, Guinea, Nigeria, and Togo (countries under study). The project is implemented by Expertise France (EF) and financed by the European Union, within the framework of the Emergency Trust Fund (EUTF) with a contribution from the Ministry of Europe and Foreign Affairs of France.

The fourth component of the project aims particularly at boosting cross-border cooperation and implementing cooperation measures in accordance with the bilateral and regional agreements in force, in partnership with the Economic Community of West African States (ECOWAS). The current assessment is the first step in this process, examining the level of implementation of bilateral and multilateral cooperation agreements pertaining to trafficking in persons (TIP) in the six countries under study (CUS), providing insight in the existing gaps and challenges and formulating recommendations for further development and potential revival of certain cooperation agreements.

### 1. Objectives and scope of the assessment

The objective of the current assessment is to: (1) **reference** existing cross-border cooperation arrangements relating to the fight against TIP, (2) **analyse their consistency** with existing international, regional and bilateral legal frameworks, (3) **verify their** practical implementation, and (4) propose **recommendations** for **intervention** to further develop cross-border cooperation.

More specifically, the assessment focuses on the following three areas:

- Providing an overview of the legal and institutional frameworks for cross-border cooperation: cross-border referral mechanisms, bilateral and multilateral cooperation agreements and practices, mutual legal assistance mechanisms available, etc. in the CUS, used in preventing and combating TIP and supporting and assisting victims.
- Offering perspective on the gaps and challenges in cross-border cooperation by identifying shortcomings but also possible measures to bridge the existing gaps for effective cooperation.
- Developing practical recommendations for policy makers and anti-trafficking practitioners on how to improve responses to trafficking and establish a roadmap as a basis for improved cross-border cooperation between partners.

The lessons learned from this assessment provide insight for understanding a recurring problem of **inadequate implementation of bilateral and multilateral agreements on combating TIP** in CUS.

In order to meet these objectives, the assessment focuses on the following **thematic areas**:

- National Legal and Policy Framework in each country relevant to cross-border cooperation (besides that specifically addressing TIP also other areas if these have impact on cross-border cooperation in TIP cases as well as national or transnational referral mechanisms).
- Bilateral, Sub-Regional and International Cooperation Mechanisms pertaining to joint investigation, border management, extradition, mutual legal assistance, prevention,

protection and assistance for the return and reintegration of trafficked victims, family tracing, etc.

- Good practices, relevant in this field, existing elsewhere in the world.

## 2. Methodology

The assessment draws on qualitative information gained through **desk research** (including legislation, policy framework, cooperation mechanisms and programmes, etc.) and **semi-structured interviews** with relevant stakeholders in the six CUS as well as with the ECOWAS Commission in Abuja, Nigeria and international organisations present in CUS.

The assessment methodology and its instruments focused on gathering information across three inter-linked areas: **(1)** the *current* institutional, legal and procedural context; **(2)** the *future desired* enabling conditions that would be required to ensure efficient cross-border cooperation in TIP cases, and **(3)** if and how the gap between the current and desired status can be *translated into a roadmap* for a better application and effectiveness of existing agreements.

The action-oriented recommendations of this report are formulated in response to the existing gaps and how these may be *addressed*.

### Desk research

The desk research comprises collection and analysis of relevant information for the assessment, contained in various sources and remained an ongoing process throughout the carrying out of this assessment. This information includes:

- National legal and policy frameworks relevant for cross border cooperation;
- International, regional and national reports on TIP and other related topics;
- Bilateral, Sub-Regional and International Cooperation Agreements;
- Analyses of each agreement and identification of possible gaps and challenges;
- Examples of cooperation agreements in other regions - good practices;
- Published academic studies, reviews, assessments on the concerned topics.

### Field research

Based on the findings of the desk research, semi-structured interviews were conducted with key national anti-trafficking stakeholders and regional and international organisations present in the six CUS. This phase aimed to present to the stakeholders the findings of the desk research and solicit their opinions regarding the implementation of the cooperation agreements. The interviews provided more nuanced insight into the factors that inhibit the full operationalisation of these agreements and add facts from the specific experience of the interviewees.

The team conducted **51 interviews** with national stakeholders of Benin, Côte d'Ivoire, Ghana, Guinea, Nigeria and Togo – governmental institutions, civil society organisations and national offices of international organisations. In addition, **two interviews** were conducted with representatives of regional offices of international organisations, which have facilitated the process of development and formalisation of some of the agreements under study. An interview was also carried out with ECOWAS Directorate of Humanitarian and Social Affairs. In total, the team conducted **54 interviews**.

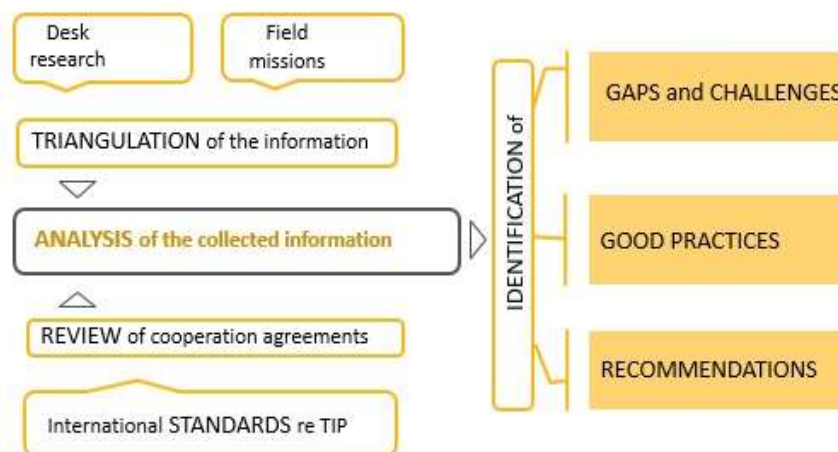
**Figure 1: Field research – conducted interviews**



The research team arranged the interviews in alignment with the different national COVID-19 restrictions and policies. Most of the interviews were conducted in person in the six CUS while few were conducted also online. Each interview was summarised in a short report and the findings were added to the main analysis to support, verify or contradict the already collected information. List with the conducted interviews and the interview tools are provided in [Annex 1](#).

### Analysis of the information

The information collected during the field research was processed, categorised, analysed and combined with the findings of the desk research. The information was then triangulated using primary and secondary sources in order to ensure its validity. The obtained by the researcher team cooperation agreements were reviewed against the international standards related to TIP and the anti-trafficking response. Based on the collected data, gaps and challenges in the implementation of the cooperation mechanisms on TIP were elaborated. Good practices from other regions were chosen and presented. Based on the above, action-oriented recommendations for interventions on how to further develop cross-border cooperation were formulated and directed to the policy-makers in the countries under study.



**Figure 2: Elements of the analysis**

### Assessment report

The assessment report consists of eight chapters. **Chapter A** sets out the background of the assessment, the objectives, methodology, limitations and the working terminology of the report. **Chapter B** examines the latest TIP trends in CUS. **Chapter C** provides information on the existing national anti-trafficking legal, policy and institutional frameworks in the CUS. **Chapter D** presents the obtained bilateral and multilateral cooperation mechanisms of CUS – their structure and content and discusses the level of their implementation. **Chapter E** elaborates gaps and challenges encountered



during the research. **Chapter F** presents several good practices related to the international cooperation on TIP from other regions. Based on the analysis of the agreements, the identified gaps and challenges and taking into consideration the good practices from other regions, **Chapter G** elaborates action-oriented recommendations to facilitate the implementation of the bilateral and multilateral cooperation agreements between CUS and the other countries in the WA region and beyond.

The list of literature sources and annexes conclude the report (**Chapter H** and **Chapter I**).

### 3. Limitations of the Assessment

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

1. **Availability of official documents:** The availability of the official bilateral and multilateral agreements is very limited. With a few exceptions, the documents are not available online. They must be requested from the national authorities and in some of the countries under study, the path of processing such official requests is time consuming. The national stakeholders were not always clear which national institutions were in the position to provide them. In addition, the research team had to conduct numerous visits to national institutions in the countries under study in order to obtain other reports and documents, needed for the assessment. These factors contributed to the limited collection of the agreements and the long time needed to obtain those that were available.
2. **Addressing the national anti-trafficking authorities:** Acquiring contact information of focal points of the targeted national institutions was a lengthy process. The research team relied on ICMPD's existing contacts in the region and the support of its West Africa Regional Office in Abuja, Nigeria. EF supported the process by also providing contact details. As a result, the team was able to assemble an extensive list of anti-trafficking stakeholders in CUS. However, only this process required more than four weeks to complete.
3. **Follow-up on the requests for information and interviews:** The follow-up of the requests required time and labour. All stakeholders were contacted by e-mail with an official letter addressed to the minister or the general director of their institutions. In Ghana and Côte d'Ivoire, the national anti-trafficking focal points to ECOWAS were copied in to all requests in order to secure faster response. Unfortunately, the initial response to these enquiries was limited. The research team followed these request up with a second round of e-mails and in the cases of no-reply, by phone calls. Often the existing e-mail addresses and phone numbers turned out to be not functioning or closed. Finding alternative contacts or the correct contacts caused a further delay to the process.
4. **Administrative obstacles:** Once the invitation letters were received, there were difficulties in setting up some of the interviews. The research team members in some of the countries experienced delays and repetitive postponing of the scheduled interviews. The reasons vary - from change in the political environment (newly elected governance), the absence of managers whose approval is needed for the interview, to high mobility or unavailability of the appointed officials. In some cases, the signing of Consent form (form where the interviewees state their consent to the interview as well as the level of anonymity they wish to maintain in

the report) caused administrative issues and delays. Some state representatives needed to consult if they are allowed to sign such documents. In one of the CUS, the request for signed Consent form had to be brought to the attention of the high-level management. This process delayed significantly the scheduling of the interview.

5. **Lack of knowledge of the existing agreements:** The research team faced a specific challenge when trying to obtain information on the actual implementation of the agreements. In numerous cases, the reason for this could be attributed to the lack of knowledge about the existing agreements within the countries' stakeholders. Although the majority of interviewed stakeholders provided good quality information on all the requested topics, the cooperation agreements and their implementation was a challenging subject. In some cases, the representatives were not aware that their institution is a depositor of a certain agreement; in others, the only available information was confirmation of the fact that a Ministry/Agency is indeed part of a certain agreement. Rarely were details about the actual involvement of the institution in the implementation of the agreement shared with the research team. Therefore, the research team found challenging to conclude with certainty on the actual implementation of number of the agreements, object of this report. A potential reason for the lack of knowledge about the existing agreements could be that many of them were not implemented in practice.

## 4. Working Terminology

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

### Section: General

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

**Youth** are people between the ages of 15 and 24 years<sup>1</sup>.

**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 customary caregiver<sup>3</sup>.

**Best Interests Determination (BID):** *"The formal process with strict procedural safeguards designed to determine the child's best interest 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>

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<sup>1</sup> UN standard definition ([www.unesco.org/new/en/social-and-human-sciences/themes/youth/youth-definition/](http://www.unesco.org/new/en/social-and-human-sciences/themes/youth/youth-definition/)).

<sup>2</sup> General Assembly of the United Nations, 1989 Convention on the Rights of the Child.

<sup>3</sup> Separated Children in Europe Programme (2009), *Statement of Good Practice, 4th Revised Edition*. This definition – largely adopted by the 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.

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

## Section: Trafficking in Persons

**Trafficking in persons (TIP)** is an offence which *may* be committed by an **organised criminal group**, defined in accordance with the UN Convention Against Transnational Organized Crime, 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 in adults, TIP can be broken down into a specific **act**, using certain **means**, for the purpose of **exploitation**. Trafficking in 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.

|   |  |
|---|--|
| <b>Sexual exploitation</b>                                      | 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).  |
| <b>Forced Labour/<br/>Labour Exploitation</b>                   | “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).  |
| <b>Domestic Servitude</b>                                       | This means to subject a person to labour exploitation or excessive working hours, or to subject them to degrading working conditions, in the domestic sphere.  |
| <b>Forced/Servile/Early<br/>Marriage</b>                        | Servile marriage is when a trafficked person is married to someone who promises a healthy marital relationship but who then obliges the person to carry out household chores and/or to have sexual relations with them. Forced marriage is when a party does not validly consent to a marriage, while early marriage is when a party has not yet reached the minimum legal age for marriage. |
| <b>Removal of Organs, Tissue,<br/>Cells or Human Body Parts</b> | Exploitation by removing a trafficked person’s organs, skin tissue, cells or body parts, without their valid consent or that of their relatives.   |

|                                       |  |
|---------------------------------------|--|
| <b>Illegal Adoption</b>               | Exploitation of a child being transferred to another person without observing the legal formalities for an adoption process.   |
| <b>Criminal Activities</b>            | Exploitation of a person, forcing them to engage in criminal activities, such as transporting narcotics from one place to another, petty theft, etc.   |
| <b>Exploitation of Begging</b>        | 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 charity (classic begging).   |
| <b>Exploitation in Armed Conflict</b> | <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>5</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, then they may be a victim of trafficking for exploitation in armed conflict.</p> |

**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 somehow suggest that person’s diminished agency, 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.).

**Presumed/potential victim of trafficking** indicates a person who could, from the indicators, be a victim of trafficking, but who 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*.

### Section: International Protection

*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

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<sup>5</sup> Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000. States Parties to the Protocol also commit to ensuring that any voluntary recruitment of a child (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).

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>6</sup>

In 2011 in addition to the above definition, UNHCR recognises as refugees persons who are outside their country of nationality or habitual residence and unable to return there owing to serious and indiscriminate threats to life, physical integrity or freedom resulting from generalized violence or events seriously disturbing public order.<sup>7</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>8</sup>

**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>9</sup>

## Section: Migration

**Migration** is the movement of individuals or groups of persons, either across international borders, or within a State. It encompasses any kind of movement of people, whatever its length, composition and 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.

**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.

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<sup>6</sup> Convention and Protocol on the Status of Refugees. Available at: [www.unhcr.org/3b66c2aa10](http://www.unhcr.org/3b66c2aa10).

<sup>7</sup> See: [www.refworld.org/pdfid/596787734.pdf](http://www.refworld.org/pdfid/596787734.pdf).

<sup>8</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.

<sup>9</sup> See: [www.internal-displacement.org/internal-displacement](http://www.internal-displacement.org/internal-displacement).

**Collective expulsions** refer 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 want 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.

## B. Trafficking in Persons Trends in the Countries under Study

### 1. Factors that Influence Trafficking in Persons

The factors that influence TIP in the six countries under study are intertwined and complex. 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 Gulf of Guinea and in a broader sense, part of the West African Region. The West Africa region includes the greatest number of countries where more than 30 per cent of the population live on less than USD 1.90 a day. In contrast to this fact, in 2018, Côte d'Ivoire and Ghana were listed among the ten fastest-growing economies in the world 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>10</sup>

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*"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>11</sup>

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In an attempt to escape extreme poverty and provide for themselves and their family, many people are forced to take risky journeys, unclear employment offers, or to work for very low wages and endure inhuman conditions. Families often send their children far away to people unknown, hoping that they will have a better chance of earning an income and accessing education. Places that naturally draw people in search of better life opportunities are urban settlements with larger populations, regions/cities with developed industries – agriculture, mining, construction, etc., and tourist/vacation regions. The economically booming regions and cities naturally create demand for more (and often cheaper) labour. Traffickers use these opportunities to recruit and exploit people by taking advantage of their vulnerable life circumstances.<sup>12</sup>

#### **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.

Being Member States (MS) of ECOWAS entitles the citizens of CUS to free movement within the region. In May 1979, the ECOWAS Member States adopted the Protocol Relating to the Free Movement of

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<sup>10</sup> Beegle, K. et al., *Poverty in a Rising Africa*, World Bank, see: <https://www.un.org/africarenewal/sites/www.un.org.africarenewal/files/Poverty%20in%20a%20Rising%20Africa%20Overview.pdf>.

<sup>11</sup> Hallum, C., and Obeng, KW. for Oxfam GB (2019), *The West Africa Inequality Crisis*, see: <https://reliefweb.int/sites/reliefweb.int/files/resources/bp-west-africa-inequality-crisis-090719-en.pdf>.

<sup>12</sup> UNODC (2020), *Global Report on Trafficking in Persons*.

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>13</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. On the one hand, the opportunity for a legal, easy way to move from one country to another eliminates the necessity of resorting to irregular or illegal means, such as forging of personal and travel documents or irregular border crossing. People travel safer, and the possibility for abuse by criminal groups decreases. 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 in general 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>14</sup>*

Migrants traveling from CUS to Europe mostly use two main routes – the so-called Western and Central Mediterranean migration routes. In the first half of 2020, Côte d’Ivoire is the second most frequently registered nationality of migrants arriving to Italy by sea (13%). Similarly, in 2020, citizens of Guinea (12%) and Côte d’Ivoire (9%) were among the five most commonly registered nationalities arriving by sea in Spain.<sup>15</sup>

### **Armed conflicts 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).<sup>16</sup>

*“People who [...] consider that the least bad option is to try to move outside the region, and have the means to do so, are faced with a situation of irregular migration and dependence on migrant smugglers that can also render them more vulnerable to being exploited.”<sup>17</sup>*

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<sup>13</sup> UNECA (2016), “ECOWAS – Free Movement of Persons”, see: <https://www.uneca.org/pages/ecowas-free-movement-persons>.

<sup>15</sup> IOM (2020), *Mixed Migration Flows in the Mediterranean - Compilation of Available Data and Information, May 2020*.

<sup>16</sup> Ibid.

<sup>17</sup> ICMPPD (2015), *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons – A Study of Syria, Turkey, Lebanon, Jordan and Iraq*.



## 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 result of the ongoing and rapid climate change taking place: exhaustive droughts, floods, air and water pollution, soil erosion due to extensive deforestation and mining, rivers and lakes drying up, etc. All these leave people from traditionally agricultural regions with limited or no means of income or food.

The reason for escalation of intercommunal violence could often be traced down to the effects of climate change to 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>18</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.

*"More often than not, this movement of people have [sic] not been conducted in an officially organized manner and often is not regulated and controlled by relevant authorities."*<sup>19</sup>

## 2. Common Types of Trafficking in Persons

### Child trafficking

Child trafficking is widely spread in the CUS as well as throughout the whole West Africa region. The anti-trafficking authorities of the CUS report predominantly cases of child trafficking - children trafficked internally or trafficked and exploited abroad, as well as foreign child victims identified within their territories.<sup>20</sup>

Togo reports children from Benin, Côte d'Ivoire, Ghana, Burkina Faso, Mali, Niger exploited on its territory or identified en route to other countries. Guinea reports cases of exploited children as young as 4 years of age. Girls and boys from Mali, Côte d'Ivoire, Liberia, Nigeria, Sierra Leone, etc. are 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 mining, fishing, agriculture industries, for quarrying, herding and begging. The identified foreign children come mainly from Nigeria, Togo, Côte d'Ivoire and Chad. Côte d'Ivoire reports children from Nigeria and Burkina Faso (mainly boys) who are exploited on its territory, as well as Ivorian children trafficked abroad to Libya and Tunisia.<sup>21</sup>

*"The presence of other types of exploitation, including child exploitation by armed groups, the harvesting of organs, and ritual homicide, have also been reported. However, such information remains largely unsubstantiated as no cases have been officially identified."*<sup>22</sup>

Such prevalence of child trafficking cases over the cases of trafficking of adults might have a threefold origin. The national legislation criminalising child trafficking was introduced in some of the CUS before

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<sup>18</sup> Folami, Olakunle Michael; Folami, Adejoke Olubimpe (2013). *"Climate Change and Inter-Ethnic Conflict in Nigeria"*. *Peace Review*. 25 (1)

<sup>19</sup> Research and Counselling Foundation for African Migrants, "Why RECFAM?". See: <https://recfam.org/about/>.

<sup>20</sup> UNODC (2020), *Global TIP Report*.op.cit.

<sup>21</sup> Côte d'Ivoire (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>22</sup> ICMPD (2020), *Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania*.

that of criminalising trafficking of adults. The Togolese anti-TIP legislation still covers only cases of children and although there is a tendency of introducing broader lens on TIP (after its latest amendments, the Criminal Code refers to the more general 'trafficking in persons'), more child than adult cases of trafficking are identified nationwide.<sup>23</sup> In addition, the six CUS together have a population over 303 million people, with a median age of 19.1 years.<sup>24</sup> Consequently, the number of cases involving children (persons below 18 years) may be 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 country, to perform housework 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 country, in order to learn the Quran and to receive education.<sup>25</sup>

### **Trafficking in persons for labour exploitation**

Trafficking for labour exploitation is reported on all three levels - domestic, regional and international. Domestically and regionally, people are trafficked and exploited in farms and plantations, as cattle herders, in the fishing industry, in the mining for gold, diamonds or granite, and in stone quarries. Children are trafficked and exploited mainly in the agricultural sector (especially in seasonal farm work) and in factories (in industrial regions). In Côte d'Ivoire, Togo and Nigeria and Benin, children are often exploited in farms, factories, handicraft manufacturing, markets and mines. Specific sectors with heavy labour demand still use children - cocoa and rubber production (Côte d'Ivoire, Ghana), artisanal mines (Ghana), quarries (Nigeria). Ghana, Togo and Guinea see also cases of trafficked children in the fishing industry.<sup>26</sup> Côte d'Ivoire identifies cases of child exploitation linked to drug trafficking and petty crime.<sup>27</sup>

In the international context, TIP for labour exploitation mainly involves adults, for construction work, farming and (especially) domestic servitude in the Gulf States and the countries of the Middle East, with the process for the latter often involving fake recruitment agencies. Traffickers recruit people from IDP camps, taking advantage of their vulnerability and lack of (any) resources for survival.<sup>28</sup>

### **Trafficking in persons for sexual exploitation**

This is the second-most identified form of exploitation reported by CUS. 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 recruiting the victims. Kidnapping women and girls and forcing them into marriage, sexual exploitation or sexual slavery is common practice by the armed groups operating in the region, spreading fear and controlling the local population.

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<sup>23</sup> Togo (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>24</sup> Worldometer, last accessed on 21.04.2021, <https://www.worldometers.info/world-population/western-africa-population/>.

<sup>25</sup> ECOWAS (2018), *Annual Synthesis Report on Trafficking in Persons in West Africa* and ICMPD (2020), *Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania*.

<sup>26</sup> Togo (2020), Ghana (2020), Guinea (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*. and ICMPD (2021), *Country report Nigeria, Baseline Assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress)*.

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

<sup>28</sup> Ibid.

Internationally, TIP for sexual exploitation happens in destination countries of Western Europe (Italy, France, and Spain), North Africa (Morocco, Tunisia and especially Libya), Lebanon and the Gulf States. In Ghana, foreign women (from European countries and USA) marry young men who are afterwards force and exploited in prostitution.<sup>29</sup>

The Nigerian and Ghanaian authorities report increase of use of children in pornography (child sexual abuse imagery), blackmailing girls with nude pictures, and online sexual services. *“...but with the expected technological development in the region, such a threat may materialise in the near future, making cybersecurity the next anti-trafficking frontier. Currently, the authorities have a weak capacity to monitor cyberspace for cases of sexual exploitation”*.<sup>30</sup>

### **Domestic servitude**

This form of trafficking and exploitation predominantly affects women, most of them minors. This particular form of labour exploitation is widespread throughout the region. Children are sent by their families to big cities and richer parts of the country in order to work in households. This practice is often seen as the only opportunity for children from poor families to receive some kind of education, to have a home and to earn money to support their family back home. Distant family members are often involved in the recruitment. Once at the destination, the children are handed over to the families, leaving them dependent on their hosts and exposed to increased vulnerability to exploitation and abuse. Children are reported as being exploited in domestic service within the borders of Benin, Côte d’Ivoire, Ghana, and Nigeria.<sup>31</sup> Domestic servitude is one of the most common form of exploitation of victims originating from the six CUS in the Gulf States (Kuwait, Qatar, and the United Arab Emirates), as well as in Lebanon.<sup>32</sup>

### **Child begging**

Child begging is reported by all CUS. Children are forced to beg on the streets in the big cities and tourist areas. They are organised by criminal groups and begging often takes the form of selling cheap goods or washing cars at crossroads.<sup>33</sup>

An alarming phenomenon related to child begging is the abuse of children who attend religious schools, where they also temporarily live (sleep and eat). They are often sent by their teachers to beg on the streets in order to provide money for the school. The problem exists in each of the countries studied. However, there seems to be several areas where these schools are larger and attract children not only from the surrounding area but the entire region. In northern Nigeria, the Quranic schools (*Almajiri*) attract children from neighbouring Niger and Mali. Children from Guinea are often sent to *daaras* in Senegal. Children from Burkina Faso, Niger, Mali and Senegal are reported in the schools in northern and central Côte d’Ivoire.<sup>34</sup>

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<sup>29</sup> Conducted interview in Ghana. Code GH01.

<sup>30</sup> ICMPD (2020), *Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania* and Conducted interview GH01.

<sup>31</sup> US Department of State (2020), *TIP Report*, op. cit.

<sup>32</sup> Ibid.

<sup>33</sup> ECOWAS (2018), *Annual Synthesis Report*, op. cit.

<sup>34</sup> ICMPD (2020), *Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania*.

## Exploitation of children by armed groups

Women, men and children are at risk of being trafficked for different purposes in affected areas, directly or indirectly, by armed conflicts. In sub-Saharan African conflicts, girls recruited by armed groups tend to be younger than boys. This may be due to the earlier maturity of girls and the type of exploitation they are forced into, such as performing household chores. In addition, women and girls surviving sexual slavery and forced marriages during conflicts are, more so than men, fall victim to stigma and discrimination outside of the conflicts, upon returning to their communities.

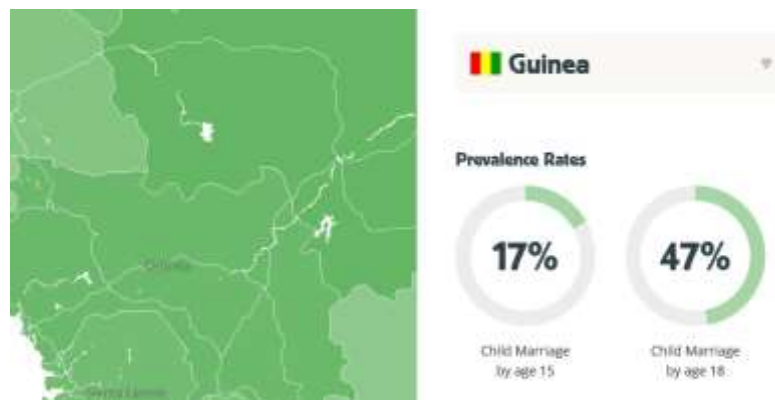
*“According to the Special Representative of the Secretary General on Children and Armed Conflict, the recruitment and use of children associated with armed groups nearly always constitutes trafficking in persons.”<sup>35</sup>*

The current assessment could not identify officially reported cases of child recruitment by military organisations or groups in the CUS. Nigeria has previously shared information about children being used by military groups in the northern parts of the country. These signals are not officially reported. However, UN has verified the abduction of children in Nigeria for recruitment by military groups, for sexual exploitation and ransom.<sup>36</sup> Children previously recruited by armed groups but who 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>37</sup> Trafficking within the Nigerian camps of internally displaced persons (IDP) is also reported.<sup>38</sup>

The report *Why 18 Matters*, released by Terre des Homme and other civil society organisations in 2018, addresses child military recruitment across the world and states that children have the right to be protected from military recruitment.<sup>39</sup> Alliance 8.7 also supports that the recruitment and use of child soldiers should be prohibited and eliminated by 2025 as part of the achievement of Target 8.7.<sup>40</sup>

## Child marriages

Such arrangements exist in many parts of the world, but it continues to remain rather prevalent in West and Central Africa. Poverty, lack of education, cultural practices, and insecurity fuel and sustain the practice. Two of the countries under study are listed among the twenty countries in the world with highest prevalence of child marriages.



Source: *Girls Not Brides*

<sup>35</sup> UNODC (2018), *Global Report on Trafficking in Persons*.

<sup>36</sup> UN General Assembly, Security Council (2020). *Children and armed conflict. Report of the Secretary-General*.

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

<sup>38</sup> ICMPD (2021), *Country report Nigeria, Baseline Assessment for the Anti-Trafficking Component of OCVAR-T Project (in progress)*.

<sup>39</sup> Terre des Hommes (2018), *Annual Report*.

<sup>40</sup> Alliance 8.7 (2021), [“Target 8.7: 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.”](#)

Guinea has the ninth place with 47% of girls in Guinea married before their 18<sup>th</sup> birthday and 17% before the age of 15. Two per cent of Guinean boys are married before the age of 18. The country is in a process of development of a national policy on the matter.

Despite having a national policy on child marriages as well as legal age for marriage set at 18 years, Nigeria has the 11<sup>th</sup> highest prevalence of child marriage in the world.



43% of girls in Nigeria are married before they turn 18 years and 16% are married before the age of 15. Three [per cent of the boys are married before the age of 18.

In Nigeria, forced marriages are part of the operation strategy of military groups. “For example, Boko Haram has

Source: Girls Not Brides

abducted about 200 young girls from Chibok Community in Borno State with the purpose of forcibly marrying them to fighters followed by other exploitation and abuse. Most of these young girls have been rescued and reunited with their families.”<sup>41</sup>

### 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.<sup>42</sup> The phenomenon is not widespread, but information on police raids in and identified cases can be traced as far back as 2013.<sup>43</sup> This type of exploitation represents a particular demand (for new-born children), exploited by traffickers and organised criminal groups. Some studies suggest that the roots of this practice must be searched for in “the stigma associated with infertility in parts of sub-Saharan Africa including parts of Nigeria, the lack of regulation of surrogacy, as well as poverty and lack of access to contraception or sexual health services”.<sup>44</sup>

**Table 1: Main types of TIP and victims identified in CUS<sup>45</sup>**

| State | Main Types of TIP   | Gender of Victims                  | Age of Victims  |
|-------|---|------------------------------------|-----------------|
| Benin | <p>Trafficking for labour exploitation:</p> <ul style="list-style-type: none"> <li>• Domestic servitude (children),</li> <li>• Begging (children),</li> </ul> <p>Trafficking for sexual exploitation.</p> | Male & female, (especially female) | Mostly children |

<sup>41</sup> UNODC (2018). *Trafficking in Persons in the Context of Armed Conflicts*.

<sup>42</sup> U.S. Department of State (2020). *Trafficking in Persons Report*.

<sup>43</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>44</sup> Hynes, P. et al. (2018), “Vulnerability” to human trafficking: A Study of Viet Nam, Albania, Nigeria and the UK.

<sup>45</sup> Based on Côte d’Ivoire (2020), Ghana (2020), Guinea (2020), Nigeria (2020), Togo (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action and ICMPD (2020), Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania*.

| State                | Main Types of TIP  | Gender of Victims                      | Age of Victims  |
|----------------------|--|--|---|
| <b>Côte d'Ivoire</b> | Trafficking for labour exploitation: <ul style="list-style-type: none"> <li>• Agricultural industry (plantations),</li> <li>• Mining industry,</li> <li>• Begging (children),</li> </ul> Trafficking for sexual exploitation.  | Male & female                          | Mostly children and young adults (8-25 years)             |
| <b>Ghana</b>         | Trafficking for labour exploitation: <ul style="list-style-type: none"> <li>• Fishing and agriculture industries,</li> <li>• Herding,</li> <li>• Domestic servitude,</li> <li>• Porterage at market places.</li> </ul> Trafficking for sexual exploitation.                            | Male & female                          | Children (5-16 years) & adults (19-29 years)              |
| <b>Guinea</b>        | Trafficking labour exploitation: <ul style="list-style-type: none"> <li>• Mining and extracting industry,</li> <li>• Fishing industry,</li> <li>• Begging (children),</li> </ul> Trafficking for sexual exploitation.  | Male & female (especially young girls) | Children (4-17 years), adults (19- 46 years)              |
| <b>Nigeria</b>       | Trafficking for forced labour: <ul style="list-style-type: none"> <li>• Domestic servitude (children).</li> <li>• Begging (children).</li> </ul> Trafficking for 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) |
| <b>Togo</b>          | Mainly 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> | Male & female                          | Predominantly children (and adults <sup>46</sup> )        |

<sup>46</sup> Information for adult foreign victims exploited in Togo is not available.

### 3. Vulnerable Groups

There are many factors that can influence a person’s level of vulnerability or resilience to a situation of trafficking or exploitation; and these factors might change during the process of exploitation (from the moment of recruitment to the exploitation itself).<sup>47</sup>

**Table 2: Factors influencing vulnerability and resilience**

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

Source: ICMPD, 2020

#### Age and gender

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

Women are next in the vulnerability line, mainly because of the gender inequality widespread throughout the region. For example, women in Nigeria constitute between 60% and 79% of the rural labour force, but they are ten times less likely than men to own the land. This level of inequality has negative impacts on women, including making them more vulnerable to gender-based violence and TIP. Some traditional and cultural practices may also exacerbate this phenomenon – child marriage,

<sup>47</sup> The factors that influence a person’s vulnerability and resilience to TIP are explored in details in Healy, C. (2019), *The Strength to Carry On: Resilience and Vulnerability to Trafficking and Other Abuses among People Travelling along Migration Routes to Europe*, ICMPD.

child domestic servitude, kidnapping girls for marriage, etc. *“Some women and young girls in Africa [...] find themselves compelled by these cultural beliefs to leave their home and family.”*<sup>48</sup> Nigeria reported a particularly large number of female victims.<sup>49</sup>

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

## **Health**

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

Experiencing a trafficking situation can also lead to serious health issues related to exploitation. The danger of contracting HIV, sexually transmitted diseases, or Hepatitis C is a real threat for those forced into sexual exploitation. The hard labour children are forced into in cocoa and rubber plantations, and artisanal mines and quarries, as reported by Côte d’Ivoire, Togo, Ghana and Benin and other countries in the region, leaves a permanent mark on their physical development. Child beggars are often left without enough food, suffering malnutrition.

## **Education, professional training and employment**

Vulnerable populations at risk of TIP frequently lack formal education or basic identity documents. The opportunity for education is one of the main reasons that pushes families to send their children for domestic work away from home.

Côte d’Ivoire reports predominantly female victims with lower education. In contrast to this tendency, which is spread throughout the other CUS as well, Nigeria reports an increased number of educated women ending up in situations of labour or sexual exploitation in the Gulf States and countries of the Middle East, recruited by labour agencies. They are looking for better opportunities abroad to earn money as well as gain living and traveling experience abroad.

## **Family and social background**

The most striking example from the region in terms of how the absence of family, social network and support fuel vulnerability to exploitation are the cases of the children sent away from their families to study. The children are in a vulnerable position firstly, because they are children and need a supportive

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<sup>48</sup> Msuya, NH. (2017), *Tradition and Culture in Africa: Practices that Facilitate Trafficking of Women and Children*. *Dignity: A Journal on Sexual Exploitation and Violence*. Vol.2(1), article 3.

<sup>49</sup> Nigeria (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.



environment to live and develop. Secondly, they are away from their family's support network and, thirdly, they are forced to be on the street to beg or to sell small items.<sup>50</sup>

#### 4. Most Common Routes of Trafficking in Persons in CUS

##### International TIP routes

As stated above, the migrants following the established migration routes are in vulnerable to trafficking and exploitation position. They often become victims on their way to safety. Victims of trafficking among the migrants traveling outside the West Africa are predominantly identified in three regions:

- **Western Europe:** the countries of the European Union particularly in Western Europe are reporting victims of trafficking from the six CUS. Nigeria is among the countries with the highest number of victims identified in the European Union in general. TIP victims-citizens of CUS are mostly identified in the following countries: Italy (Nigeria, Togo, Guinea, Ghana); France (Guinea, Togo); Spain (Nigeria), and Germany (Nigeria, Togo, Ghana).<sup>51</sup>
- **North Africa:** North African countries are part of the TIP routes from West Africa to Europe, as transit countries on the Western and Central Mediterranean migration routes. Therefore, the majority of the TIP victims identified are migrants who became victims while waiting to be transferred to Europe from Libya, Algeria or Morocco or on their way to these countries, whilst crossing Mali and Niger. Côte d'Ivoire, Nigeria and Togo have all reported citizens being identified as victims of TIP in Libya.<sup>52</sup>
- **The Middle East:** TIP cases in the countries of the Middle East, especially to the countries of the Gulf Cooperation Council are predominantly related to labour exploitation and domestic servitude, but cases of TIP for sexual exploitation are also reported. Victims from Côte d'Ivoire, Ghana, Nigeria, and Togo, have been identified in Saudi Arabia, Kuwait, Qatar and the United Arab Emirates. Additionally, Benin, Côte d'Ivoire, Ghana, and Togo report that their nationals have been identified as victims in Lebanon.<sup>53</sup>

Furthermore, citizens of CUS are reported as identified TIP victims outside the West Africa region in Egypt, Russia (Nigeria), Switzerland (Guinea), Iraq, Kazakhstan (Ghana), and Equatorial Guinea (Togo).

##### Regional TIP routes

Most of the trafficking of victims-citizens of West African countries happens within the West African region. Based on the national reports of CUS to the ECOWAS Commission, several tendencies can be outlined.

**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. Victims from Nigeria, Togo and Côte

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

<sup>51</sup> Côte d'Ivoire (2020), Nigeria (2020), Togo (2020), *Annual Reports on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

d'Ivoire are identified in Niger. The country plays a particularly important role as a hub for both irregular migration and TIP. Victims are transported to either the Maghreb countries or Europe (Spain, Italy). The routes are used for trafficking of both adults and children.<sup>54</sup>

Mali is another key country of transit on the same route. Adult citizens of Côte d'Ivoire, Guinea, Ghana, Nigeria, Togo and Benin are identified in Mali on their way to North Africa and Europe. The reported routes are Mali, Niger, Algeria, Libya, Italy and Mali Niger, Algeria, Morocco, Spain.<sup>55</sup>

**Neighbouring countries.** All the countries report TIP exploitation of nationals in neighbouring countries, or in border regions. Togolese children are trafficked and exploited in neighbouring countries in search of seasonal employment. Nigerian victims are identified in Niger, Ghana, and Côte d'Ivoire. Nigeria also sees a number of adult and child victims trafficked to the neighbouring countries outside the ECOWAS region – Cameroon. Liberian women and Burkinabe boys are trafficked and exploited in Côte d'Ivoire.<sup>56</sup>

A noteworthy cross-border phenomenon is the exploitation of children sent by their parents to Quranic schools posing a national-level challenge for the CUS and for other countries in the West African region. Cases have been identified where children were sent by teachers to beg on the streets in order to provide for the schools. Some of the schools are concentrated in border provinces and therefore are attended by children across the region. Examples are seen in northern Nigeria, where schools receive children from Nigeria, Mali and Niger, and those in Côte d'Ivoire receiving children from Burkina Faso, Nigeria, Mali and Senegal. Children from Guinea are identified in Senegal.<sup>57</sup>

**Table 3: Trans-border trafficking in CUS<sup>58</sup>**

| Exploited in       | Country of origin of the identified <u>foreign</u> victims of TIP |
|--------------------|---|
| Benin              | Togo, Nigeria.  |
| Côte d'Ivoire      | Togo, Nigeria, Ghana, Guinea.                                     |
| Ghana              | Nigeria, Togo, Côte d'Ivoire.                                     |
| Guinea             | Côte d'Ivoire, Nigeria.   |
| Nigeria            | Benin, Togo, Ghana.   |
| Togo <sup>59</sup> | Benin, Ghana, Côte d'Ivoire.                                      |

**Countries experiencing armed conflicts.** Nigeria is the country where the armed conflicts are the most common among the CUS. These conflicts are seen and reported by country officials and international organisations as fuelling TIP and exploitation of people in general. An extreme example is the operations of Boko Haram and ISWAP on the territories of Nigeria, Mali and Niger. The groups are known to abduct women and children for different forms of exploitation: heavy labour, domestic servitude, forced marriage, sexual slavery and sexual purpose. Children are recruited or kidnapped,

<sup>54</sup> Nigeria (2020), Niger (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>55</sup> Mali (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>56</sup> Côte d'Ivoire (2020), Nigeria (2020) *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>57</sup> ICMPD (2020), *Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania*.

<sup>58</sup> Côte d'Ivoire (2020), Ghana (2020), Guinea (2020), Nigeria (2020), Togo (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>59</sup> The information regarding Togo covers child victims of TIP. There is no data on adult victims.

and forced into becoming soldiers or used in terrorist activities.<sup>60</sup> *“Rape and other forms of sexual violence remained significantly underreported, a continuous trend in all countries on the children and armed conflict agenda, particularly when perpetrated against boys.”*<sup>61</sup>

Indeed, TIP (especially for sexual exploitation) in areas of unrest also occurs within the territories of IDP and refugee camps; for example, within both the state-managed and informal IDP camps in north-eastern Nigeria. Traffickers use the desperation of the displaced and their wish for better opportunities for themselves and their children to lure people into forced labour, sexual exploitation, child marriage, illicit activities, forced begging, etc.<sup>62</sup> Vulnerability to human trafficking is present also due to the large concentration of IDPs in the Middle Belt of Nigeria as a result of the Herders-Farmers Conflicts and the conflicts in the southern regions (the Niger Delta). There are indications for possible TIP cases in the border area between Nigeria and Cameroon related to the ongoing Anglophone Crisis in north-western Cameroon.<sup>63</sup> As a result of the Anglophone Crisis, more than 530,000 people have been internally displaced, and tens of thousands have become refugees since 2017.<sup>64</sup>

### National TIP routes

TIP routes within the CUS mirror 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.

|  |
|--|
| <b>Benin</b>   |
| <p><b>FROM:</b> Victims of TIP mainly originate from Zakpota, Djougou, Waké, Bassila, Matérie, Adjohoun, Aguégués, Comé, Lalo, or Aplahou é.</p> <p><b>TO:</b> They are trafficked to the capital city Cotonou, and to other major cities like Porto-Novo, Parakou, Natitingou, Kandi, Lokossa, Ouidah, Abomey, Bohicon.</p>   |
| <b>Côte d’Ivoire</b>   |
| <p><b>FROM:</b> Victims of internal TIP come from Aboisso, Daloa, Soubre, Abobo, Man, San Pédro, etc.</p> <p><b>TO:</b> They are exploited in the capital Abidjan, in Aboisso, Sudden, Bouake, Korhogo and Abengourou.</p>   |
| <b>Ghana</b>   |
| <p><b>FROM:</b> (1) The Northern Region mainly young adults and children are trafficked to engage in head portorage ‘Kayayei’; (2) Upper East Region mainly young adults and children - to engage in domestic work and head portorage; (3) Central Region and Greater Accra region, mainly children are trafficked into fishing industry. People from the Eastern Region, are trafficked also in the fishing industry.</p> |

<sup>60</sup> UNODC (2018), *Trafficking in Persons in the Context of Armed Conflict*.

<sup>61</sup> UN General Assembly, Security Council (2020). *Children and armed conflict. Report of the Secretary-General*.

<sup>62</sup> Ibid.

<sup>63</sup> ICMPD (2020), *Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania*

<sup>64</sup> International Crisis Group (2019), *Cameroon’s Anglophone Crisis: How to Get to Talks?*

**TO:** Victims in the regions of Lake Volta and Afram Plains are exploited in the fishing industry. The victims exploited in the capital Accra are mainly children for domestic work, begging, sexual exploitation, head portorage. Victims in the Ashanti region are exploited in head portorage, farming, truck pushing and begging and cattle herding. Cases of sexual exploitation are also identified.

### Guinea

**FROM:** The victims come from the Upper Middle and Lower Guinea mainly from the Peulh, Malinke and Sausau ethnic groups.

**TO:** The exploitation takes place in central areas and economically developed industrial areas, in mining and extracting zones, as well as in the coastal areas with developed fishing industry.

### Nigeria

**FROM:** According to the statistics for 2020, the majority of identified victims of trafficking are citizens of the following states: Benue, Cross River, Akwa Ibom, Kano, Abia and Sokoto.

**TO:** Internal trafficking occurs mostly for sexual exploitation and child domestic labour. Victims are exploited mainly in the big cities like Lagos and Kano and in the Federal Capital Territory.

### Togo

**FROM:** Almost all towns in Togo are affected by internal trafficking and children often move from remote villages to the bigger towns. The main places of origin of victims are Kara, Tsévié, Vogan, Anfoin, Dankpen, Kéran, Tchamba, Atakpamé, Sokodé, Bassar, Kétau, Pagouda, Kougnohou, Elavagnon, Afagnan and Dapaong.

**TO:** The exploitation takes place mainly in Lomé, Kara, Kpalimé, Atakpamé, Sokodé, and Dapaong.

## C. National Anti-trafficking Legal and Policy Frameworks

### 1. National Anti-trafficking Legal Frameworks

All countries have adopted national legislation targeting TIP. The legislations of five of the countries under study cover both adult and child victims. The national anti-trafficking legislation of Togo targets only children. However, the Togolese anti-trafficking authorities recognise as an emerging issue the need to address trafficking of adults.<sup>65</sup> Benin has adopted anti-trafficking law that targets only child victims as well, but in 2018, the government introduced trafficking of adults as a crime into the Penal Code of the country. All forms of trafficking, suggested by the UN Protocol are adopted in most of the national legislations. Côte d'Ivoire criminalises in its national legislation only trafficking in persons for sexual and labour exploitation.

Table no. 4 below provides information about the special anti-trafficking laws in the CUS.

The countries use also other national legislation to address TIP. The types of legislation most commonly used besides the special anti-trafficking law are:

#### ***Legislation criminalising TIP***

Elements of TIP may be criminal offences on their own. In Benin, Guinea and Togo, the Criminal Codes have specific provisions on trafficking and particularly on child trafficking (Guinea and Togo). The Criminal Codes are also used to address crimes that can occur during a situation of TIP and which are part of the definition of the crime – indecent and sexual assault, abduction of a woman or child, rape, extortion, grievous bodily harm, torture, etc. In Benin and Ghana, the anti-corruption and money laundering legislation offer articles related to and used in the prosecution of TIP cases.

#### ***Child protection legislation***

Laws addressing child abuse and exploitation have been introduced in all six countries under study, 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, Côte d'Ivoire, Ghana, Nigeria and Togo), the sale and commercial use of children in prostitution or pornography (Guinea, Nigeria, and Togo), child labour or servitude (Guinea, Ghana, Nigeria, and Togo), early/forced marriage (Côte d'Ivoire, Ghana, Guinea and Togo), and children travelling abroad. The Children's Codes of Guinea and Togo have specific provisions on child trafficking. In 2013, Côte d'Ivoire has established a Children's Parliament which role is to strengthen the participation of children in actions to combat child labour through an institutional framework for promotion of their rights.<sup>66</sup>

#### ***Labour-related legislation***

Labour codes and related legislation in the six countries criminalise forced labour of adults and children. In Guinea, child labour is subject to the Children's Code. Most commonly, the legislation that can be used in relation to trafficking in persons sets the minimum age for legal employment and defines decent working conditions, hazardous labour, night labour, etc. (Côte d'Ivoire, Ghana, Nigeria and Togo).

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<sup>65</sup> Togo (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>66</sup> Côte d'Ivoire (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

### ***National constitutions***

An example where a national constitution includes provisions related to TIP such as, torture or other cruel, inhuman or degrading treatment or punishment, inviolability of the dignity of all persons, human rights, etc. is Ghana. The Constitution of Côte d'Ivoire explicitly lists TIP alongside other forms of 'debasement of a human being' as prohibited.

### ***Other legislation***

Some of the countries under study have adopted legislation related to gender-based violence issues that could potentially facilitate the prosecution of TIP cases and the support of the victims. Accordingly, legislation targeting the prevention of violence against women and the protection of victims exists in Benin, Ghana and Nigeria. Côte d'Ivoire has introduced special legislative measures against female genital mutilation and legally introduced the compulsory schooling for all children aged 6 to 16 as a measure to ensure access to education and prevent the risk of child labour.<sup>67</sup> Various migration-related laws are also used in the prosecution of TIP cases, very often related to falsification of travel documents (Ghana)<sup>68</sup>.

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<sup>67</sup> Côte d'Ivoire (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>68</sup> Ghana (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

**Table 4: National anti-trafficking legislation in CUS**

|                      | National Trafficking in Persons Law  | Dedicated to  |                              | Covers all forms of exploitation listed in UN TIP Protocol    | Other dedicated anti-trafficking legislation  |
|----------------------|--|---------------|------------------------------|---|---|
|                      |  | Child victims | Adult victims                |   |   |
| <b>Benin</b>         | <p>Law No. 2006-04 of 5 April 2006 on conditions for the travelling of minors and combating child trafficking.</p> <p>Decrees for Application of the Law, adopted by the Council of Ministers in October 2009.</p>   | Yes           | Yes (only in the Penal Code) | No (only sexual and labour exploitation)                      | <p>Law No. 2011-26 of 9 January 2012 on prevention and fight with violence against women.</p> <p>Law No.2015-08 of 8 December 2015 on Child’s Code (Article 3 defines “child trafficking”).</p> <p>The 2018 Penal Code of Republic of Benin – criminalises trafficking of adults.</p> |
| <b>Côte d’Ivoire</b> | <p>Law No 2016-1111 of December 8, 2016 on the Fight against Human Trafficking.</p> <p>Law No. 2010-272 of 30 September 2010 on the Prohibition of Child Trafficking and of the Worst Forms of Child Labour.</p> <p>Decree 2014-290 of 21 May 2014 on the modality of application of Law No. 2010-272 Prohibiting Trafficking and the Worst Forms of Child Labour.</p> <p>Law No 2016-1111 of December 8, 2016 on the Fight against Human Trafficking.</p> | Yes           | Yes                          | No (only sexual exploitation and forced labour) <sup>69</sup> |   |

<sup>69</sup> Law No. 2010-272 of 30 September 2010 on the Prohibition of Child Trafficking and of the Worst Forms of Child Labour stipulates “Exploitation by any means”

|                |  |     |                   |     |  |
|----------------|--|-----|-------------------|-----|--|
| <b>Ghana</b>   | Human Trafficking Act No. 694 of 5 December 2005.<br>and Human Trafficking Prohibition Regulations, 2015 (L.I. 2219)   | Yes | Yes               | Yes | Human Trafficking Prohibition (Protection and Reintegration of Trafficked Persons) Regulations 2015 (L.I. 2219) passed by the Parliament in November 2015.                                 |
| <b>Guinea</b>  | The Anti-Trafficking Law is incorporated into the revised Criminal Code, adopted in 2016.  | Yes | Yes               | Yes | The Children's Code promulgated by Law L/2008/011/AN, adopted in 2008 and amended in 2019 includes Articles 385-396 on child trafficking.  |
| <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 |  |
| <b>Togo</b>    | Law n°2005-009 of 03 August 2005 on child trafficking in Togo.<br>Law No. 2015-010 of 24 November 2015 on the Criminal Code, Articles 317-326. This amendment introduces TIP in the Criminal code. | Yes | Yes <sup>70</sup> | Yes | Law n° 2007-17 of July 6, 2007 on the Child Code of Togo harmonises the terminology "trafficking" of the Law on Child Trafficking with that of "trafficking" used in the Palermo Protocol. |

<sup>70</sup> The Criminal Code refers to "trafficking in persons" in general, and it covers only the prosecution of TIP. There are no legal provisions for protection of adult victims of TIP.



## 2. National Anti-trafficking Policy and Institutional Frameworks

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. Such plans operationalise the objectives of the National Anti-Trafficking Strategy (where such a policy has been developed) into specific actions, and sets out the implementing stakeholders, the budget and the timeframe for implementation. A Plan of Action (PoA) facilitates results-oriented planning and implementation of a national anti-trafficking response in those countries, which lack an established national strategy.<sup>71</sup> The period of a national PoA may vary, but most commonly, it runs from one to five years.

**Table 5: Current anti-trafficking policy documents in CUS**

| State                | Status   |
|----------------------|--|
| <b>Benin</b>         | 2019-2025 National Policy to Combat TIP. The National Plan of Action is in process of adoption by the Council of Ministers. <sup>72</sup><br>2019-2023 National Action Plan to Combat the Worst Forms of Child Labour. |
| <b>Côte d'Ivoire</b> | National Strategy to Combat Trafficking in Persons 2016-2020. (New Strategy 2021- 2025 is in process of development).  |
| <b>Ghana</b>         | National PoA for the Elimination of Human Trafficking in Ghana (2017-2021).  |
| <b>Guinea</b>        | Multi-year PoA to Combat Trafficking in Persons 2020-2022.   |
| <b>Nigeria</b>       | National PoA on Trafficking in Persons 2021-2025 – in process of development.  |
| <b>Togo</b>          | No PoA or Anti-Trafficking Strategy are currently in place.  |

Côte d'Ivoire is in process of developing its new Strategy focused on trafficking of both children and adults. The implementation of the Strategy/PoA is based on five pillars: prevention of TIP, protection of victims, prosecution of TIP cases, coordination and cooperation in the anti-trafficking response, the implementation mechanism.<sup>73</sup>

In Ghana, the PoA has a comprehensive Monitoring and Evaluation Framework. It involves monitoring meetings to discuss the progress of the implementation of the PoA – inception progress review, quarterly and mid- term reviews as well as annual progress review. The PoA envisions evaluation of its implementation and tailoring of the activities towards the PoA objectives. The recommendations and lessons learnt will be used to feed into the development of the next PoA.<sup>74</sup>

Guinea developed the current PoA in June 2020 following the current ECOWAS Plan. Monitoring and evaluation tools have not been implemented yet but are in process of development with the support of external partners.<sup>75</sup>

<sup>71</sup> ICMPD (2021), *Developing and Monitoring National Anti-Trafficking Response. A Practitioner's Guide (in progress)*.

<sup>72</sup> Conducted interviews in Benin, Codes BN01, BN05.

<sup>73</sup> Côte d'Ivoire (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>74</sup> Ghana (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>75</sup> Guinea (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

In November 2020, a technical workshop on development of the new PoA was held in Abuja, Nigeria. Additional series of workshops have been scheduled for the first quarter of 2021 to conclude the new PoA.<sup>76</sup>

The institutions responsible for the implementation and overall coordination of the action plans are usually the main anti-trafficking coordination body (task force, committee, etc.) in the country. All CUS except Benin and Togo have such coordinating body responsible for the national anti-trafficking response. These national coordinating bodies are funded through national budgets. Sometimes these budgets may be complemented with funding from UN agencies, international NGOs, foreign governments, other technical or financial partners, private donations, confiscation of assets related to TIP, etc.<sup>77</sup>

Below we provide a snapshot of the state of such coordination bodies across CUS.

### **Benin**

**Name: The General Directorate of the Observatory of Social Change, Ministry of Planning and Development**

**Year of establishment:** the coordination role is designated in **2018**, and confirmed by Decree 1102020-075 of 12 February **2020**, on the powers, organisation and functioning of the Ministry of Planning and Development.

**Funding:** National budget.

**Tasks and responsibilities:** The mission of the General Directorate of the Social Change Observatory is to help take into account the social dimension in the formulation, implementation and monitoring-evaluation of development policies. It also aims to monitor and alert public authorities on social issues.<sup>78</sup>

One of Directorate's main tasks is to coordinate and lead actions against trafficking in persons in Benin. However, the General Directorate of the Observatory of Social Change does not have the status of a national inter-ministerial commission and its mandate is not solely focused on TIP. These factors could influence the anti-trafficking efforts of the Department.

Other state bodies coordinating activities in similar to TIP 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), by Ministerial Order No. 503/MFPSS/DC/SGM/DEA/SPEA/SA of 15 March 2006.

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<sup>76</sup> Nigeria (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>77</sup> ICMPD (2020), *Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania*.

<sup>78</sup> Republic of Benin, Ministry of Planning and Development: <https://plan.gouv.bj/accueil/direction/DGOCS#>

## Côte d'Ivoire

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

**1. Name:** 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 CNLTP.

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

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

**Funding:** State budget.

**Tasks and responsibilities:** The tasks of 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 CNCLTP 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.

**2. Name:** National Committee for Monitoring Actions to Combat Child Labour (CNS)

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

**Structure:** 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:** 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, the 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 - propose measures for the care of child victims of child labour; 5) Contributing to the education and professional reintegration of working children.

**3. Name:** 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, 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.

*CIM has established 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 monitor the execution of its decisions.*

*The Technical Secretariat consists of the representatives of the Ministers in charge of Labour, Agriculture, Human Rights, and Child portfolios. Representative of the Ministry in charge of Labour ensures the presidency of the Technical Secretariat.*

**Funding** State budget.

**Tasks and Responsibilities:** 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's guidelines within the framework of the national policy to combat trafficking, exploitation and child labour; 3) Validating the various programmes and partners in order 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>79</sup>*

## **Ghana**

**Name:** The Human Trafficking Management Board (HTMB),

The Human Trafficking Secretariat (HTS).

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

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

Currently, HTMB is composed by a diverse group of representatives of the Ministry of Gender Children & Social Protection, Ministry of Education, Ministry of Health, Ministry of Interior, Ministry of Local Government and Rural Development, the Ghana Police Service, the Ghana Immigration Service, the Attorney General’s Office, the Labour Department, the Office of National Security Coordinating Council, the Department of Social Welfare, the University of Ghana School of Medicine and Dentistry

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<sup>79</sup> US Department of State (2021), *TIP Report*.

– 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, other sources approved by the Ministry of Finance

HTS is the operational and executive tool of HTMB. Its overall goal is to facilitate the prevention and combating of Trafficking cases in Ghana. It is also to sensitize all persons to human trafficking and create a peaceful environment to accelerate national development.<sup>80</sup>

The HTMB supervises the actions of 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 the ECOWAS. It also advises the Minister on policy initiatives under the TIP Act, proposes and promotes strategies to prevent and combat trafficking in persons. The Board also has further operational functions: providing assistance on the investigation and prosecution of TIP cases and liaising with other national stakeholders to promote the rehabilitation and reintegration of victims. Another function of the Board is to conduct research on international and regional developments and standards on TIP and to prepare guidelines for the national and local authorities

## Guinea

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

**Year of establishment:** 2004, by Presidential Decree of 17 February 2017.

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

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

**Tasks and responsibilities:** The National Committee is tasked to elaborate and adopt national TIP policies; Perform coordination, monitoring and evaluation of all anti-trafficking activities in the country; Ensure the mobilisation of human, material and financial resources for anti-TIP actions; and Represent the country at sub-regional, regional and international meetings in the field of combating TIP.

## Nigeria

**Name:** 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.

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<sup>80</sup> Republic of Ghana, Ministry of Gender, Children and Social Protection: <https://www.mogcsp.gov.gh/human-trafficking-secretariat-ht/>

**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 civil society organisations, and representatives of the following institutions: the Federal Ministry of Justice, Federal Ministry of Women Affairs, Federal Ministry of Labour and Productivity, the Nigeria Police Force, the National Intelligence Agency, the Nigeria Immigration Service, and the National Planning Commission.

**Funding:** Government funds.

**Tasks and responsibilities:** NAPTIP is the Nigerian Federal Government response to TIP. It is a unique entity because it gathers all aspects of the anti-trafficking response – developing and implementing anti-TIP policies and legislation, prevention, law enforcement, prosecution, and victim protection and support. The Agency has the power to investigate whether any person, body or entity has committed a TIP offence. The Agency conducts searches, arrests, detains and prosecutes offenders under this 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. 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. The Agency performs its functions through 8 Specialized Departments, 9 Units and 9 Zonal Commands covering all zones of the country.

## Togo

**Name of the future coordination body:** National Commission for Combating Trafficking in Children in Togo.<sup>81</sup>

**Year of establishment:** 2021 by Decree N°2021-104/PR of 29 September 2021 on the creation, attributions, organisation and functioning of the National Commission for the Fight against Trafficking in Persons in Togo.

**Structure:** The Commission is composed of 13 persons from sectoral ministries and civil society organisations.

**Funding:** State funds.

**Tasks and responsibilities:** The CNLTP is the body that promotes, designs and develops 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 - **National Commission for the Reception and Social Reintegration of Child Victims of Trafficking (CNARSEVT)**. The country has also 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.

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<sup>81</sup> The authorities of Togo provided this information as a feedback to the Report in January 2022.

## D. Anti-trafficking Cooperation Mechanisms

The countries under study apply numerous approaches to fight the transnational trafficking in persons – official bilateral or multilateral mechanisms for cooperation on different aspects of TIP, 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.

### 1. Bilateral and Multilateral Cooperation Agreements on Combating TIP

The assessment identified a total of **twenty one** bilateral and multilateral cooperation agreements for combating TIP that involve one or more of the countries under study, concluded after the signing of the United Nations Convention Against Transnational Organized Crime (UNTOC) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN TIP Protocol). The majority of these agreements focus on combating child trafficking. Most of the bilateral agreements have a geographic rationale in terms of trafficking routes and are therefore, signed by the countries that share a land border. The table below provides a snapshot overview of these agreements.

**Table 6: Bi- and multilateral cooperation agreements on combating TIP involving one or more CUS**

|     | States Parties   | Date       | Agreement  |
|-----|--|------------|--|
| 1.  | Côte d'Ivoire, Mali  | Sept. 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.  | Benin, Nigeria   | June 2005  | Bilateral Cooperation Agreement to Prevent, Suppress and Punish Trafficking in Persons.                          |
| 4.  | Guinea, Mali   | June 2005  | Bilateral Agreement against Cross-Border Trafficking of Children.  |
| 5.  | 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.                        |
| 6.  | Benin, Republic of Congo   | Sept. 2011 | Bilateral Cooperation Agreement on Combating Child Trafficking.  |
| 7.  | Côte d'Ivoire, Burkina Faso  | Oct. 2013  | Bilateral Cooperation Agreement to Combat Cross-Border Trafficking and Joint Declaration of the First Ladies.    |
| 8.  | Côte d'Ivoire, Ghana   | Sept. 2016 | Joint Declaration of the First Ladies on Combating Cross-Border Trafficking and the Worst Forms of Child Labour. |
| 9.  | Côte d'Ivoire, Ghana   | Sept. 2016 | Bilateral Cooperation Agreement on Combating Cross-Border Trafficking and the Worst Forms of Child Labour.       |
| 10. | Côte d'Ivoire, Ghana   | Nov. 2016  | Bilateral Agreement on the Elimination of Child Labour in the Cocoa Industry.                                    |
| 11. | Guinea, Guinea-Bissau, Senegal   | 2016       | Roadmap against Trafficking in Human Beings.   |

|     | States Parties   | Date  | Agreement   |
|-----|--|---|---|
| 12. | Guinea, Senegal  | 2017  | Cooperation Agreement between the Child Protection Directorates of Senegal and Guinea for the Protection of Children on the move. |
| 13. | Senegal, The Gambia, Mauritania, Mali, Guinea, Guinea-Bissau | Oct. 2017   | Memorandum of Understanding between the Anti-Trafficking Focal Points of the Six Countries (5+1 Network).                         |
| 14. | Togo, Gabon  | Sep. 2018   | Bilateral Agreement on Child Trafficking, especially on Victim Protection.  |
| 15. | Benin, Gabon   | 2018  | Bilateral Agreement on Child Trafficking.   |
| 16. | Burkina Faso, Côte d'Ivoire                                  | 2019  | Memorandum of understanding on cooperation for the protection of children in situations of cross-border mobility.                 |
| 17. | Benin, Burkina Faso, Togo                                    | Dec. 2019   | Tripartite Cooperation Agreement for the Protection of Children on the move or victims of trafficking.                            |
| 18. | Benin, Burkina Faso, Togo                                    | Dec. 2019   | Anti-trafficking Cooperation Agreement to Facilitate Law Enforcement Data Sharing and Repatriation Coordination.                  |
| 19. | Benin, Togo  | Jan. 2020   | Joint Strategic Actions Paper to Strengthen the Mechanism for Combating Cross-Border Human Trafficking.                           |
| 20. | Burkina Faso, Nigeria  | Cooperation Agreement between Nigeria and Burkina Faso to Combat Trafficking in Persons – discussions are ongoing (2020).                                   |   |
| 21. | Guinea - Guinea-Bissau                                       | A Bilateral Cooperation Agreement on the Subject of Combating Child Trafficking and the Cross-Border Flows of Children – in a process of validation (2020). |   |

In addition, **Nigeria** reports several bilateral agreements that are in process of development: (1) Draft agreement with **Mali** – vetted and sent to the Mali authorities for inputs; (2) Draft agreement with **The Gambia** – ready for signature; (3) Draft agreement with **Guinea and Ghana** – waiting for response from Ministry of Foreign Affairs; (4) Draft agreement with the **Republic of Niger** – in process of development.<sup>82</sup> The research obtained information about a tri-lateral agreement on information-sharing and cooperation in transnational TIP investigations between **Benin, Nigeria and Togo** that is in process of development. Finalising this agreement is one of the recommendations to the Government of Benin, listed in the latest TIP Report.<sup>83</sup>

**Nigeria** has also signed bilateral cooperation agreements on TIP with Luxembourg (2006), the United Kingdom (2004), and the Netherlands (2009) and Italy (2010 and 2016)<sup>84</sup>. Also **Guinea** reports cooperating with EU countries. **Benin** has signed a labour migration agreement with Kuwait, whilst **Côte d'Ivoire** has signed an agreement with Tunisia. In 2015, **Ghana** and the USA signed the Bilateral Child Protection Compact Agreement.<sup>85</sup> **Ghana**<sup>86</sup> also signed bilateral agreements with Qatar (2018) and UAE (2019) to regulate the migration of work force.<sup>87</sup>

<sup>82</sup> Conducted interview in Nigeria. Code NG04.

<sup>83</sup> US Department of State (2021), *TIP Report*.

<sup>84</sup> The signing of the labour migration agreement between Nigeria and Italy was facilitated by the International Labour Organization (ILO). ILO support the drafting process, review the document, and upon request, support the monitoring of the Agreement's implementation.

<sup>85</sup> Conducted interview in Ghana, Code GH01.

<sup>86</sup> Ghana (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>87</sup> The US Department of State TIP report 2021 refers to the fact that these two agreements were not implemented in 2020.



## 2 Regional Cooperation Frameworks

There are the following three **regional operational cooperation agreements**, that are relevant but not directly addressing the anti-trafficking response in the countries under study:

- *The 1992 ECOWAS Convention on Mutual Assistance in Criminal Matters;*
- *The 1994 ECOWAS Convention on Extradition;*
- *The 2003 Police cooperation agreement for West Africa* aimed at fighting transnational organised crime. The agreement enables effective regional cooperation in the fight against trafficking in persons, especially children.

In addition to these three, there is another that is specifically dealing with the issue of TIP and therefore falls within the focus of this research:

- *The 2006 Multilateral Cooperation Agreement on the Fight against Trafficking in Persons, especially Women and Children in West and Central Africa* (signed the following year by the ECOWAS and ECCAS Member States).

## 3. NGO/IO Networks

The most significant influence on the transnational cooperation on cases of children victims of TIP has the cooperation established under the **West African Network for the Protection of Children (WAN/RAO)**. The Network was officially recognised by ECOWAS as regional mechanism for referral and reintegration of child victims of trafficking or in vulnerable situations within the member states of ECOWAS. The Network's standards and procedures laid the foundation of *2015 ECOWAS Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants*. WAN was established in 2005 by International Social Service (ISS), Switzerland. In 2012, International Social Service West Africa (ISS-WA) was established in Burkina Faso and in 2018, registered as an IO in Senegal. Currently, it coordinates the Network and is responsible for providing monitoring, technical assistance and financial support to WAN.

The Network covers all ECOWAS Member States and Mauritania. Its mission is to mobilise and build national capacities to support minors travelling in vulnerable situations and to ensure their social, educational and professional reintegration. Besides working directly on the level of family/community support, WAN also works to build up a network for the child protection actors at national, transnational and regional level. Thus, the Network's activities contribute to the cooperation between different national protections systems and offer common procedures for child protection in vulnerable situations while on the move.<sup>88</sup>

In each member country, WAN has established a National Coordinator. This is a body composed of Government and NGO stakeholders charged with the following responsibilities:

- Coordination of Case Work Service delivery in the country.
- Assuring the quality of Service delivery.
- Communication.
- Advocacy.
- Representation of the country in the West African Network.

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<sup>88</sup> See the WAN homepage: <http://www.resao.org/en/>.

- Representation of the country in the Steering Committee of the Network<sup>89</sup>.

In the cases of transnational TIP, the police in the country of exploitation contacts the national WAN focal point and refers the case. This focal point contacts WAN focal point in the country of origin of the victim in order to start the risk assessment process and to prepare the return of the child, guided by the results of the assessment and child's best interest. WAN has established a case management database, where each case is registered as well as the progress and the follow-up.<sup>90</sup> The monitoring of the activities and the overall functioning of the Network is ensured by steering meetings that evaluate the results and discuss the encountered difficulties.<sup>91</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.

### National Networks by Countries 2018

|                | Government social services | Civil Society Organizations | Community based organizations | Security Services (Police, Immigration Service, etc.) | International Organizations (including embassies) | Coordinating NGO   |
|----------------|----------------------------|-----------------------------|-------------------------------|---|---|--|
| Benin          | 77                         | 28                          | 7                             | 83  | 4   | Benin-Alafia   |
| Burkina Faso   | 24                         | 8                           | 1                             | 7   | 8   | KEOOGO   |
| Cote d'Ivoire  | 4                          | 5                           | 1                             | 1   | 2   | Vie Saine  |
| Gambia         | 1                          | 2                           | 2                             | 3   | 1   | Child and Environmental Development Association - The <a href="#">Gambia</a> (CEDAG)         |
| Ghana          | 8                          | 6                           | 3                             | 2   | 5   | Street Girls Aid ( <a href="#">S.Aid</a> )   |
| Guinee Bissau  | 8                          | 8                           | 3                             | 4   | 5   | Associação dos Amigos da Criança (AMIC)  |
| Guinee Conakry | 2                          | 2                           | 4                             | 1   | 1   | Sabou Guinée/ Mouvement Africain des Enfants et Jeunes Travailleur (MAEJT)                   |
| Mali           | 15                         | 18                          | 2                             | 1   | 1   | ENDA-Mali  |
| Niger          | 12                         | 21                          | 48                            | 7   | 2   | Association Nigérienne pour la Traitement de la Délinquance et la prévention du crime (ANTD) |
| Nigeria North  | 4                          | 9                           | 11                            | 3   | 3   | Save The Child Initiative (STCI)   |
| Nigeria South  | 4                          | 17                          | 2                             | 3   | 3   | Girls Power Initiative (GPI)   |
| Senegal        | 11                         | 17                          | 4                             | 6   | 1   | Enda Jeunesse Action   |
| Sierra Leone   | 2                          | 6                           | 4                             | 2   | 1   | Advocacy Movement Network (AMNet)  |
| Togo           | 19                         | 11                          | 4                             | 4   | 3   | <a href="#">Espace Fraternite</a>  |
| <b>TOTAL</b>   | <b>191</b>                 | <b>158</b>                  | <b>96</b>                     | <b>127</b>  | <b>40</b>   |  |

Source: WAN/RAO leaflet

**The African Movement of Working Children and Youth (AMWCY)** was founded in 1994 in Côte d'Ivoire. The majority of the members are children and young people. All CUS are members of the Movement. AMWCY's mission is to inform and train children on their rights and carry out actions related to their wellbeing, to fight poverty, and to contribute to the active participation of children into the decision-making processes. The activities are focused at community level, at national and at

<sup>89</sup> The Steering Committee is composed of directors from ministries in charge of child protection from ECOWAS countries and Mauritania, and the Department of Humanitarian and Social Affairs of the ECOWAS Commission.

<sup>90</sup> Conducted Interview with international organisation, Code IO02.

<sup>91</sup> Conducted Interview in Togo, Code TG01.

international level. The Movement receives support from NGOs and IOs at all levels and thus, ensures wider reach and sustainability of its actions.<sup>92</sup>

**West African Network of Central Authorities and Prosecutors (WACAP)** was established in 2013. This is a network of focal points of the fifteen ECOWAS Member States and Mauritania. WACAP 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 States agreed to take specific action to promote mutual legal assistance networks among prosecutors in different countries and develop a regional strategy to facilitate prosecution of persons involved in transnational organized 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 UNODC's attempt to address impunity and the low numbers of prosecuted cases of serious crimes and state officials in the region.<sup>93</sup> Each country is represented by two contact points from central authorities, international cooperation units. These teams of focal points have the responsibility to facilitate 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 countries that use the Network to facilitate their legal assistance activities.<sup>94</sup>

Through regular meetings and training, the Network enables central authorities and relevant practitioners to exchange information about their respective legal systems and procedures, to develop a common language and to share good practices. In the framework of WACAP, in 2019 a training of trainers on international judicial cooperation on TIP and smuggling of migrant (SOM) cases was held in Abidjan, Cote d'Ivoire and two trainings on adult teaching methodology were held in Accra, Ghana and in Abidjan, Cote d'Ivoire.<sup>95</sup>

**Migration Dialogue for West Africa (MIDWA)** is a dialogue forum on migration in West Africa created in 2001 as a platform for encouraging the ECOWAS Member States to discuss in a regional context common migration matters with cross-national border implications. Since 2017, MIDWA has had a Regional Secretariat within the ECOWAS Commission chaired by the ECOWAS Free Movement Directorate.<sup>96</sup> TIP is a topic of interest and is discussed in the framework of the Dialogue.

Some public institutions in the CUS are part of other regional referral procedures. Nigeria's National Agency on Prohibition of Trafficking in Persons (NAPTIP) has produced the *Protocol on Identification*,

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<sup>92</sup> See the AMWCY homepage: [www.maejt.org](http://www.maejt.org).

<sup>93</sup> Conducted interview with international organisation, Code IO01.

<sup>94</sup> Ibid.

<sup>95</sup> See the WACAP homepage: <https://www.wacapnet.com/content/wacap> and

<sup>96</sup> di Cortemiglia, VL. et al. (2018). *Needs assessment study for the development and implementation of legislation and strategies to counter migrant smuggling covering Côte d'Ivoire, the Gambia, Guinea and ECOWAS*, IBF International Consulting.

*Safe Return and Reintegration of Victims of TIP* (currently in process of validation)<sup>97</sup>. It describes the mechanism for referring a Nigerian victim of TIP exploited abroad.

**Niamey Declaration Permanent Mechanism** is one of the youngest regional mechanisms for 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 European Union, UNODC, UNHCR, IOM, the African Union Commission, the Permanent Secretariat of the G5 Sahel and the Community of Sahel-Saharan States participated in the **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. In order to improve the coordination and the operational efficiency to tackle these phenomena between origin, transit and destination countries, the participants adopted a **Joint Declaration**.

**UNODC** is 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 country. Furthermore, the European Union has appointed a focal point. The Permanent Secretariat of the G5 Sahel and ECOWAS have been requested to nominate theirs. 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 latest 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 in order to reach larger audience.<sup>98</sup>

Currently, the implementation of the mechanism is facing several **challenges**: (1) Appointments of focal points which is delayed. The appointed focal points often change with an impact on 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 a 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 ToR adopted.<sup>99</sup>

**The Liaison Magistrate Initiative** is an innovative approach for West Africa region, which allows for the first time the deployment of liaison magistrates from African countries in EU countries in order to

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<sup>97</sup> ICMPCD, Assessment of Anti-Trafficking Gaps and Needs and Transferable Practices in ECOWAS Member States and Mauritania (2020).

<sup>98</sup> Conducted Interview with international organisation, Code IO01.

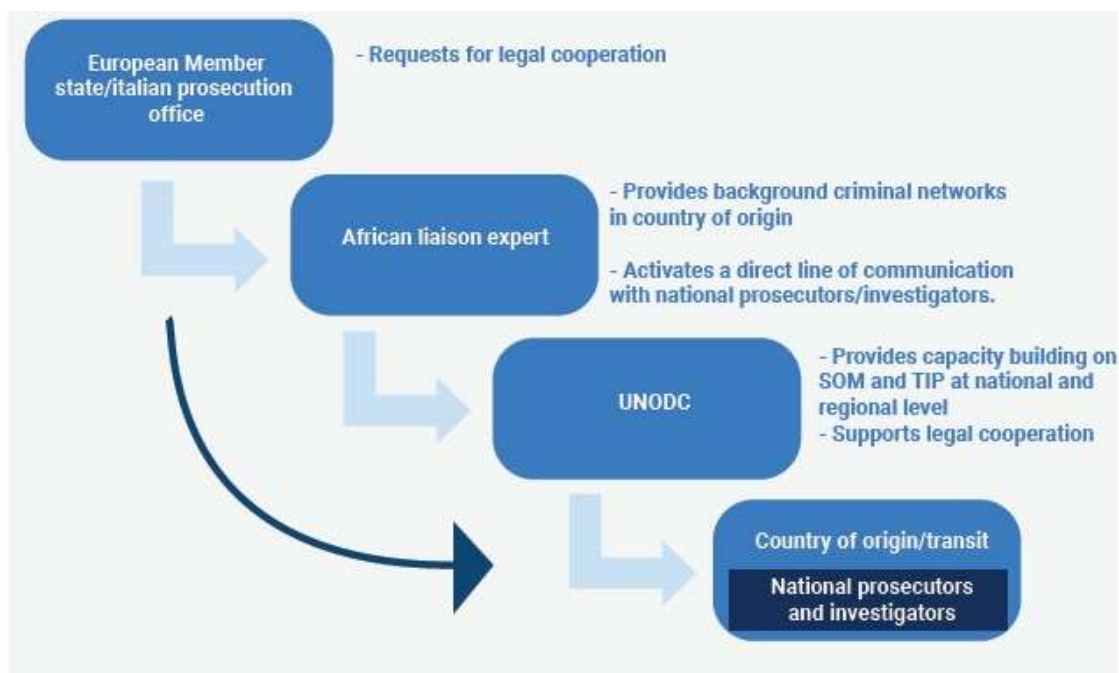
<sup>99</sup> UNODC (2020), *Summary of the Niamey Declaration progress*.

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 organized crime.

The model is based on the European Judicial Cooperation Network as well as the functioning of EUROJUST and has a large focus on TIP and SOM.<sup>100</sup> Implemented by UNODC and 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 countries. Through the project, UNODC supports the deployment of two Nigerian liaison prosecutors to Italy and Spain, respectively, 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 new-built trust, EU prosecutors transmitted to the Nigerian liaison magistrates a larger amount of investigative material related to cases not covered by investigative secret, reactivating - and in some cases launching – judicial cooperation between the home country and the hosting country. In the wake of these outstanding results, two additional liaison magistrates respectively from Ethiopia and Eritrea were deployed for a short-term period to Italy (Sept.-Oct.2019).



Source: PROMISE leaflet

UNODC's 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 liaison magistrates continue to maintain all their prosecution powers and to

<sup>100</sup> Conducted Interview with international organisation, Code IO01.

depend from the Nigerian Attorney General during their deployment, acting de facto as representatives of the Nigerian central authority in Italy and Spain.<sup>101</sup>

By February 2021, 44 cases had been transmitted by Italy and Spain through the two Nigerian liaison magistrates. Of these, 31 cases concern TIP, one SOM and four 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 mutual legal assistance (MLA), three international arrest warrants, one extradition and nine informal requests have been transmitted between the national central authorities of the countries concerned.

In January 2021, a liaison magistrate from Libya has been appointed by the Ministry of Justice and will be deployed to Italy as soon as the COVID-related restrictions allow so. The nomination of a liaison magistrate from Sudan is also underway and should be finalised soon. 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.<sup>102</sup>

#### 4. Analysis of the Cooperation Agreements

The current analysis focuses mainly on the bilateral and multilateral agreements between the CUS themselves and between the CUS and the other countries in the West Africa region. Examples of cooperation agreements with countries outside West Africa are also provided.

The assessment aimed to analyse all bi- and multi-lateral agreements listed in the chapter above. However, the majority of these agreements are not available online and therefore, the research team approached the national stakeholders of the six countries under study and requested the official texts of the agreements. As mentioned in the chapter “Limitations of the assessment”, obtaining the agreements proof to be a significant challenge. The process was complicated either by administrative procedures or by lack of understanding which national institutions were in the position to provide them.

**The research team managed to collect the texts of eleven bilateral and multilateral agreements and one regional cooperation agreement. Subsequently, the agreements listed below are the focus of the current assessment.**

| States Parties  | Date | Agreement  |
|---|------|--|
| 1. Benin, Nigeria   | 2005 | Bilateral Cooperation Agreement to Prevent, Suppress and Punish Trafficking in Persons   |
| 2. Guinea, Mali   | 2005 | Bilateral Agreement against Cross-Border Trafficking of Children                         |
| 3. Benin, Burkina Faso, Côte d’Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo | 2005 | Multilateral Cooperation Agreement on the Fight against Child Trafficking in West Africa |

<sup>101</sup> UNODC, OHCHR, *PROMIS project leaflet*.

<sup>102</sup> Conducted Interview with international organisation, IO01.

[https://www.unodc.org/res/commissions/CCPCJ/session/30\\_Session\\_2021/side\\_event\\_program\\_tue\\_18-05\\_html/Flyer\\_concept\\_note\\_side\\_event\\_CCPCJ.pdf](https://www.unodc.org/res/commissions/CCPCJ/session/30_Session_2021/side_event_program_tue_18-05_html/Flyer_concept_note_side_event_CCPCJ.pdf)

|   |      |  |
|---|------|--|
| 4. ECOWAS and ECCAS member states                               | 2006 | Multilateral Cooperation Agreement on the Fight against Trafficking in Persons, especially Women and Children in West and Central Africa |
| 5. Benin, Congo   | 2011 | Bilateral Cooperation Agreement on Combating Child Trafficking   |
| 6. Côte d'Ivoire, Burkina Faso                                  | 2013 | Declaration of the First Ladies (in relation to the Cooperation Agreement on Combating Cross-Border Trafficking of Children).            |
| 7. Côte d'Ivoire, Ghana   | 2016 | Joint Declaration of the First Ladies on Combating Cross-Border Trafficking and Worst Forms of Child Labour.                             |
| 8. Guinea, Senegal  | 2017 | Cooperation Agreement between the Child Protection Directorates of Senegal and Guinea for the Protection of Children on the move         |
| 9. Senegal, The Gambia, Mauritania, Mali, Guinea, Guinea-Bissau | 2017 | Memorandum of Understanding between the Anti-Trafficking Focal Points of the Six Countries (5+1 Network)                                 |
| 10. Togo, Gabon   | 2018 | Cooperation agreement to fight Child Trafficking   |
| 11. Benin, Gabon  | 2018 | Bilateral Agreement on Child Trafficking.  |
| 12. Benin, Burkina Faso, Togo                                   | 2019 | Tripartite Cooperation Agreement for the Protection of Children on the move or victims of trafficking.                                   |

This assessment approaches the analysis of the agreements from two perspectives – first, structure and the elements of each agreement, and second - their implementation.

**A. Structure and the elements of the agreement:** The analysis examines the way the agreements are set up in terms of their structure, content, thematic area(s), setting of coordination and monitoring mechanism, etc. The analysis presents each agreement in ten pre-set categories:

1. Title of the agreement and the year of signing.
2. Participating countries.
3. Focus of the agreement – overall topic and specific goals of the agreement.
4. Institutions responsible for the implementation.
5. Background – elaborates on potential factors that influenced the development of the agreement (existing cooperation mechanisms or processes, policy documents or events).
6. Definitions and principles – examines if the definitions and the principles used in the agreement are aligned with the international standards:
  - UNTOC definition of TIP, elements of TIP, types of exploitation.<sup>103</sup>
  - Protection of children's rights.<sup>104</sup>
  - Protection of TIP victim's rights.<sup>105</sup>
  - Safe return of TIP victims.<sup>106</sup>
7. Coordination and monitoring body – provides information about the tasks and the members of this body/ies.
8. Practical steps, measures, actions established in the framework of the agreement.
9. Timeframe of the agreement.
10. Implementation - is the agreement actively implemented.

<sup>103</sup> UNODC, <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>

<sup>104</sup> UNICEF, <https://www.unicef.org/child-rights-convention/convention-text> and ECOWAS (2016), *Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants*.

<sup>105</sup> OHCHR (2014), *Human Rights and Human Trafficking*.

<sup>106</sup> OSCE/ODIHR (2014), *Guiding Principles on Human Rights in the Return of Trafficked Persons*.



**B. Focus on the implementation of the agreements:** The analysis explores the actual implementation of the agreements in practice. The data was collected mainly through the interviews with various national and regional anti-trafficking stakeholders as written sources on the implementation of the agreements are rather scarce. For elaboration of the gaps and challenges of the implementation of certain agreements, and the recommendations for the improvement of the implementation of the bilateral and multilateral agreements between CUS, the research team relied on the country reports on the progress of implementation of the ECOWAS TIP Plan of Action, submitted by the six CUS to ECOWAS in 2020.

Below we provide first the overview of the analysis in a table, followed by an in-depth presentation of each of the agreements.



**Table 7: Cooperation agreements under study**

| 1. Title of the Agreement  | 2. Participating countries <sup>107</sup>          | 3. Focus          | 4. Responsible institutions                                 | 5. Based on/ Related to existing mechanism   | 6. Definitions and principles /int. standards | 7. Coordination and monitoring body      | 8. Established practical steps | 9. Timeframe                                  | 10. Implemented in practice |
|--|--|-------------------|---|--|---|--|--------------------------------|---|-----------------------------|
| 2005, Bilateral Cooperation Agreement to Prevent, Suppress and Punish Trafficking in Persons   | BJ, NG   | TIP general       |   | ECOWAS Plan Of Action 2002-2003<br><br>UNTOC   | Yes   | Joint Committee                          | Yes                            |   | Partially                   |
| 2005, Bilateral Agreement against Cross-Border Trafficking of Children                         | GN, ML   | Child trafficking | All national anti-trafficking stakeholders.                 | Existing bilateral agreements between the participation countries,<br><br>ECOWAS Heads of State Declaration and 2001 Dakar PoA on the fight against TIP. | Yes   | Standing Monitoring Committee            | Yes                            | 2005-2008<br><br>no information about renewal | No                          |
| 2005, Multilateral Cooperation Agreement on the Fight against Child Trafficking in West Africa | BJ, BF, CI, GH, GN, GW, LR, ML, NE, NG, SN, SL, TG | Child trafficking | Ministries responsible for anti-trafficking response, civil | UNTOC, Existing bilateral agreements between the participation countries,  | Yes   | Permanent Regional Monitoring Commission | Yes                            | Not specified                                 | Yes                         |

<sup>107</sup> CUS are shown in red.

| 1. Title of the Agreement   | 2. Participating countries <sup>107</sup> | 3. Focus                                   | 4. Responsible institutions  | 5. Based on/ Related to existing mechanism  | 6. Definitions and principles /int. standards | 7. Coordination and monitoring body            | 8. Established practical steps | 9. Timeframe  | 10. Implemented in practice |
|---|---|--|--|---|---|--|--------------------------------|---------------|-----------------------------|
|   |   |  | society organisations.<br><br>Open for accession to all WA country.  | ECOWAS Heads of State Declaration and 2001 Dakar PoA on the fight against TIP.  |   | National Monitoring Commissions                |                                |               |                             |
| 2006, Multilateral Cooperation Agreement on the Fight Trafficking in Persons especially Women and Children in West and Central Africa | Member states of ECOWAS and ECCAS         | TIP general, especially women and children | The General Secretariat of ECCAS, The Executive Secretariat of ECOWAS, National Task Forces/TIP Focal Points.<br><br>Open to all Member States of ECCAS and ECOWAS | 2003, Protocol to the African Charter on Human and People's Rights on the rights of Women in Africa, 2005, Multilateral Cooperation Agreement on the Fight against Child Trafficking in West and Central Africa | Yes   | Joint Permanent Regional Monitoring Commission | Yes                            | Not specified | No                          |

| 1. Title of the Agreement  | 2. Participating countries <sup>107</sup> | 3. Focus                          | 4. Responsible institutions                       | 5. Based on/ Related to existing mechanism  | 6. Definitions and principles /int. standards | 7. Coordination and monitoring body | 8. Established practical steps | 9. Timeframe                               | 10. Implemented in practice |
|--|---|-----------------------------------|---|---|---|-------------------------------------|--------------------------------|--|-----------------------------|
| 2011, Bilateral Cooperation Agreement on Combating Child Trafficking   | BJ, CG                                    | Child trafficking                 | Child protection and anti-trafficking authorities | No  | Yes   | Joint Parliamentary Committee       | Yes                            | 2011- 2016<br>Renewable by tacit agreement | Yes                         |
| 2013, Declaration of the First Ladies (relation to the Cooperation Agreement on Combating Cross-Border Trafficking of Children). | CI, BF                                    | Child trafficking                 | First Ladies of Côte d'Ivoire and Burkina Faso    | Cooperation Agreement on Combating Cross-Border Trafficking of Children, 2013                 | Definitions not set up                        | Not applicable                      | No                             | Not applicable                             | Not applicable              |
| 2016, Joint Declaration of the First Ladies on Combating Cross-Border Trafficking and Worst Forms of Child Labour.               | CI, GH                                    | Child trafficking<br>Child labour | First Ladies of Côte d'Ivoire and Ghana           | Achievement of target 8.7 of SDG<br><br>2001 Harkin–Engel Protocol's <sup>108</sup> framework | Definitions not set up                        | Not applicable                      | Yes                            | Not applicable                             | No                          |

<sup>108</sup> 2001, Protocol for the Growing and Processing of Cocoa Beans and Their Derivative Products in a Manner that Complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. The protocol was established by US Senator Tom Harkin and US Congressman Eliot Engel to address the use of child labour in the cocoa sectors in Ghana and Côte d'Ivoire. In 2011, *Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol* was signed. It aims to reduce the worst forms of child labour by 70 percent across the cocoa sectors of Ghana and Cote d'Ivoire by 2020. Source: ILO: [https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS\\_159486](https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS_159486)

| 1. Title of the Agreement  | 2. Participating countries <sup>107</sup> | 3. Focus  | 4. Responsible institutions  | 5. Based on/ Related to existing mechanism            | 6. Definitions and principles /int. standards  | 7. Coordination and monitoring body              | 8. Established practical steps  | 9. Timeframe   | 10. Implemented in practice |
|--|---|---|--|---|--|--|---|--|-----------------------------|
| 2017, Cooperation Agreement between the Child Protection Directorates of Senegal and Guinea for the Protection of Children on the move | GN, SN                                    | Child protection Children on move Child trafficking Violence against children | National Directorate of Children of Guinea<br><br>Directorate of Rights, Child Protection and Vulnerable Groups of Senegal | No  | Definitions not set up. This is an operational agreement, not a diplomatic instrument. | Monitoring Commission                            | Yes<br>Concrete steps in 3 areas:<br>Prevention<br>Protection<br>Awareness raising. | 2017-2019<br><br>Renewable by tacit agreement  | Yes                         |
| 2017, Memorandum of Understanding between the Anti-Trafficking Focal Points of the Six Countries (5+1 Network)                         | SN, GM, MR, ML, GN, GW                    | TIP general   | National TIP Coordinators,<br><br>National TIP Focal Points to ECOWAS<br><br>ECOWAS TIP Unit                               | ECOWAS Network of TIP Focal Points                    | Yes  | Steering Committee for sub-regional coordination | Yes   | 2017 – 2020<br><br>Renewable for three years upon decision of the Steering Committee | Yes                         |
| 2018, Cooperation agreement to fight Child Trafficking   | TG, GA                                    | Child trafficking   | Child protection, law enforcement authorities, diplomatic  | 2005 ECOWAS/ ECCAS Multilateral Cooperation Agreement | Yes  | Standard Monitoring Committee                    | Yes   | Indefinite period.<br>Additional protocols may apply.                                | No                          |

| 1. Title of the Agreement  | 2. Participating countries <sup>107</sup> | 3. Focus                            | 4. Responsible institutions                           | 5. Based on/ Related to existing mechanism   | 6. Definitions and principles /int. standards | 7. Coordination and monitoring body  | 8. Established practical steps | 9. Timeframe                                    | 10. Implemented in practice |
|--|---|-------------------------------------|---|--|---|--|--------------------------------|---|-----------------------------|
|  |   |                                     | representatives                                       |  |   |  |                                |   |                             |
| 2018, Bilateral Agreement on Child Trafficking.  | BJ, GA                                    | Child trafficking                   | Child protection and law enforcement authorities      | No   | Yes   | Standard Monitoring Committee  | Yes                            | 2018 – 2023<br><br>Renewable by tacit agreement | Partially                   |
| 2019, Tripartite Cooperation Agreement for the Protection of Children on move or victims of trafficking. | BJ, BF, TG                                | Child protection, Child trafficking | Child protection, law enforcement, labour authorities | 2017, ECOWAS Strategic Framework for Strengthening National Child Protection Systems | Yes   | Permanent Monitoring Committee<br><br>Depositor of the Agreement is the MFA of BF. | Yes                            | 2019 – 2024<br><br>Renewable by tacit agreement | No                          |

## 2005, Bilateral Cooperation Agreement to Prevent, Suppress and Punish Trafficking in Persons

**Participating countries:** Benin, Nigeria

**Focus and scope:** The agreement aims at development of a common approach to prevent and combat trafficking against women and children. Agreement also focuses particularly on the protection, rehabilitation and reintegration of the victims and promotes cooperation between the Parties in the process of implementation of the activities. The Agreement covers actions in the areas of:

- Prevention of TIP.
- Protection of victims.
- Repatriation of victims.
- Rehabilitation of victims.

The actions address mainly women and children victims of TIP.

**Definitions and principles:** The Agreement sets definitions for 'child', 'child labour' and 'trafficking in persons' that are reflecting the international standards. The Agreement further states that in the cases of child victims of trafficking, the consent of the victim is irrelevant. The forms of exploitation are defined as exploitation in prostitution, other forms of sexual exploitation, paedophilia, child labour, forced labour, slavery and slavery-like practices, servitude and removal of organs.

**Coordination and monitoring body:** The Agreement foresees a Joint Committee to supervise the implementation and to evaluate the undertaken actions.

**Implementation:** In September 2003, about 300 Beninese children were discovered working in quarries in Abeokuta in Nigeria. The repatriation of these children contributed to strengthening the collaboration between the two neighbouring countries to address the issue of child trafficking. This experience led to the development and signing of the Agreement. The UNICEF Offices in Benin and Nigeria facilitated the process.<sup>109</sup>

The Agreement was preceded by a Memorandum of Understanding (MoU) signed in 2005 between Benin and Nigeria. In the framework of this MoU, three border surveillance groups have been created to fight the cross-border trafficking of children.<sup>110</sup> The information about its implementation in the past 15 years is rather scarce. The Joint Committee foreseen under this agreement is not operational. The Agreement was mentioned by the interviewed stakeholders in both countries. There were joint activities implemented at the border areas in relation to referral of minors, but the research team could not obtain more concrete actions implemented in its framework. Therefore, it can be concluded that the agreement has been partially implemented. According to information gathered during one of the conducted interviews, the agreement has been brought back to the attention of the responsible state authorities and could be revised.<sup>111</sup>

## 2005, Bilateral Agreement against Cross-Border Trafficking of Children

**Participating countries:** Guinea, Mali

**Focus and scope:** The Agreement applies to the fight against child trafficking in the areas of:

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<sup>109</sup> UNICEF (2005), News Note: [https://www.unicef.org/media/media\\_27309.html](https://www.unicef.org/media/media_27309.html)

<sup>110</sup> ICMPD (2021), *Country report Benin, Baseline assessment for the Anti-trafficking Component of OCWAR-T Project (in progress)*.

<sup>111</sup> Conducted interview with international organisation. Code OI03.

- Prevention of TIP.
- Protection of victims.
- Repatriation of victims.
- Reunification of victims.
- Rehabilitation of victims.
- Reintegration of victims.
- Suppression of TIP.
- Cooperation between the anti-trafficking stakeholders.

**Definitions and principles:** The definitions of a ‘child’ and ‘child trafficking’ used in this Agreement are in line with international definitions. The consent of the victim is not taken into consideration even if the means of exploitation are not present. The definition of child trafficking refers to sexual exploitation, labour exploitation, slavery or slavery-like practices, servitude, and organ removal. The agreement sets also principles in line with the international standards – prohibition of all forms of child trafficking, no discrimination towards child victims, respect for child’s dignity, as well as presumption of age. The actions of the authorities are led by the best interest of the child.

**Coordination and monitoring body:**

The Agreement establishes **Standing Monitoring Committee** with main tasks to:

- Evaluate the actions taken under the Agreement.
- Harmonise approaches and propose solutions to emerging problems during the implementation of the Agreement.
- Exchange knowledge and experience between the Parties.
- Formulate recommendations.

The Committee is composed on 8 representatives of each country (16 members in total).

The Agreement establishes also **National Monitoring Committees**. These Committees operate under the Ministry responsible for actions against child trafficking. Their tasks are to:

- Develop technical and financial partnership strategies.
- Monitor the implementation of the country’s obligations under the Agreement.
- Propose solutions to problems that the anti-trafficking authorities face.
- Capitalise on experiences in prevention, support of victims, reintegration, etc.
- Exchange information on TIP cases.
- Formulate recommendations.

The Commission members are representatives of the public administration and the civil society. They meet at least once in three months.

**Implementation:** The annual review of the agreement has not been implemented for ten years<sup>112</sup> and no evidence for the current implementation of the agreement could be collected by the research team. Several years ago, the authorities in Guinea recognised the need to review, evaluate and revise the agreement. The revision integrated the topic of migration into the agreement. Terre des Hommes supported this initiative, but the finalisation of the process was hindered by the latest crisis in Mali

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<sup>112</sup> Conducted Interview in Guinea, Code GN01.

and the outbreak of Ebola virus disease in Guinea in 2021.<sup>113</sup> Therefore, it can be concluded that currently the agreement is not operational and is under revision.

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

**Participating countries:** Benin, Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo

**Focus and scope:** The Agreement is based on the UNTOC and the accompanying UN TIP Protocol. It has roots also in the few currently existing bilateral agreements on child trafficking in West Africa, as well as the 2001 Dakar Plan of Action on the fight against TIP signed by the Heads of State of West Africa. The scope of the Agreement is the fight against child trafficking in the areas of:

- Prevention of TIP.
- Protection of victims.
- Repatriation of victims.
- Reunification of victims.
- Rehabilitation of victims.
- Reintegration of victims.
- Suppression of TIP.
- Cooperation between the anti-trafficking stakeholders.

Among the general obligations of the Parties is the development and implementation of regional and national action plans to combat child trafficking, as well as the establishment of national committees to monitor and coordinate these action plans. The Parties also agree to harmonise their national legislation against child trafficking and to report on annual basis on the implementation of the Agreement.

**Definitions and principles:** The Agreement follows the international standards for definition of a 'child' and 'child trafficking'. The definition of child trafficking refers to sexual exploitation, labour exploitation, slavery or slavery-like practices, servitude, and organ removal.

The agreement sets principles in line with the international standards – respect and no discrimination towards child victims, respect for child's dignity, prohibition of all forms of child trafficking. The actions of the authorities are led by the best interest of the child and the child's wellbeing.

**Coordination and monitoring body:** The Agreement establishes **Permanent Regional Monitoring Commission** with a Secretariat. The tasks of the Commission are to:

- Monitor and evaluate the implementation of the Agreement.
- To propose solutions to emerging issues during the implementation of the Agreement.
- To exchange knowledge and experience between the Parties.
- To formulate recommendations.

Each country appoints three representatives to take part in the Commission – two government officials and one representative of civil society organisations. The Commission meets once a year. It also foresees the establishment of **National Monitoring Commissions (NMC)** in each country. NMC

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<sup>113</sup> ICMPD (2021), *Country report Guinea, Baseline Assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress)*.



operates under the Ministry responsible for actions against child trafficking. The tasks of the NMC are to:

- Develop technical and financial partnership strategies.
- Monitor the implementation of the country's obligations under the Agreement.
- Propose solutions to problems that the anti-trafficking authorities face.
- Capitalise on experiences in prevention, support of victims, reintegration, etc.
- Produce national reports on the implementation of the Agreement.
- Participate in the activities of the Permanent Regional Monitoring Commission.
- Formulate recommendations.

NMC members are representatives of the public administration and the civil society. They meet at least once in three months.

**Implementation:** Being the first multilateral agreement on TIP in West Africa, it has been used by the Parties to develop certain bilateral actions. Ghanaian authorities report the implementation of joint TIP investigations and cross-border cooperation.<sup>114</sup> Togolese authorities point out that the reporting process set up in the framework of the Agreement can serve as a good example for the implementation of other similar agreements.<sup>115</sup> However, some of the countries recognise the fact that the Agreement was adopted 16 years ago and since then, the anti-trafficking response, as well as the TIP phenomenon have changed. Therefore, there is a recognised need for this Agreement to be reviewed and amended in order to reflect the current TIP trends, countries' needs and the national and regional developments in the anti-trafficking response. It is also noted, that the established monitoring mechanism should be active and more operational.<sup>116</sup>

### **2006, Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children in West and Central Africa**

**Participating countries:** Member States of the Economic Community of Central African States and Economic Community of West African States.

**Focus and scope:** In 2006, ECOWAS and ECCAS developed this Agreement in order to set the legal cooperation of child trafficking cases between the countries from the two regions. The goal of the Agreement is:

- To develop a common approach and response to trafficking in persons by mutual co-operation at the international level.
- To protect, rehabilitate and reintegrate victims of trafficking.
- Cooperation among Member States in the process of investigation, arrest and prosecution of traffickers.
- To promote co-operation between the Parties for achievement of the Agreement's objectives.

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<sup>114</sup> Conducted Interviews in Ghana, Code GH01, GH02.

<sup>115</sup> ICMPD (2021), *Country report Togo, Baseline Assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress)*.

<sup>116</sup> Togo (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action* and Conducted Interview in Ghana, Code GH01.

The scope of the measures under this Agreement covers trafficking in persons, especially women and children in the fields of:

- Prevention of TIP.
- Protection of victims.
- Repatriation of victims.
- Reunification of victims.
- Rehabilitation of victims.
- Reintegration of victims.
- Repression of TIP.
- Cooperation between the anti-trafficking stakeholders.

The Agreement sets obligations related to national anti-trafficking legal and policy frameworks of the Parties. It tackles their national anti-trafficking response by requesting harmonisation of the national legislation with the main international anti-trafficking legal instruments and establishment of national anti-trafficking Task Forces. The Agreement foresees the development and implementation of **Joint ECCAS/ECOWAS Plan of Action against Trafficking in Persons, especially women and children in West and Central Africa**. Several working tools are planned to accompany the PoA:

- Model national task force against TIP.
- Model bilateral agreement on cooperation and mutual legal assistance in protecting children from trans-border trafficking.
- Guidelines for the Protection of the Rights of Child Victims of Trafficking.
- Model of child trafficking monitoring system for West and Central Africa.
- Request writer tool for International Cooperation.

The Agreement also sets extensive detailed framework for mutual legal assistance on criminal matters related to TIP.

#### **Definitions and principles:**

Based on the international anti-trafficking legislation, as well as the main regional cooperation framework on TIP in 2005 (the Multilateral Cooperation Agreement on the Fight against Child Trafficking in West Africa), this Agreement uses the international definitions of TIP and child trafficking. 'Exploitation' is defined as all forms of sexual exploitation, forced labour, slavery, slavery-like practices, servitude and removal of organs. The repatriation of child victims is guided by the principle of the best interest of the child.

The Agreement is built upon five principles - total prohibition of TIP; respect for the dignity of the victims and non-discriminative treatment; non-punishment of victims, promotion of the best interest and welfare of the child; presumption of age.

**Coordination and monitoring body:** Joint Permanent Regional Monitoring Commission (JPRMC) is established with a joint Secretariat created in ECCAS and ECOWAS. The tasks of JPRMC to:

- Follow-up and evaluate the activities conducted by the Parties within the framework of the Agreement.
- Propose approaches to emerging problems in the implementation of the Agreement.
- Exchange experiences and information on TIP cases.
- Receive and review applications for accessing the Agreement.

- Conduct bi-annual inter-regional conference for the anti-trafficking stakeholders.
- Formulate recommendations.

Each Party should report the state of implementation of the Agreement in their annual anti-trafficking reports to ECCAS and ECOWAS.

For the first two years of existence of the Agreement, JPMC is comprised of eight members (four from ECCAS and four from ECOWAS, incl. representatives from civil society organisations). After the end of their mandate, JPMC comprises of sixteen members (eight members from each region, succeeding the retiring members on annual basis). JPMC meets once a year.

**Implementation:** One of the main problems that have occurred almost immediately after the signing of the Agreement was that the complex steering and monitoring mechanism elaborated in the Agreement did not operationalise. Another major challenge is the unequal capacity of the state authorities in the different member states for dealing with child trafficking and therefore, to participate in the cooperation actions on equal terms. Almost constant efforts are invested in order to reboot the Agreement and to enable its implementation, incl. the Joint ECOWAS/ECCAS Plan of Action to Combat Trafficking in Persons especially Women and Children (2006-2008). Based on the this agreement and on the 2005, *Multilateral Cooperation Agreement on the Fight against Child Trafficking in West Africa*, **Joint ECOWAS/ECCAS Plan of Action to Combat Trafficking in Persons especially Women and Children (2006-2008)** was elaborated. However, the member states of both economic communities are using mainly bilateral agreements to cooperate on TIP cases. At this moment, the discussions on the future cooperation are ongoing. The focus is on revival and adaptation of the Agreement in order to be operational and to fit the current TIP trends.<sup>117</sup>

## 2011, Bilateral Cooperation Agreement on Combating Child Trafficking

**Participating countries:** Benin, Republic of Congo

**Focus and scope:**

- Prevent and suppress child trafficking.
- Protect, rehabilitate, integrate and reintegrate trafficked children.
- Cooperation in investigation, prosecution and punishment of traffickers.

The Agreement covers actions in the areas of prevention, protection, suppression of TIP, mutual legal assistance, repatriation of victims, rehabilitation, integration, reintegration, and cooperation.

**Definitions and principles:** The Agreement follows the international standards for definition of a 'child'. 'Child trafficking' and 'exploitation' are defined according to Article 3 of the UN TIP Protocol. The Agreement also defines the basic rules of identification of the child victims and the safe return specifying on the risk assessment, the family tracing, the information gathering, the repatriation, and the rehabilitation. The best interest of the child is regarded as one of the principles applied to all actions foreseen by the Agreement. The other principles are: prohibition of child trafficking, non-discrimination, presumption of age, consideration of child's opinion.

**Coordination and monitoring body:** The parties agree to set up Joint Parliamentary Committee. It is responsible for the implementation, monitoring and evaluation of the actions under the Agreement. More specifically the Committee is responsible for:

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<sup>117</sup> Conducted interview with international organisation. Code IO03.

- Monitoring of the implementation of activities.
- Proposing approaches towards emerging issues related to child trafficking.
- Exchanging experience between the Parties.
- Providing advice and recommendations.

The Committee is composed by six representatives of each of the Parties: four governmental stakeholder representatives, one technical and one financial partner, one NGO representative (12 members in total). The Committee is foreseen to meet once a year and to produce annual reports.

**Implementation:** The Agreement is signed in Pointe-Noire, Republic of Congo and for the first time establishes the mechanisms for mutual legal assistance between the two countries for arrest and prosecution of child traffickers.<sup>118</sup> The Agreement was instrumental in enabling the operational work of ALTO (NGO supporting trafficked children in Pointe-Noire) to work smoothly on child trafficking cases with the Beninese authorities. In 2012, during an operation for repatriation of foreign minors, 57 cases of exploited and trafficked children were identified in Pointe-Noire.

“... [ALTO] coordinated the protection of those victims directly with Ministry of Social Affairs and Humanitarian Action and police authorities...”<sup>119</sup> and supported their return to Benin.

Despite the evidence regarding the implementation of the agreement, the information obtained by the team suggests that the coordination and monitoring mechanism of the agreement needs to be strengthened. The US Department TIP Report 2021 also recommend to the Government of Benin to expand the implementation of the agreement to Togo to increase law enforcement coordination and investigate, prosecute, and convict perpetrators of transnational trafficking cases.<sup>120</sup>

### **2013, Declaration of the First Ladies (in relation to the 2013 Cooperation Agreement on Combating Cross-Border Trafficking of Children)**

**Participating countries:** Côte d’Ivoire, Burkina Faso

**Focus and scope:** The research could obtain the text of the Joint Declaration of the two First Ladies but not the text of the Agreement itself. Therefore, the only reference to the Agreement’s content can be made based on the content of the Declaration of the First Ladies. The Declaration aims at encouraging the Governments of the two countries to implement the Agreement and to strengthen the national mechanisms to deal with trafficking cases. In addition, it is declaring support for all actions aiming at elimination of cross-border child trafficking, raising the national awareness and advocating support among the First Ladies of the West African region on the topics of child trafficking, exploitation and the worst forms of child labour.

**Implementation:** This is a political declaration supporting an Agreement for cooperation and does not postulate concrete actions related to the cooperation of TIP cases. Therefore, no concrete activities or concrete efforts to operationalise this document were identified.

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<sup>118</sup> ICMPD (2021), *Country report Benin, Baseline Assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress)*

<sup>119</sup> US Department of State, TIP Report, Heroes, Class of 2012: <http://www.tipheroes.org/raimi-vincent-paraiso/>

<sup>120</sup> US Department of State (2021), *TIP Report*.

## **2016, Joint Declaration of the First Ladies on Combating Cross-Border Trafficking and Worst Forms of Child Labour**

**Participating countries:** Côte d'Ivoire, Ghana

**Focus and scope:** In contrast to the previous Joint Declaration between the First Ladies of Côte d'Ivoire and Burkina Faso, this Declaration is not related to a certain Cooperation Agreement. This Declaration is based on several regional and bilateral commitments of Côte d'Ivoire and Ghana dedicated to the fight with child trafficking and child labour. Amongst them is the 2001 Harkin–Engel Protocol and the following 2011 Declaration and Framework of Action to Support Implementation of Harkin–Engel Protocol, signed by Côte d'Ivoire, Ghana and United States of America.

The Declaration affirms First Ladies' support for all efforts to eliminate child trafficking and worst forms of child labour in the two countries. The Declaration enlists practical measures / commitments in four areas:

- Prevention of TIP.
- Protection of victims and children in general.
- Prosecution of traffickers.
- Coordination, monitoring and evaluation of the child labour and the exploitation of children.

**Implementation:** The Declaration was mentioned by representatives of both Parties as an existing document, but no concrete examples for the implementation of the suggested measures were presented. Therefore, a definite conclusion about its implementation cannot be delivered.

## **2017, Cooperation Agreement between the Child Protection Directorates of Senegal and Guinea for the Protection of Children on the move**

**Participating countries:** Guinea, Senegal

**Focus and scope:** The aim of the agreement is to strengthen the partnership between the two countries on child protection and promotion of child rights. The target group are children on move and the focus is protection of these children from any forms of exploitation and abuse. More specifically:

- Protection of children in mobility situations.
- Protection of children from trafficking, begging, exploitation and all forms of child labour.
- Protection of sexual exploitation.
- Protection of early marriages and female genital mutilation.
- Protection of children in conflict with law.
- Protection of children affected by emergencies.

The scope of the implemented activities should be across the areas of prevention, protection and awareness raising.

**Definitions and principles:** The Agreement does not specify any common definitions and does not explicitly set working principles. The reason could be that the agreement is set between two specific institutions dealing with the same topic, groups and applying similar methods in contrast to the majority of Agreements in this assessment report that are signed at higher political level and require not only agreement on the areas of cooperation, but also agreement on common definitions.

**Coordination and monitoring body:** The Agreement establishes a monitoring mechanism. The Monitoring Commission is responsible for the overall monitoring of the activities under the Agreement

and for provision of recommendations. The members are not specified. The Monitoring Commission should meet once a year.

**Implementation:** The research found out that the Agreement is implemented successfully in practice. The measures for referral and protections set up in the document, enabled and facilitated the reintegration of 60 Guinean children victims of trafficking. According to the same source, the cooperation agreement between Guinea and Senegal could be considered a successful practice and the model should be used to establish similar mechanisms with all neighbouring countries of Guinea.<sup>121</sup>

At the same time, the knowledge about this cooperation mechanism is not disseminated among all anti-trafficking stakeholders in the country, especially among law enforcement and judiciary.<sup>122</sup>

### **2017, MoU between the Anti-Trafficking Focal Points of the Six Countries (5+1 Network)**

**Participating countries:** The Gambia, Guinea, Guinea Bissau, Mali, Mauritania and Senegal.

In April 2016, during a regional seminar on coordination of actions against trafficking in persons organised in the framework of the *FMM West Africa Project, DDF Component*,<sup>123</sup> some of the participants testified to the will of national focal points on TIP of the six countries - The Gambia, Guinea, Guinea Bissau, Mali, Senegal and Mauritania to work more closely together. This collaboration would focus on actions by a wider regional network of national focal points on trafficking in persons that recognises common specific trends and impacts of trafficking in persons based on geographic proximity. The commitment resulted in a joint declaration/ MoU by the five ECOWAS Member States and Mauritania and is assessed as a major step in strengthening the sub-regional cooperation and coordination in combating transnational cases of TIP and in provision of support for victims.

**Focus and scope:** The MoU defines actions to be undertaken by the anti-trafficking stakeholders in order to strengthen the coordination in the fight against TIP and to establish a sub-regional multidisciplinary cooperation framework to facilitate information sharing:

- Development of a common approach to TIP to identify victim's profiles and trafficking trends.
- To facilitate assistance, protection, return and integration of victims.
- To facilitate the creation of a regional database between the participating States.
- To facilitate operational cooperation in criminal matters.
- Harmonization of professional practices.

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

**Definitions and principles:** The MoU provides detailed definitions of Trafficking in persons and its elements in harmony with Article 3 (a) of the Palermo Protocol, supplementing the UNTOC.

**Coordination and monitoring body:** MoU establishes **Steering Committee for sub-regional coordination** comprising of national coordinators and TIP focal points in the six partner countries. It is chaired consecutively for two years by one of the National Coordinators. The TIP Unit of the ECOWAS

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<sup>121</sup> Conducted interview in Guinea. Code GN08.

<sup>122</sup> Conducted interview in Guinea. Code GN05.

<sup>123</sup> FMM WA project. DDF Component was implemented by ICMPD. <https://www.icmpd.org/our-work/capacity-building/regions/africa/fmm-west-africa-support-to-free-movement-of-persons-and-migration-in-west-africa/>

Commission is a permanent member of the Committee and supervises it. The Committee, is responsible for:

- Defining general guidelines for referral of victims.
- Follow-up on the implementation of the MoU.
- Monitoring of its effectiveness.
- Defining relevant indicators for assessing the impact of joint actions under the MoU.
- Proposing adjustment measures, and defining new actions if necessary.

The Committee is set to meet at least once each year at the request of the Chairperson and provides annual review of the implementation of the MoU based on collected data from the MoU's Parties.

**Implementation:** According to the collected information, the six member countries have set up a communication space and have regular meetings.<sup>124</sup> No information about concrete actions in Guinea could be discovered, but 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. Therefore, it could be concluded with relatively high level of certainty, that the agreement is functional.

### **2018, Cooperation Agreement to Fight Child Trafficking**

**Participating countries:** Togo, Gabon

**Focus and scope:** The Agreement focuses on bilateral cooperation in three main areas:

- Prevention of child trafficking.
- Protection, rehabilitation and reintegration of child victims.
- Investigation, prosecution and extradition of traffickers.

The scope of the Agreement is broadly defined into following categories of actions: reintegration, cooperation, as fight against child trafficking in the areas of prevention, protection, rehabilitation, etc.

**Definitions and principles:** The Agreement follows the international standards for definition of a 'child' and 'child trafficking'. The consent of the victim as well as the means of exploitation are irrelevant for the definition of child trafficking used for the purposes of this Agreement. The definition of child trafficking refers to sexual exploitation, labour exploitation, slavery-like practices and organ removal. The best interest of the child is the main principle of the Agreement, as well as non-discriminative treatment of victims, respect for their dignity and the total prohibition of child trafficking.

The two Parties agree to develop joint PoA to combat child trafficking, as well as programmes to identify child victims and to share information between each other. It also establishes the steps for cooperation on cases – from the identification of the child victim in one of the countries to the reintegration of the child in the other.

### **Coordination and monitoring body**

The Parties agree to set up **Standard Monitoring Committee (SMC)**. The responsibilities of SMC are:

- To evaluate the actions taken by the contracting Parties.
- To monitor the implementation of the obligations of the Parties.
- To harmonise the approaches and solutions to emerging problems.

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<sup>124</sup> Conducted interview in Guinea, Code GN01.

- To exchange experience and information on TIP cases.
- To develop technical and financial cooperation strategies for effective implementation of the Agreement.
- To formulating recommendations related to the implementation of the Agreement.

The Committee is composed by six representatives of each of the Parties: four governmental stakeholder representatives, one technical and one financial partner, one NGO representative (12 members in total). The Committee is set to meet once a year.

**Implementation:** The research team obtained information that the Togolese authorities has sent the instrument of acceptance at national level to their Gabonese counterparts with acknowledgment. The implementation is pending. No information about the set up of monitoring body could be obtain. However, the research team obtained suggestions for agreement's update – the scope to be extended to adult victims and civil society organisations to be added to the implementing partners.<sup>125</sup>

### **2018, Bilateral Agreement on Fight against Cross-Border Child Trafficking**

**Participating countries:** Benin, Gabon

**Focus and scope:** Similarly to the previous Agreement, the focus of this one is trifold:

- Prevention and suppression of child trafficking.
- Protection, rehabilitation and reintegration of child victims.
- Investigation, arrest, prosecution and extradition of offenders.

The scope of the Agreement covers more than ten areas of anti-trafficking actions:

- Prevention of TIP.
- Identification of victims.
- Psychological support.
- Protection.
- Repatriation.
- Rehabilitation of victims in the country of identification and in the country of origin.
- Mutual legal assistance on TIP cases.
- Decreasing acts of TIP.
- Cooperation between the contracting authorities, including cooperation with transit states, etc.

The Agreement envisages the development of **joint Plan of action**. The National Committees of the two Parties are responsible for the coordination of the implementation of the PoA

**Definitions and principles:** The Agreement follows the international standards for definition of a 'child' and 'child trafficking'. The consent of the victim as well as the means of exploitation are irrelevant for the definition of child trafficking used for the purposes of this Agreement. The definition of child trafficking refers to sexual exploitation, labour exploitation, slavery-like practices and organ removal. The best interest of the child is the main principle of the Agreement, together with the non-punishment principle and the consideration of child's opinion. The Agreement bases its measures also on the acknowledgement of child's right to leave, survive and develop.

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<sup>125</sup> ICMPSD (2021), *Country report Togo, Baseline Assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress)*



**Coordination and monitoring body:** The Parties agree to set up **Standard Monitoring Committee (SMC)**. The responsibilities of SMC are to implement, monitor and evaluate the actions undertaken under the Agreement:

- Developing and implementing joint operations.
- Evaluating the actions taken by the contracting Parties.
- Harmonising approaches and solutions to emerging problems.
- Sharing knowledge, information on TIP cases.
- Formulating recommendations to the contracting Parties.

The Committee is composed by six representatives of each of the Parties: four governmental stakeholder representatives, one technical and one financial partner, one NGO representative (12members in total). SMC is set to meet once a year.

**Implementation:** The research team could obtain information testifying of only partial implementation of the agreement. there are cases of Beninese victims repatriated by the authorities of Gabon. No further information could be obtained. The existence of this agreement is acknowledged by most of the interviewed stakeholders. There is awareness about it, but little evidence of actual implementation. Therefore, it can be concluded that the Agreement appears to be only partially active.

### **2019, Tripartite Cooperation Agreement for the Protection of Children on the move or victims of trafficking**

**Participating countries:** Benin, Burkina Faso and Togo

**Focus and scope:** The main objective of the Agreement is to define the modalities of cooperation between the contracting Parties in the field of protection of children on move or victims of trans-border trafficking. Namely:

- To prevent and suppress trafficking through implementation of effective cooperation measures.
- To protect, support and reintegrate children of move or victims of trafficking in a protective environment.
- To assist the competent authorities of the Parties to investigate, arrest, prosecute and extradite the traffickers.
- Setting up a system for protective accompaniments of children.

The scope of the Agreement covers the areas of prevention and suppression of TIP, protection, return, reunification, rehabilitation and reintegration of victims, cooperation between the anti-trafficking authorities.

**Definitions and principles:** The Agreement defines 'child', 'child on move', 'unaccompanied child', 'separated child', 'reunification', 'protective accompaniment', etc. based on ECOWAS Support Procedures and Standards for the Protection and Reintegration of Vulnerable Children on the Move and Young Migrants. 'Child trafficking' as well as the processes of identification, protection, return, etc. are defined based on the international standards.

The Agreement is based on the principles of non-discrimination, best interest of the child, respect for child's opinion and child's right to live, survive and develop. The Agreement also implements the

principles of protection of the dignity of all children in situation of vulnerability or children victims of trafficking, the presumption of age and the inclusion of children in the decision making process.

**Coordination and monitoring body:** The Agreement establishes **Permanent Monitoring Committee** with tasks to:

- Monitor and evaluate the implemented actions under the Agreement and to produce annual report.
- Propose solutions to arising problems related to the measures to fight child trafficking and to tackle child mobility.
- Share information between the Parties.
- Develop technical and financial partnership strategies for effective implementation of the Agreement.
- Formulate recommendations for the implementation of the Agreement and monitor their implementation.
- Report, in consultation with the concerned anti-trafficking institutions, on the implementation of the Agreement.

Each country is represented by **seven** anti-trafficking stakeholders from:

- The Ministry responsible for the child protection in the country.
- Ministry of Justice.
- Ministry of Foreign Affairs.
- The Ministry responsible for regulating labour and employment.
- Ministry of Security.
- NGO.
- Technical and financial partner.

The Committee establishes its own internal rules and procedures, and meets once a year.

**Implementation:** The development of the Agreement is supported by ISS WA. The process has started in 2013 in Burkina Faso during WAN steering meeting. It was signed in 2019, but the research could not obtain clear information about its implementation. In 2020, Togo has sent the instrument of acceptance at national level to the depository of the Agreement (Burkina Faso).<sup>126</sup> There is no information about the formal approval of the Agreement in Benin.

In addition, there is no Plan of Action developed to implement this Agreement<sup>127</sup>. From the above facts, it could be concluded that the Agreement is not operational. The 2021 TIP Report recommends to the government of Benin to make efforts to *“to increase law enforcement coordination and investigate, prosecute, and convict perpetrators of transnational trafficking cases, while respecting due process”*.<sup>128</sup> Togolese officials also did not utilise the agreement.<sup>129</sup>

## 5. Other agreements

The agreement below was discovered in the late stages of the assessment. It was not mentioned by the stakeholders of Ghana and Côte d’Ivoire during the interviews phase. Therefore, the research

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<sup>126</sup> Togo (2020), *Annual Report on the Implementation of the ECOWAS TIP Plan of Action*.

<sup>127</sup> Conducted interview with international organisation, Code IO02.

<sup>128</sup> US State Department (2021), *TIP Report*.

<sup>129</sup> Ibid.

cannot provide information about its implementation. Never-the-less, it is outlined here because of its importance in dealing with the severe working conditions and worst forms of child labour in cocoa plantations and involvement of the business in facing the problem and developing solutions.

### **2001, Protocol for the Growing and Processing of Cocoa Beans and Their Derivative Products in a Manner that Complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.**

**Participating countries:** Ghana, Côte d'Ivoire, USA

The protocol is established in 2001 by US Senator Tom Harkin and US Congressman Eliot Engel to address the use of child labour in the cocoa sectors in Ghana and Côte d'Ivoire. The World Cocoa Foundation, the Chocolate Manufacturers Association, and its members committed to address the worst forms of child labour in the growing and processing of cocoa beans and derivative products in West Africa. The protocol laid out a PoA and steps to eliminate the Worst Forms of Child Labour. Since its inception, Ghana and the Côte d'Ivoire have implemented child-labour-free certification programs, conducted surveys about the practice and publicly posted the results.<sup>130</sup>

In 2011, *Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol* was signed. It builds on the Protocol and aims to reduce the worst forms of child labour by 70 percent across the cocoa sectors of Ghana and Cote d'Ivoire by 2020.<sup>131</sup> Eight companies in the chocolate and cocoa industry pledged US \$2 million to a Public-Private Partnership with the ILO to combat child labour in cocoa growing communities in Ghana and Côte d'Ivoire.

## **6. Conclusions**

There is significant number of cooperation agreements related to TIP and child labour developed between the CUS and the neighbouring countries, the countries of West Africa and Central Africa Region, Gulf countries, EU countries, etc.

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, fight against transnational organised crime; migration, legal assistance, etc.<sup>132</sup> **The content** of the agreements also 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. Some of the agreements are **initiated** by national governments, following an emerging, TIP or child labour trends, other are supported by third parties – governments of third countries, regional organisations or international organisations present in the CUS.

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<sup>130</sup> ILO (2011), *Africa: Child Labor in Cocoa* Fields/ Harkin-Engel Protocol, [https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS\\_159486](https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS_159486)

<sup>131</sup> Ibid.

<sup>132</sup> Example: The committees against trafficking in persons of Guinea and Sierra Leone met in June 2020 to discuss joint actions to fight TIP in the two countries. The meeting concluded with a recommendation an official cooperation agreement to be signed. The model cooperation agreement is currently in process of development. - ICMPD (2021) *Country report Guinea, Baseline Assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress)*.

There is a widespread **recognition** among the anti-trafficking officials in the CUS **of the need for cross-border and transnational cooperation of TIP**. Most of the interviewed stakeholders pointed out the bilateral and multilateral agreements as an excellent mechanism to boost and facilitate the international cooperation on TIP cases.

However, the **actual implementation** of the signed agreements **is often challenged**. The agreements are used either partially, or not used at all. From the twelve analysed agreements, the research found that four are operational, two are partially implemented, five are not operational, and one of the documents is a political declaration without operational references.

When used, these agreements facilitate the process of victims support and return, cases follow-up, the legal assistance between the countries, the prosecution of offenders, the collaboration of the diplomatic services, etc. They facilitate the quality of the information sharing and the mutual trust between the institutions in the cooperating countries.

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There are several **good practises** for transnational cooperation on TIP in the CUS and the region of West Africa – the already established and functioning networks, such as WAN/RAO, the Network of ECOWAS TIP Focal Points, etc. All signed bilateral, multilateral and regional agreements are designed and framed based on international standards, follow international and regional developments, 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.

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The next chapter elaborates the factors most commonly reported during our study as contributing to the inefficient implementation of the bilateral and multilateral agreements on TIP in the CUS.

## E. Gaps and Challenges in the Implementation of Bilateral and Multilateral Agreements on TIP

### 1. Discrepancy between policy and practice

The finding of the current study, that many of the analysed existing bilateral and multilateral agreements are not implemented in practice, can largely be contributed to the fact that no steps are taken to operationalise the agreed measures. This leaves the agreements at the level of a policy document. In some cases, the agreement is not translated further into an actual PoA, thus rendering it non-functional.

Some of the analysed agreements are followed up by this second step and a PoA is developed and also updated. After the agreements are signed and ratified if and where so required by national legislation), the competent authorities appointed in the agreement or in the PoA, take over to 'domesticate'<sup>133</sup> the agreement and to implement the foreseen activities. However, some of the agreements 'freeze' at this stage. Successful implementation of a PoA requires administrative, financial and human resources. Securing these prerequisites often turns out to be a challenge for the government stakeholders. Therefore, the PoA is implemented either partially, or not implemented at all because of the lack of the enabling environment and often, political will.<sup>134</sup>

Another factor that contributes to the lack of implementation of the analysed agreements is the insufficient dissemination of information about the existence of the agreement and its actual implications for the field workers of each involved ministry and agency.

### 2. Lack of institutional capacity to implement the agreements

In some cases, the capacity of the ministries and governmental agencies to implement the signed agreements are insufficient. There are several underlying reasons for this: (a) TIP is not necessarily a priority for the ministries and the governmental institutions concerned; (b) The responsible personnel is overwhelmed with (other) tasks and has no or little capacity to tackle TIP issues; (c) High turnover of the personnel at operational but also at policy-making level. Directors of responsible Directorates and Agencies are often changing and therefore, the adoption of common approaches, common policies, etc. and the follow-up on the already implemented initiatives can prove challenging.<sup>135</sup>

### 3. Lack of coordination and monitoring

All of the reviewed agreements set up a monitoring and coordination mechanism – usually in a form of a Monitoring Committee. The members, functions and regulations of these committees are also set forth in detail. However, representatives from all CUS mentioned that for many of these agreements the monitoring bodies are either established but do not meet, or they are not set up at all. Often the follow-up on the work of the joint committees is missing. Many of these committees do not exist at

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<sup>133</sup> Conducted interview in Nigeria, Code NG01.

<sup>134</sup> Conducted interview in Nigeria, Code NG04.

<sup>135</sup> Conducted interviews with international organisation, Code IO02 and ICMPSD (2021), *Country report Guinea, Baseline assessment for the Anti-Trafficking Component of OCVAR-T Project (in progress)*.

all. The follow up and the monitoring of the implementation of the agreements is often insufficient.<sup>136</sup> Some officials go further stating that the agreements could become operational and the commitment of the participating countries could be ensured only by imposing relevant obligatory measures.<sup>137</sup>

#### **4. Lack of an assigned budget**

One of the most commonly reported challenge for the actual implementation of the agreements is that in many cases no budget is assigned for the implementation of the PoA or the agreement itself. This prevents the implementing authorities from conducting any initiatives. 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 all CUS with no successful solutions so far.<sup>138</sup>

#### **5. The agreements do not address the current TIP situation**

Some of the analysed agreements have been drafted and signed ten, fifteen or more years ago. Therefore, their content reflects the anti-trafficking response and the anti-trafficking developments at national, regional and international level at the time of their signature.

Some of the analysed agreements reflect only child trafficking and child labour as this was the main focus of the anti-trafficking responses in the countries of West Africa in 2000-2010. Since then, the focus of the national policies has shifted and nowadays it incorporates also the trafficking of adult persons. The national anti-trafficking legislations have been updated as well. Therefore, such Agreements may need to be adapted to include both child and adult victims.<sup>139</sup>

The agreements could now also be reflecting trends in TIP that are no longer relevant. The driver behind the creation of some of the bilateral agreements was a specific situation, a *modus operandi* of traffickers between the two countries, a particular type of exploitation, etc. Therefore, the content of these agreements needs to be updated regularly in order to reflect the actual TIP situation and the actual needs of the victims.<sup>140</sup>

The third aspect is the development of the national anti-trafficking stakeholders. At certain point throughout the last twenty years, all CUS have either assigned a governmental body with the task of coordinating the anti-trafficking activities in the country, or have established a national Task Force/Committee/Commission to be in charge of the national anti-trafficking response. Simultaneously, the other national anti-trafficking stakeholders may have experienced changes in their

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<sup>136</sup> Conducted interviews in Nigeria and Guinea, Codes NG01, GN04 and GN07.

<sup>137</sup> ICMPD (2021), *Country report Togo, Baseline assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress)*.

<sup>138</sup> Conducted interview with international organisation, Code IO02.

<sup>139</sup> ICMPD (2021), *Country report Guinea, Baseline assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress)*.

<sup>140</sup> ICMPD (2021), *Country report Cote d'Ivoire, Baseline assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress)*.

structures, mandates, and policy priorities. The structure of the national anti-trafficking stakeholders is dynamic. The revision of every bilateral or multilateral cooperation agreement must take into consideration these institutional changes.

## F. Examples of Good Practices from Other Regions

The following good practices present examples for functioning platforms for transnational cooperation of TIP cases. As referred to in the Conclusions in Chapter D, West Africa region has already excellent implemented practices for cooperation and referral of TIP cases. One of them is the West African Network for the Protection of Children (WAN/RAO). In addition, we present the following examples from South-Eastern Europe and illustrate formal and informal cooperation mechanisms aimed at facilitating the exchange of information, good practices, challenges, increasing of the capacities of the national anti-trafficking stakeholders, monitoring of the trends and anti-trafficking policies, providing joint efforts to support victims and prosecuting the perpetrators.

### 1. Network of the Anti-Trafficking Coordinators in South-East Europe (NATC SEE)



\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.



*Created in October 2010 at a Ministerial Conference in Brdo pri Kranju, Slovenia.*

*Members: Slovenia (Chair), Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo<sup>141</sup>, Moldova, Montenegro, North Macedonia, Romania and Serbia.*

The Network is the most significant policy-making level cooperation forum

on the anti-trafficking response in South-Eastern Europe. It brings together the national anti-trafficking coordinators of the member countries and functions as a platform for exchange of good practices, coordination of strategic priorities and resources, and monitoring of the anti-trafficking developments across the region. The network has official meetings at least once a year where the anti-trafficking coordinators discuss trending issues in the fight against TIP in their countries and report on their latest achievements and challenges. The meetings also serve as a forum for discussing the needs of the countries and for identifying areas for potential cooperation. The Network runs a Joint List of Contacts to speed up the operational cooperation between the anti-trafficking authorities in the region.

Overall, the Network offers a well-suited vehicle for advocacy aimed at policy and legislative changes as well as in developing and implementing regional and bilateral targeted capacity-building initiatives to respond to TIP challenges in the region.

### 2. Bilateral agreements on cross-border cooperation on TIP

The Republic of North Macedonia has signed several bilateral agreements and protocols for cooperation on addressing TIP with its neighbouring countries. These are examples of three of them, signed with Albania, Bulgaria and Serbia.

<sup>141</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.



2.1.) 2019, Agreement between the Governments of Republic of North Macedonia and the Republic of Bulgaria for cooperation in the fight against trafficking in human beings

2.2.) 2019, Agreement between the Governments of Republic of North Macedonia and the Republic of Serbia for cooperation in the fight against trafficking in human beings

Both agreements are designed similarly to the bilateral agreements of CUS, object of the current assessment. They are signed by the National Anti-Trafficking Coordinators of the Parties. **The outstanding characteristic of both documents is the inclusion of concrete measures and steps for cooperation in the chapters of the agreements.** Both agreements are covering large areas of cross-border cooperation on TIP – from prevention to referral and protection of victims. Each area of cooperation consist of detailed operational steps.



(a) Prevention, (b) identification of victims, (c) initial notification, (d) protection of victims, (e) assisted voluntary return. The Agreements also arrange in details the means of communication between the countries, the persona data protection, the exchange and protection of classified data. Such detailed content facilitates the effective implementation of the agreements by guiding the implementing authorities.

2.3.) In 2017, Northern Macedonia and Albania have signed an **Additional Protocol to Intensify the Cooperation in Combating Trafficking in Human Beings across State Borders and on the Enhanced Identification, Notification, Referral, Assisted Return of Victims and Suspected Victims of Trafficking in Human Beings**. This Protocol supplements the 2004 Agreement between the governments of the two countries on Cooperation in Combating Terrorism, Organised Crime, Illicit Trafficking of Narcotics, Psychotropic Substances and Precursors, Illegal Migration and other Illegal Activities.

The Additional Protocol brings explicitly the topic of TIP into the Cooperation Agreement and is applicable to all types of transnational trafficking in persons. The Protocol sets clearly the **areas**, the **methods** and the **authorities** responsible for the implementation. It also arranges the **personal data protection** and clarifies the **financial expenditures** related to the implementation of the Protocol.

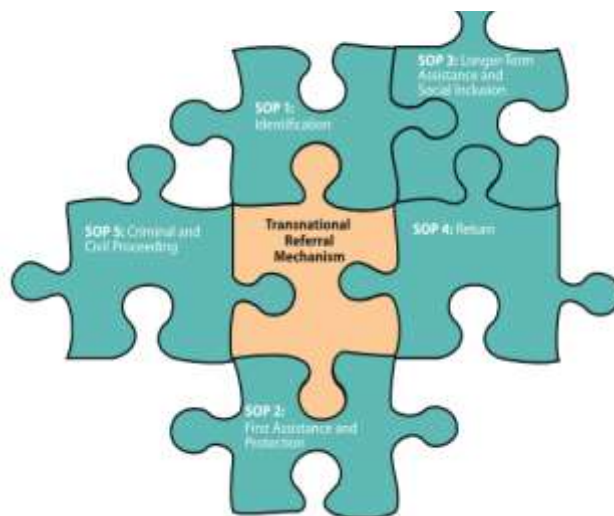


Copies of the three documents are provided in [Annex 2](#).

### 3. The Transnational Referral Mechanism Model

The concept of a *Transnational Referral Mechanism* (TRM) for trafficked persons, established and used in practice by several countries in Europe and beyond, sets a positive example that could potentially be adapted and implemented by the competent stakeholders in the countries under study. Over the past two decades, the TRM model has been established in several European countries as a response to the emerging need for functional and effective cross-border coordination between anti-trafficking actors in handling trafficking cases.<sup>142</sup> The TRM neither replaces nor duplicates any existing national anti-trafficking structure. Rather, it builds upon the existing structures in each country, and upon those procedures already established at national, bilateral and multilateral level.

Figure 3: Transnational Referral Mechanism SOPs



**TRM is a co-operative agreement for the cross-border comprehensive assistance and/or transfer of identified or potential trafficked persons. It is based on the co-operation between governmental institutions, intergovernmental agencies and non-governmental organisations of countries of origin, transit and destination of the assisted trafficked persons.**<sup>143</sup>

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

#### Standard Operating Procedures (SOPs)

reflect the main phases of the transnational referral process

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

#### Measure within each SOP

**WHAT** is to be done?

**WHEN** is action to be taken?

**WHO** should be involved?

**HOW** should the action be executed?

<sup>142</sup> ICMPD (2010), *Guidelines for the Development of a Transnational Referral Mechanism EU*.

<sup>143</sup> Ibid.

## G. Recommendations

Based on the identified challenges and gaps in the implementation of bilateral and multilateral agreements, the experiences drawn from other mechanisms used by the countries under study, and based on collected good practices from and outside the West Africa region, the research team presents a set of action-oriented recommendations to improve the transnational TIP cooperation of the six CUS.

These recommendations are addressed to the state anti-trafficking authorities who are involved in the development and the implementation of such inter-state agreements as well as toward the international and regional actors who often support and facilitate the development and/or the revision of already existing agreements. International donor organisations and institutions could also benefit from the recommendations, as the recommendation can inform their planning of financial and technical support frameworks.

Finally, the recommendations can inform the future activities of the regional project implemented by Expertise France and will facilitate the development of concrete actions in the six project countries – Benin, Côte d’Ivoire, Ghana, Guinea, Nigeria and Togo.

### 1. Identify the interested CUS and the agreements for revival

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**Identify the countries interested in revising and updating (some of) the existing agreements in order to become fully functional.** Based on the feedback of the anti-trafficking stakeholders in the CUS, the national anti-trafficking reports, the Annual Synthesis Report on the implementation of the ECOWAS Plan of Action against TIP, etc., identify the exact agreements that these countries would like to revive.

#### **Suggested steps:**

- 1) Identify **which CUS are interested** in revising any of the existing agreements by approaching the national anti-trafficking Task Forces in the six countries. Here the ECOWAS with its TIP Focal Points can serve as the coordinating organisation with the support from Expertise France through their national representations in the CUS and ICMPD.
- 2) Convene a **joint conference** with ECOWAS and the six CUS with an aim of revisiting the existing agreements between the CUS as well as with other ECOWAS MSs, and to identifying a short-list to be worked on. The ECOWAS Commission could facilitate this process with the support of Expertise France and ICMPD.
- 3) Develop a **work plan** for the revision of each short-listed agreement. Include tasks, responsible national, regional, international actors and timeframe.

### 2. Revise the agreements that are not operational

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Update the content of the agreements according to the actual needs, stakeholders’ involvement and the already implemented good practices in the CUS and the region.

### **Suggested steps:**

- 1) Convene bilateral or trilateral **working meetings** to discuss and clarify the details of the agreements' revision. The ECOWAS Commission could facilitate this process with the support of Expertise France and ICMPD.
- 2) Collect, present and discuss **concrete examples** of the existing good practices of cooperation between the CUS, as well as concrete challenges that prevented the implementation of the existing agreements. Develop **mitigation strategies**.
- 3) Revisit the actual trends in TIP and child labour in the countries that are parties in the agreement and **adapt the existing text** to the actual situation.
- 4) Update the **list of the implementing actors** at national level and their tasks related to the implementation of the agreement.
- 5) Include in the text of the agreement **concrete implementing measures**.
- 6) **Develop PoA** that is realistic, detailed and identifies responsible actors and foresees the financial plan for its implementation.
- 7) Before committing to the agreement, take into consideration the **administrative, human resources and financial framework** necessary for its efficient implementation:
  - 7.1. Pair the foreseen activities with existing and available financial frameworks.
  - 7.2. Examine if the implementation of the agreement poses any administrative challenges to the implementing countries. Consider the availability of the needed human resources.
  - 7.3. Ensure reciprocal flow of information between the central ministry/agency administrations and their provincial/ local structures. Produce instructions related to the implementation of the agreement – the roles and responsibilities of each national authority and disseminate them among the local departments and the field workers of the implementing institutions. 'Translate' the measures of the agreement into concrete operational steps.

### **3. Improve the implementation of the agreements**

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**Devise and adopt a Road map for the implementation of a particular agreement at national level.** It may also be envisioned in the agreement's PoA. Once an agreement is signed, each signatory party should adopt a road map for the implementation of the agreement at national level. The Road map should at minimum include:

- (a) Implementing partners – list of all institutions and organisations involved in the implementation of the agreement;
- (b) Responsibilities and tasks of each partner, incl. policy and operational levels;
- (c) Means of coordination and communication with the national representatives of the monitoring committee, established by the agreement.

#### **4. Establish and maintain information channels for the implementation of the agreements**

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Ensure regular exchange of information related to the signed agreement and its implementation between the national representatives of the **coordination and monitoring mechanism**, established by the agreement, the **depository** of the agreement and the **other stakeholders** involved in the implementation of the agreement at national level.

##### **Suggested measures:**

- 1) Develop **annual reporting mechanism** on the implementation of the agreement **at national level**. **The provincial/local units** inform their central authorities about any actions undertaken in the framework of the agreement and of any challenges that occur in the course of its implementation.
- 2) **The focal points at central agency/ministerial level** provide the information to the national representatives of the established coordination and monitoring mechanism of the agreement.
- 3) The **national representatives** of the established coordination and monitoring mechanism of the agreement report the collected information about the implementation of the agreement to the regular meetings of the Coordination and Monitoring Committee. The collected information feeds the **annual report** produced by the Committee.

#### **5. Strengthen the cooperation between the signatories of the agreements**

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In order to facilitate the successful cooperation between the countries-signatories of an agreement, a political will to implement the agreements must be ensured, as well as an adequate coordination and monitoring of the mechanism.

##### **Suggested actions:**

- 1) Advocate for the implementation of the agreement and for laying the foundations for functioning and adequate cooperation matching the actual anti-trafficking needs.
- 2) On rotation principle, plan and use an already existing event to organise the **meetings of the Monitoring and Coordination Committee** of the agreement or organise these meetings online. When possible, assign budget to implement and reinforce the meetings of the Monitoring and Coordination Committee.
- 3) In coordination with ECOWAS and its current joint initiative with ICMPD of developing Guidelines for Regional Referral Mechanism in TIP cases, work towards establishing functioning **regional platform** of anti-trafficking stakeholders. Based on the promising experience of WAN/RAO, the Network of ECOWAS TIP Focal Points and other well-established networks in the CUS and the region, develop a regional mechanism for supporting the cooperation in TIP cases, the facilitation of information exchange, and the discussion of good practices and common challenges.

#### **6. Align the cooperation agreements with the relevant processes in the region**

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Examine the opportunities for coordinating the actions under the agreements with ongoing processes in the framework of relevant regional dialogues and initiatives. For example:

- (a) Rabat Process;
- (b) ECOWAS Commission;
- (c) Niamey Declaration, etc.

## H. Bibliography

**BBC** (2019). "Nigeria police raid Lagos 'baby factory'", 30 September 2019.

<https://www.bbc.com/news/world-africa-49877287>

**BBC** (2018). "Nigeria 'baby factory' raided in Lagos", 26 April 2018.

<https://www.bbc.com/news/world-africa-43905606>

**Beegle, K. et al.** (2016). *Poverty in a Rising Africa*, World Bank.

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

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

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

**ECOWAS** (2018). *Regional Plan of Action on Trafficking in Persons, 2018-2022*.

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

**Folami, Olakunle Michael, and Folami, Adejoke Olubimpe** (2013). "Climate Change and Inter-Ethnic Conflict in Nigeria". *Peace Review*. 25 (1) <http://dx.doi.org/10.1080/10402659.2013.759783>

**Hallum, C., and Obeng, KW.** for Oxfam GB (2019), *The West Africa Inequality Crisis*.

**Healy, C.** (2019), *The Strength to Carry On: Resilience and Vulnerability to Trafficking and Other Abuses among People Travelling along Migration Routes to Europe*, ICMPD.

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

**ICMPD** (2021), *Developing and Monitoring National Anti-Trafficking Response. A Practitioner's Guide (in progress)*.

**ICMPD (2020)**, *Assessment of Anti-Trafficking Gaps, Needs and Transferrable Practices in the ECOWAS Member States and Mauritania*.

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

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

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

**ILO** (2011), *Africa: Child Labor in Cocoa Fields/ Harkin-Engel Protocol* [https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS\\_159486](https://www.ilo.org/africa/technical-cooperation/accel-africa/WCMS_159486)

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

**IOM** (2020), *Mixed Migration Flows in the Mediterranean - Compilation of Available Data and Information*, May 2020.

**Madueke, E.** (2017). "Advocating for porters in Ghana", *Global Sisters Report*, 18 December 2017. [https://www.globalsistersreport.org/column/justice-matters/migration/advocating-young-women-porters-ghana-50886/.](https://www.globalsistersreport.org/column/justice-matters/migration/advocating-young-women-porters-ghana-50886/))

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

**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>

**OHCHR** (2014), *Human Rights and Human Trafficking*.

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

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

**Separated Children in Europe Programme ('SCEP')** (2009), *Statement of Good Practice, 4th Revised Edition*.

**Terre des Hommes International Federation** (2018), *Annual Report*.

**UNECA** (2016), *ECOWAS – Free Movement of Persons*.

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

**UNICEF** (2005), *News Note*: [https://www.unicef.org/media/media\\_27309.html](https://www.unicef.org/media/media_27309.html)

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

**UNODC** (2020), *Global Report on Trafficking in Persons*.

**UNODC** (2020), *Summary of the Niamey Declaration progress*.

**UNODC, OHCHR**, *PROMIS project leaflet*.

**US Department of State** (2021), *TIP Report*.

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

**US Department of State** (2012), *TIP Report, Heroes, Class of 2012*.

**UN General Assembly** (1984). *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*.

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

**UN General Assembly** (2000a). *Convention against Transnational Organized Crime*.

**UN General Assembly** (2000c). *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*.

**UN General Assembly, Security Council** (2020). *Children and armed conflict. Report of the Secretary-General*.

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

***ICMPD (2021), Baseline Assessment for the Anti-Trafficking Component of OCWAR-T Project (in progress): Country reports, prepared in the framework of the assessment:***

**Benin** (2021). *Country report.*

**Côte d'Ivoire** (2021). *Country report.*

**Ghana** (2021). *Country report.*

**Guinea** (2021). *Country report.*

**Nigeria** (2021). *Country report.*

**Togo** (2021). *Country report.*

***Annual Reports on Implementation of the ECOWAS TIP Plan of Action***

**Côte d'Ivoire** (2020). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*

**Ghana** (2020). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*

**Guinea** (2020). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*

**Nigeria** (2020). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*

**Mali** (2020). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*

**Togo** (2020). *Annual Report on the Implementation of the ECOWAS TIP Plan of Action.*



## ANNEX 1: List of Conducted Interviews

### Benin

|      |   |
|------|---|
| BN01 | Ministry of Justice and Legislation   |
| NB02 | Ministry of Interior and Public Security, Central Office for Protection of Minors |
| BN03 | Ministry of Foreign Affairs and Cooperation, Directorate of Legal Affairs         |
| BN04 | Ministry of Social Affairs and Microfinance                                       |
| BN05 | Ministry of Planning and Development, General Directorate of Development Policies |
| BN06 | Ministry of Labour and Public Service   |

### Côte d'Ivoire

|      |  |
|------|--|
| CI01 | Ministry of Interior and Security  |
| CI02 | NGO Lait Maternel  |
| CI03 | National Committee to Combat Trafficking in Persons (CNLTP)                                    |
| CI04 | Ministry of Interior and Security, Anti-Trafficking Unit                                       |
| CI05 | Ministry of Interior and Security, Directorate against child trafficking and youth delinquency |
| CI06 | Ministry of women, family and children, Directorate for child protection                       |

### 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, Anti-Trafficking Unit                                   |
| 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 | CNLTPPA          |
| GN02 | AEJTG and WAN    |
| GN03 | APRIES           |
| GN04 | BSPPV            |
| GN05 | IOM Guinea       |
| GN06 | OPROGEM          |
| GN07 | SABOU GUINEE     |
| GN08 | Terre des Hommes |

### Nigeria

|      |                              |
|------|------------------------------|
| NG01 | Anonymous                    |
| NG02 | MFA                          |
| NG03 | Nigerian Immigration Service |

|      |   |
|------|---|
| NG04 | NAPTIP  |
| NG05 | NAPTIP  |
| NG06 | Anonymous   |
| NG07 | NACTAL (Network Against Child Trafficking And Labour) |
| NG08 | The Nigeria Police Force                              |
| NG09 | Anonymous   |

### **Togo**

|      |  |
|------|--|
| TG01 | WAN Togo   |
| TG02 | FODDET (Forum of Organisations for the Protection of Child Rights)                             |
| TG03 | National Catholic Child Bureau   |
| TG04 | The Collective of Associations Against Impunity in Togo (CACIT)                                |
| TG05 | National Commission for the Reception and Social Reintegration of Child Victims of Trafficking |
| TG06 | 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 Organisation**

|      |                                    |
|------|------------------------------------|
| IO01 | UNODC Regional Office WA/HQ Vienna |
| IO02 | ISS WA /WAN                        |
| IO03 | ECOWAS                             |

## ANNEX 2: Interview Tools

### 1. Guiding questions to interviews

The methodology of the current assessment foresees **semi-structured** interviews. Therefore, the suggested questions below are guide only through the **thematic content** of the. The way the questions are asked may be adapted by the interviewer, according to the interviewee's specific expertise and to the progress of the field research and data collection.

Prior to the field research in each of the CuS, the researcher team will have a preparatory meeting to tailor the mission goals in regards to the agreements of interest. Each field research will focus the questions based on the already available information through the ongoing desk research.

#### **Legal and institutional anti-trafficking and cross-border cooperation frameworks**

1. We are looking into *[name of the cooperation agreement]* between *[country]* and *[country/ies]*. Would you explain the functions of your institution under this agreement?
  - Was your institution involved in the process of development of the agreement? How?
  - Is there a mechanism that monitors the implementation of the agreement? Is it functional?
  - Does the agreement cover all needs in the areas that it tackles?
  - Are there any discrepancies between the text of the agreement and its implementation? What are the reasons?

! Repeat all questions for every agreement from the available list!

2. Are there other agreements/ assistance mechanisms/ cross-border referral mechanisms and practices that your institution is part of?
  - If YES, repeat the questions above.
  - Ask for all parties involved and where the official text of the agreement can be obtained.

#### **Gaps, challenges and recommendations**

1. According to your opinion, which are the current challenges to the anti-trafficking cross-border cooperation?
2. Is there something that is still missing and needs to be developed in order to reinforce and/or enhance the cross-border cooperation?
3. Do you have any practical recommendation/s to improve responses to trafficking and cross-border cooperation in your country and the region?

#### **Concluding questions**

1. Do you have anything else to add?
2. Do you know of any relevant publications, reports or statistics?
3. Are there any other organisations or individuals that should be interviewed?
4. Would you be interested in being involved in future activities related to this research or other similar activities?
5. Do you have any remaining questions related to this research?

## 2. Technical guidelines for conducting an interview

### Before the interview:

- In the **request for the interview**, the interviewer should send basic information about the research, the possible scheduling of the interview and the estimated duration of the interview.

### At the beginning of the interview:

- The interviewer must introduce him/herself.
- Ensure that the interviewee is fully informed about the **objectives** of the research and how the collected information from the interview will be used.
- In cases of in-person interviews, the interviewee must sign the **Informed consent form** (Template 1). In case of phone or online interviews, the researcher can sign that s/he has gone through all points of the Consent form and ensures that the given informant has provided her/his full consent.
- The interviewer should always offer to the interviewee the option of remaining completely **anonymous**. Other options include citing only the **position of the interviewee**, and/or only the **organisation** that they represent. The interviewee can also choose for his/her **name, position and organisation** to be cited in the assessment report.
- At the beginning of every interview, the interviewer fills in a cover sheet following [Template 2](#).
- The interviewer should encourage respondents to ask questions about his/her role, expectations, responsibilities, and any other aspects of the research.
- If the interviewee agrees, the interview should be digitally recorded for future reference. If the interviewee does not agree to this, notes should be taken.

### During the interview:

- The interviews are semi-structured and open-ended, with the objective of collecting as much information as possible, both qualitative and quantitative.
- The interviewer should adapt the terminology and words s/he uses, as well as the formal/informal nature of the interview, according to the profile of each interviewee.
- Some questions will be more relevant for some interviewees than others. The order of the questions and the duration allotted to each question can be adapted according to the interviewee's expertise and knowledge.
- The interviewees might not be familiar with the terminology the interviewer is using. In situations where this fact challenges or prevents the interviewer from obtaining necessary information, s/he should explain the terminology to the interviewee.
- The interviewer should encourage the interviewee to speak more and to provide more information in relation to topics on which they have particular experience and/or expertise, or in relation to a topic that s/he may have thus far overlooked. At the same time, the interviewer should navigate the interview keeping in mind the time limitation and the thematic focus.
- **The interview should not be a dialogue** – the interviewer should avoid expressing his/her own opinions or responding directly to what the interviewee says. Interviewer's role is to provoke

the interviewee in such a way that s/he provides as much information as possible in relation to the questions.

#### Ending the interview:

- The interviewer should ask the interviewee whether they would like to receive the interview summary.
- The interviewer provides the interviewee with his/her contact details, in case they do not have them.
- The interviewer thanks the interviewee for taking the time out of their schedule and making the effort to participate in the research.

#### After the interview:

- The interviewer drafts a short summary of the interview up to two pages with the relevant for the assessment information (not a transcription of the full interview). There is no set template for the summary. The guiding questions from the interview can be used. Particularly relevant quotes can be included.
- The interview material (notes, transcript, recording, etc.) will be send to the research team and kept until the end of the research. The storage of the data will be performed according to ICMPD data protection policy and rules.

### 3. Templates

#### Template 1: Informed Consent Form

##### **Informed Consent Form**

I agree to participate in an interview conducted by the International Centre for Migration Policy Development. I understand that the results of the interview will only be used for the purposes of the *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 ALTP project. The project is implemented by Expertise France and funded by the European Commission.

I am aware of my right to change any part of the recorded data if I so wish, and to withdraw my statements and participation from the interview at any time. I understand that my responses may be reproduced to be exclusively used for the purposes of the assessment. I am aware that it is my decision whether I wish my responses to be anonymous, to be cited only on behalf of my organisation or to be cited with my name.

- Digitally recorded interview
- Responses to be anonymous.
- Responses to be cited only on behalf of my organisation.
- Responses to be cited with my name.

I am providing here my email address in order to be informed about the results of the study if I request them.

.....

I also understand that I can contact the interviewer, if I have any questions or further issues regarding the research project.

Interviewee's signature

Interviewer's signature

Place, Date

Place, Date

**Interview Cover Sheet**

**Confidential**

Interview Code:

Name of Interviewee:

Position:

Organisation:

Contact Details:

Date and Time:

Location:

Duration of Interview:

Interviewer:

Digitally recorded interview

Level of anonymity:

Responses to be anonymous.

Responses to be cited only on behalf of my organisation.

Responses to be cited with my name.

Any topics or issues that were stressful, uncomfortable, and controversial for the interview:

Did any ethical issue arise during the interview?

Additional comments or observations in relation to the interviewee and/or the interview process:

## ANNEX 3: Bilateral and Multilateral Agreements Used in the Analysis

### **2005, Bilateral Cooperation Agreement to Prevent, Suppress and Punish Trafficking in Persons**

**Participating countries:** Benin, Nigeria

### **2005, Bilateral Agreement against Cross-Border Trafficking of Children**

**Participating countries:** Guinea, Mali

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

**Participating countries:** Benin, Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo

### **2006, Multilateral Cooperation Agreement on the Fight against Child Trafficking in West and Central Africa**

**Participating countries:** Member States of the Economic Community of Central African States and Economic Community of West African States.

### **2011, Bilateral Cooperation Agreement on Combating Child Trafficking**

**Participating countries:** Benin, Republic of Congo

### **2013, Declaration of the First Ladies (in relation to the 2013 Cooperation Agreement on Combating Cross-Border Trafficking of Children)**

**Participating countries:** Côte d'Ivoire, Burkina Faso

### **2016, Joint Declaration of the First Ladies on Combating Cross-Border Trafficking and Worst Forms of Child Labour**

**Participating countries:** Côte d'Ivoire, Ghana

### **2017, Cooperation Agreement between the Child Protection Directorates of Senegal and Guinea for the Protection of Children on the move**

**Participating countries:** Guinea, Senegal



**2017, MoU between the Anti-Trafficking Focal Points of the Six Countries (5+1 Network)**

**Participating countries:** The Gambia, Guinea, Guinea Bissau, Mali, Mauritania and Senegal.

**2018, Cooperation Agreement to Fight Child Trafficking**

**Participating countries:** Togo, Gabon

**2018, Bilateral Agreement on Fight against Cross-Border Child Trafficking**

**Participating countries:** Benin, Gabon

**2019, Tripartite Cooperation Agreement for the Protection of Children on the move or victims of trafficking**

**Participating countries:** Benin, Burkina Faso and Togo

**2001, Protocol for the Growing and Processing of Cocoa Beans and Their Derivative Products in a Manner that Complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.**

**Participating countries:** Ghana, Côte d'Ivoire, USA