

TRAFFICKING IN HUMAN BEINGS, ESPECIALLY WOMEN AND CHILDREN, IN AFRICA



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Acknowledgments

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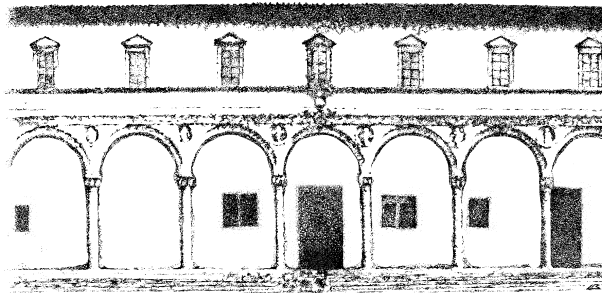
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UNICEF Innocenti Research Centre

Piazza SS. Annunziata 12

50122 Florence, Italy



UNICEF INNOCENTI RESEARCH CENTRE

The UNICEF Innocenti Research Centre in Florence, Italy, was established in 1988 to strengthen the research capability of the United Nations Children's Fund (UNICEF) and to support its advocacy for children worldwide. The Centre (formally known as the International Child Development Centre) helps to identify and research current and future areas of UNICEF's work. Its prime objectives are to improve international understanding of issues relating to children's rights and to help facilitate the full implementation of the United Nations Convention on the Rights of the Child in both industrialized and developing countries.

The Centre's publications are contributions to a global debate on child rights issues and include a wide range of opinions. For that reason, the Centre may produce publications that do not necessarily reflect UNICEF policies or approaches on some topics. The views expressed are those of the authors and are published by the Centre in order to stimulate further dialogue on child rights.

The Centre collaborates with its host institution in Florence, the Istituto degli Innocenti, in selected areas of work. Core funding for the Centre is provided by the Government of Italy, while financial support for specific projects is also provided by other governments, international institutions and private sources, including UNICEF National Committees.

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Foreword

In recent years child trafficking has gained visibility as a major violation of children's rights and it is a priority concern for the UNICEF Innocenti Research Centre.

The present research reaffirms this priority. It has been developed in the context of the process leading to the next EU/Africa Summit. The previous Summit, held in 2000 in Cairo, agreed to address the dimension of Democracy, Human Rights and Good Governance as one of its priority areas. In this context, a decision was taken to prepare an Action Plan to combat trafficking in human beings, particularly women and children, under the leadership of the Governments of Sweden and Italy. The present UNICEF Innocenti Research Centre (IRC) study was designed to inform this process.

The study builds upon previous UNICEF IRC work on child trafficking in eight countries in West Africa. It is framed by the important international normative framework agreed upon by the international community, particularly the Convention on the Rights of the Child and its Optional Protocols, the Palermo Protocol to the UN Convention against Transnational Organized Crime and the ILO Convention 182 on the Worst Forms of Child Labour. Moreover, it recalls that important international conferences have given special visibility to this phenomenon and called for tangible policy responses to address it – from the Special Session on Children, to the Yokohama Congress and critical regional processes, such as that promoted under the auspices of the Economic Community of West African States (ECOWAS).

As the study illustrates, in the combat against trafficking in children and women, there are strong expectations for targeted programmes and strategies, for early warning mechanisms and preventive actions. There is a clear need for effective laws and plans of action, for the investigation and efficient prosecution of all cases, as well as for successful return and reintegration of victims. Moreover, reliable, objective and disaggregated data is instrumental in this regard.

Yet the present research shows how little we still know about this reality; how the clandestine nature of child trafficking obscures our understanding, and how often the risks of trafficking are ill-perceived by families and communities. There is evidence of how frequently a clear normative framework is lacking or insufficiently enforced; how often the trans-national and cross-regional dimension of child trafficking is ignored and how children become victimised by traffickers, as well as by systems designed to protect them, be it in the countries of origin, transit, or destination, and during the repatriation process.

Through our research and the work of our partners, including UN organizations, the NGO world and research institutions, we gain an undeniable sense of urgency. There is a need to set in motion a process of political engagement and action at the international, regional and national levels. It is imperative to operationalise agreed international commitments through concrete programmes and interventions implemented by critical players. There are high expectations of real progress, and these expectations must be met.

To do so, it is necessary to understand fully the reality we are dealing with. It is critical to map out what is already known, and to fill the knowledge gaps where these exist. This is why a mapping exercise in African countries has become one of our major concerns and a focus of our work. Guided by such an exercise, which was enriched by important inputs from the field and some strategic country missions, this study focuses on existing national legal frameworks and policy approaches to deal with trafficking in children and women. Moreover, it explores ways of enhancing existing international cooper-

ation and inter-agency dialogue to combat trafficking within Africa, including through relevant regional mechanisms.

The present study is the result of a strong, vibrant and evolving collaboration with African countries, EU Member States, UN Agencies, representatives of civil society, as well as with UNICEF Offices.

We very much hope it will both generate increasing awareness of the plight of trafficked children and women, and contribute to a long-lasting and effective effort to address this phenomenon vigorously in Africa and beyond.

Marta Santos Pais
Director, Innocenti Research Centre



1. INTRODUCTION



1.1 BACKGROUND

The combating of trafficking has gathered considerable momentum over the past years. There has been increasing political awareness regarding the phenomenon, as illustrated by the adoption of international standards and important commitments undertaken in international conferences.

A foundational African commitment to combat trafficking is found in the African Charter on the Rights and Welfare of the Child (1990). In 2002, the African Union reaffirmed its commitment to combat trafficking during the ordinary session of its Labour and Social Affairs Commission, which identified the elimination of child trafficking as an operational priority.¹ Other seminal African initiatives against trafficking include the Declaration as well as the Plan of Action adopted by the Economic Community of West African States (ECOWAS) in December 2001 and the Plan of Action adopted in Libreville in December 2000 by the Sub-Regional Consultation on the Development of Strategies to Fight Child Trafficking for Exploitative Labour Purposes in West and Central Africa. Initiatives such as these as well as developments in the context of the New Partnership for Africa's Development (NEPAD)² give grounds for encouragement regarding anti-trafficking initiatives in Africa.

Still, however, too little is known regarding trafficking in Africa and this is hindering the adoption and implementation of effective law and policy. It is the purpose of the present study to provide an overview of key issues related to the trafficking of human beings, particularly women and children, in

Africa. The report presents a preliminary mapping of trafficking patterns and provides an indication of emerging good practices on the continent.

This report is the result of a research initiative promoted by the UNICEF Innocenti Research Centre and supported by the Governments of Italy and Sweden. It is anchored in the commitment by Heads of State at the EU-Africa Summit in Cairo, held in April 2000, to identify democracy, human rights and good governance as being among an agreed set of eight priority areas for political action. During the first Africa-Europe Ministerial Conference, held in Brussels in October 2001, the issue of trafficking in women and children was further identified as one of the most worrying phenomena in Africa and government representatives expressed their “desire to press ahead with the preparation of an action plan to combat trafficking in human beings, particularly women and children”. The Action Plan is expected to focus on the strengthening of legal frameworks, prevention and combating of trafficking in human beings, protection and support of victims, and collaboration among regions and states. The draft has been discussed at several important meetings with a view to its adoption at the next EU-Africa Summit.

The present report is further guided by important political commitments undertaken

¹During the 9 September 1999 extraordinary summit of the Organization of African Unity (OAU) in Sirte, the organization Charter was amended and the Africa Union (AU) was established.

²NEPAD came into being in 2001 when the Millennium Partnership Programme for the African Recovery Programme (MAP) and the OMEGA Plan merged.

at the UN Special Session on Children³ and at the 2nd World Congress Against Commercial Sexual Exploitation of Children held in Yokohama in 2001.⁴

The research has been developed against a background of an absence of reliable estimates regarding the actual levels of trafficking in Africa or, indeed, globally.⁵ With regard to Africa there is not a generally accepted perception of the possible levels of trafficking. The research has also had to take account of the dearth of trafficking research and methodology. Research challenges such as these have, however, provided an opportunity to develop and test innovative methods for the gathering and assessment of data.

1.2 METHODOLOGY

This report analyzes available information on trafficking in Africa. Given the extensive geographical coverage (53 countries) research focused on countries as research units rather than on designing a statistically significant sample of victims, women and children. Furthermore, though the report addresses the trafficking of both children and women, taking account of the mandate and the experience of UNICEF, its focus is primarily on practice regarding children. Nevertheless, a gender perspective is maintained throughout.

The research was undertaken within a framework of (a) a desk review; (b) country visits; (c) an expert workshop.

1.2.1 Data collection

A desk review was conducted to establish a baseline of available public information. It took account of studies, annual reports and other relevant documentation produced by governments, academic and research institutions, United Nations agencies, regional institutions, and non-governmental organizations. The assessment of trafficking flows is based on questionnaires submitted to partners in 53 African states from November 2002 to February 2003. Information gathered was organized in such a manner to allow the sharing of data within a specific control and validation system. Data sources

included: UN agencies, NGO reports, generic information available at country level, academic research, media reports, police reports, official statistics and interviews. Information sources can be found in the bibliography.

The use of multiple sources of information has permitted the cross-checking of the validity of information collected and ensuring that the different sources of information correlate with each other (also referred to as “triangulation”).⁶

1.2.2 Field visits

A number of short field visits⁷ were undertaken to develop further knowledge in specific areas on the basis of information gathered through the desk review and the country questionnaires. During the field visits, meetings were organized with key stakeholders to discuss issues, address gaps and explore possibilities for further collaboration. The network of contacts developed during the visits will remain a solid basis to pursue in-depth research on trafficking in human beings at the national level. The support of UNICEF Country Offices during field visits was essential.

1.2.3 Expert workshop

An expert Workshop on Trafficking was held at the Innocenti Research Centre in Florence, in March 2003. The purpose of the Workshop was to discuss and complement the preliminary findings of the research, identify knowledge gaps and follow-up activities, as well as to reflect on ways to further enhance international collaboration on the issue. Workshop participants included representatives from Govern-

³United Nations, “A world fit for children” A/RES/S-27/2 (§ 44 [43]) “To achieve these goals, we will implement the following strategies and actions: (43) Identify and address the underlying causes and the root factors, including external factors, leading to sexual exploitation of and trafficking in children and implement preventive strategies against sexual exploitation of and trafficking in children.”

⁴The Yokohama Global Commitment 2001.

⁵For instance the oft-cited figure of 700,000 women and children trafficked every year in the world, has yet to be tested scientifically.

⁶For a deeper description of triangulation see the Rapid Assessment Manual developed by UNICEF and ILO/IPEC used in investigating child labour.

⁷Ethiopia, Morocco, Mozambique, Senegal, South Africa, and Tanzania.

ment ministries in Nigeria and South Africa, representatives from the donor Governments of Italy and Sweden, experts from UN agencies at the regional and headquarters level, and international NGOs.

1.2.4 Database

A database was developed to manage the information gathered. This database includes qualitative and quantitative information on 53 African countries. More than 160 variables were analyzed with a total of more than 8,500 data collected. This is an ongoing process whereby data will be updated regularly.

1.3 TOWARDS A SINGLE DEFINITION OF TRAFFICKING

In order to mobilize effective efforts and policy responses to prevent and combat trafficking, a core working definition is essential. The definition must be broad enough to protect victims from the full range of exploitation involved – including economic exploitation through labour, sexual exploitation, illegal adoption and recruitment of children into armed conflict – and, at the same time, able to target the multiple perpetrators of the abuse.

Though trafficking in human beings is an age-old phenomenon, it was not until December 2000 that the international community reached a consensus on a common normative definition on trafficking in human beings, in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children to the UN Convention against Transnational Organized Crime (hereafter called the Palermo Protocol). Although not yet in force, the Protocol provides a framework for law reform and the criminalisation of this practice.

For purposes of this research the definition of trafficking in the Palermo Protocol remains a core reference:

Trafficking in persons shall mean 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 pay-

ments 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.

The Palermo Protocol includes a specific definition of trafficking in children:

Trafficking in children shall mean the recruitment, transportation, transfer, harbouring or receipt of a child 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.

The provision stresses that the trafficking of a child for exploitative purposes, whatever means are used, should be considered a crime.

Although its primary focus is the criminal prosecution of perpetrators of trafficking, the Protocol also addresses the rights and needs of women and children who fall victim to traffickers. In order to achieve maximum effectiveness, States that ratify the Protocol need to review national laws and ensure compliance through a national legislative process, using the Protocol as a model. For national action to be effective, legislative reform should not only address the criminal area, but rather consider the overall national normative framework to further promote and protect the human rights of women and children, including by ensuring their effective access to basic social services.

To ensure the prevention of trafficking and the effective protection of child victims, the Palermo Protocol definition needs to be considered in light of other critically important international legal instruments. Foremost among these is the Convention on the Rights of the Child (CRC) and its Optional Protocols. In the first place, the CRC definition of a child ensures that our attention focus on all persons under 18 years. The CRC also informs the definition of child trafficking, in particular through article 35. This provision indicates the need for States to ensure the prevention of

child trafficking “for any purpose or in any form”, thus widening the level of protection children are entitled to and covering such situations as the illicit inter country adoption, where fraudulent means are used to pursue a legal aim.

The Convention on the Rights of the Child is, in turn, reinforced by its Optional Protocol (OP) on the Sale of Children, Child Prostitution and Child Pornography. Trafficking is not defined in the OP being considered as a contributing factor to the sale of children, child prostitution and child pornography. For the purposes of the OP, the sale of children means any act or transaction whereby any person or group of persons transfers a child to others for remuneration or any other consideration. It is important to note that this definition, rather than primarily focusing on child exploitation as such, instead draws attention to

the process that may lead the child into a situation of exploitation.

The adoption of the Palermo Protocol and other relevant international instruments does not mark the end of the process of elaborating the elements of trafficking or the steady commitment of the international community to combat this practice. In this context, it is meaningful to recall that the Rome Statute of the International Criminal Court, which came into force in 2002, addresses trafficking within the context of enslavement, constituting it as a crime against humanity. It also identifies related practices, such as sexual slavery, as war crimes.⁸

⁸See for instance article 7 §1-c) and §2-c), according to which “enslavement means the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children.”

Box 1 - Challenges in the definition of trafficking

While it is not the purpose of this report to map out elements for an enhanced definition of trafficking, it is important to note some challenges which require attention. These are, as relevant, discussed in this report:

- (a) There is a tendency for the trafficking debate, and related understanding of the phenomenon, to gravitate into a criminal approach on the one hand, and a human rights or protection approach on the other hand. This creates a false impression of opposing perspectives when, in reality, both dimensions are inherently linked and are essential to prevent and combat trafficking.
- (b) In the light of the Palermo Protocol, exploitation of the victim is a key element in the definition of trafficking. Despite its importance in any approach to the trafficking problem, there is no one single definition of exploitation and there is difficulty in determining the point at which exploitation begins.
- (c) According to the Palermo Protocol, exploitation is perceived at the end of the trafficking chain, leading to interpretations according to which a woman or child cannot be said to have been trafficked until exploitation takes place. This approach may create difficulties in identifying and punishing the other forms of exploitation that might also occur during the entire process of trafficking (harbouring, transportation, etc.) It also creates problems for the determination of the responsibility of perpetrators before exploitation occurs.
- (d) Trafficking is generally perceived as the movement of a person from a country of origin to a country of destination, in some circumstances through a transit country. This model paved the way to the Palermo definition. However, the Palermo definition is not limited to cross-border trafficking – between neighbouring States – and can be applied to both internal and intercontinental trafficking. Moreover, trafficking movements are far more complex and can include the transport of persons through several transition phases.
- (e) There have been frequent reports in recent years of complex international trafficking networks associated with organized crime. In response, international legal instruments have, for the most part, focused on organized criminal groups. However, the Palermo definition also sets the legal framework for the prosecution of non-organized trafficking – as is often the situation in Africa.
- (f) There are potential links between trafficking and migration. When people move from place to place – at local, national or international levels – they are likely to become more vulnerable particularly at times of political crisis or in the face of social or economic pressures. Whether driven by desperate situations, or motivated to seek better life opportunities, they may willingly consent to being smuggled across a border. Once transported across the border they may find themselves abducted into a trafficking network, unable to escape and without access to legal advice or protection.

2. TRAFFICKING PATTERNS

Trafficking is a dynamic phenomenon that involves the movement of people in complex patterns. Determining places of origin, transit and destination will provide the basis for the mapping of trafficking flows. In some cases, movement of persons occurs across national borders, in other cases it occurs within a state. In order to provide an overview of the flows in Africa, this study focuses principally on the analysis of information on cross-border trafficking. Disaggregated data and information by age and gender are reported when available.

2.1 CROSS-CUTTING CAUSES AND VULNERABILITIES: ROOT CAUSES OF TRAFFICKING

The root causes of trafficking are complex and often interrelated. Poverty, weak governance, armed conflict or lack of effective protection against discrimination and exploitation are some examples. Generalizations about the causes of trafficking for the continent of Africa, however, are misleading. It is important to understand that each country presents specific factors or different combinations of multiple factors that are unique to each situation. Also, any analysis of trafficking flows must take into account the rapidly changing environment that can alter the trafficking patterns at local and international levels.

Analyses of causes generally highlight the “push factors” – on the so-called “supply side” – and tend to neglect the demand dimension of the problem. However, “pull factors” on the demand side are of equal salience for effective counteractive measures against trafficking in women and children. The following are some of the cross cutting causes and vulnerabilities in the region.

2.1.1 The push factors: poverty, power and violence

Analyses of and reports on trafficking in human beings in Africa typically recognise poverty as the most visible cause for trafficking in human beings. But poverty is only one part of the picture. Another strong determinant is the particular vulnerability of women and children which makes them an easy target for traffickers. In particular, patterns of instability, oppression and discrimination may place women and children at greater risk, with social and cultural prejudices and the prevalence of gender violence presenting additional challenges to their effective protection from trafficking.

At the local level, deep-rooted practices of gender discrimination lead to a cultural climate where the practice of trafficking is perceived as morally acceptable. When these cultural attitudes and practices go hand in hand with poverty-stricken living conditions, trafficking in women and children is likely to flourish.

Trafficking of girls and women, very often under conditions of violence and deprivation, can also be connected to the high prevalence of overall violence in public and private spheres against women. In some parts of the world nearly 50 per cent of women interviewed indicate that they are regularly physically abused. In all of the three African countries (Kenya, Uganda, Zimbabwe) surveyed for a previous Innocenti study in 2000 the numbers are between 32 and 42 per cent.⁹

What is more, attitudes that consider women and girls to be inferior and weaker and,

⁹UNICEF Innocenti Research Centre, *Domestic Violence against Women and Girls*, Innocenti Digest 6, Florence, 2000, p.5.

thence, objectify them, contribute to a large extent to practices of recruiting them, either by force, abduction or deception, into the most destitute living and working conditions. Poor families, unable to support their children, may be induced to sell them or hire them out – girls and young women tend to be the first to be given away for commercial exploitation and, thus, are very likely to be trafficked for this purpose. In Northern Ghana and parts of Togo, girls are ‘donated’ to priests, and are forced to live as ‘wives’ and submit sexually to the shrine priests in return for protection of the family.¹⁰ Conclusions from the African Economic Summit 2003 also associated the use of migrant labour as another factor rendering women more vulnerable, especially in cases where families are separated for large parts of the year.¹¹

In some cases traditional practices can contribute to trafficking of women and girls. The custom of early marriage is one such example. When poverty is acute, a young girl may be regarded as an economic burden and her marriage to a much older man can be a family survival strategy. In traditional societies in sub-Saharan Africa, the bride’s family may receive cattle from the groom, or the groom’s family, as the brideprice for their daughter. There is also a risk of trafficking linked with early marriage when men do not have the possibility to find young girls in their community (such as in the case of migrant workers). Early marriage is generally more prevalent in Central and Western Africa – affecting 40 per cent and 49 per cent respectively of girls under 19 – compared to 27 per cent in East Africa and 20 per cent in North and Southern Africa.¹² According to a recent population survey, ‘The World’s Youth 2000’, the average age at first marriage in Africa was 15 years in Niger, 16 years in Mali and Chad, and 17 years in Nigeria, Eritrea, Mozambique and the Central African Republic.¹³ A situation of civil conflict and economic hardship can reinforce the practices of early marriage and the risk of trafficking. For example, in refugee camps in Burundi, families protect their honour by marrying their daughters off as early as possible.¹⁴

While poverty might induce parents to sell daughters for the purpose of marriage, child

marriage can, itself, lead to destitute poverty of women through divorce, separation or abandonment. Very often, the only option for girls and women in situations of extreme marital stress is to run away. In countries such as Ethiopia and Kenya, many runaways end up in poor urban communities, including brothel environments. When girls run away from their parents to avoid an unwanted marriage, they may be as likely to end up being trafficked as when agreeing to be married to an unknown man.

Recently, the links between poverty, violence, and trafficking have been compounded by the effects of HIV/AIDS. Women and girls trafficked for prostitution are among the most vulnerable groups exposed to HIV infection. Insufficiently informed, seduced or forced to have unprotected sex, once infected with HIV/AIDS, they are often left without care or support. Furthermore, children orphaned by AIDS can be more vulnerable to trafficking due to the increasing poverty of their households and communities, and as a result of the stigmatisation, rejection, or marginalization to which they are exposed by their communities.

At the macro-level, economic and social changes are altering marketing traditions and labour requirements. Access to global markets and information resources can have the side-effect of raising unrealistic or unattainable expectations about living standards. Young women, exposed to images of extravagant life styles may be tempted to seek their fortune abroad and, thus, be susceptible to traffickers’ fraudulent promises. As stressed by Carol Bellamy, Executive Director of UNICEF on World Day Against Child Labour, June 12, 2003, children’s vulnerability is being taken advantage of by traffickers who see children as commodities, more easily manipulated, in high demand and vulnerable to exploitation over a long period. Hidden from view and often from legal protec-

¹⁰Ibid, p.6.

¹¹Africa Economic Summit 2003, *Empowerment of Women: How Can Women Turn the Tide against Aids?* June 12, 2003.

¹²UNICEF Innocenti Research Centre, *Early Marriage. Child Spouses*, Innocenti Digest 7, Florence, 2001 p.4.

¹³Population Reference Bureau, *The World’s Youth 2000*, Washington: PRB, 2000.

¹⁴UNICEF Innocenti Research Centre, 2001 op. cit. p.6.

tion, children are lured by promises of a good education or a “better job” and smuggled across borders. Far from home or in a foreign country, trafficked children – disoriented, without papers, and excluded from any protective environment – can be forced to endure prostitution, domestic servitude, early and involuntary marriage, or hazardous and punishing labour.¹⁵

In Africa, women do not generally occupy positions of power and a high number of them remain unskilled and uneducated. For some young women, migrating or seeking a job outside their community is not just an economic decision, but offers hope to find personal freedom and better living opportunities. For the greatest part, however, women are uninformed about the conditions and risks of working abroad as well as about their human rights and available remedies to protect them. In this regard, initiatives, such as in the context of NEPAD that are aimed towards reducing women’s vulnerability through improving their access to education are significant.

The widespread lack of birth registration also fosters an environment prone to trafficking due to the state of powerlessness it imposes on the individual. A child who has no official recognition of his or her name and nationality and no official registration of birth is much more likely to be targeted by trafficking operations. When trafficked between countries, a lack of identification can have the consequence that trafficked children cannot be traced to their country of origin, and thus not easily be returned to their communities and rehabilitated. In both the countries of origin and destination, they may lack the protection of the authorities.

All of these factors are exacerbated in situations of instability or conflict. During protracted conflicts, when entire countries are trapped in an ‘economy of war’ and populations are forced to flee across or within national borders, women and children may be particularly exposed to violence, sexual exploitation and harmful working conditions. In some cases they may be forced to trade sex for survival and protection. Under these circumstances, organized crime and international trafficking thrive. In times of civil unrest, the probability to have their birth, name and nationality regis-

tered is particularly low. In parts of Uganda, for example, the collapse of the birth registration system has exacerbated the difficulties of family reunification for children abducted by the Lord’s Resistance Army.¹⁶ The removal of these children from their situation of exploitation as child soldiers and their rehabilitation is rendered highly problematic by the fact that many, if not most of them, do not possess any legal document indicating their age, family links and place of birth.

2.1.2 Demand side: exploitative uses

In Africa, trafficking is driven by a demand that is multifaceted and in most cases not thoroughly analysed. With regard to the ‘pull factors’ which instigate trafficking in women and children, five distinct areas of concern deserve our particular attention: sexual exploitation, other forms of economic exploitation, traditional practices, adoption and post-conflict scenarios.

Sexual exploitation – in particular, prostitution – is the most widely documented form of exploitation for women and children trafficked within and from Africa. The internal demand for such a practice is high in Africa and is present in many countries. It has been exacerbated also by a demand from foreigners, including in holiday resorts, as reported in Malawi in relation to children sexually exploited by European tourists, or sent to Europe as sex slaves.¹⁷

Other major areas of potential economic exploitation include the demand for domestic work, and for work in commercial agriculture and plantations. There are reports of girls from Togo trafficked far from their home countries to work as domestic workers.¹⁸ Perceived as a cheap and always available labour source, children in West Africa are trafficked to work on tea, cotton and cocoa plantations.¹⁹ Mining and

¹⁵UNICEF Press Centre, “Change the World with Children”. June 12, 2003.

¹⁶UNICEF Innocenti Research Centre, *Birth Registration*, Innocenti Digest 9, Florence, 2002, p.11.

¹⁷International Organization for Migration, *Trafficking of Women and Children for Sexual Exploitation in Southern Africa*, Pretoria, April 2003.

¹⁸Human Rights Watch, *Borderline Slavery. Child Trafficking in Togo*, April 2003.

¹⁹Ibid.

other hazardous industries are additional sectors that sometimes use trafficking as a way to recruit labour force.

As has been noted, traditional practices, in particular forced or early marriage, contribute to the expansion of trafficking. Women and girls may be trafficked as brides for various reasons. For example, men in a migrant community may arrange for a woman to be trafficked for marriage purposes from a distant village that has national or tribal links with the migrant community. In fact, there is a growing demand by older men for young, virgin brides in times of the high risk of HIV/AIDS infection. This practice is reported in extended families in western Kenya, Zimbabwe and parts of Ghana. In these countries, girls as young as eight are selected as child brides to ensure their “purity”.²⁰

Another traditional practice allegedly linked to trafficking is the use of organs or body parts in rituals. Little research has been carried out on this and information that has been collected is mostly anecdotal. The Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography of the UN Commission on Human Rights reported, in 2003,²¹ on the existence of “mutti killings” in South Africa – murders committed by persons to obtain the organs of children for the practice of rituals in witchcraft and magic. Similar practices were reported in East and West Africa. Ritual witchcraft and magic have also been used to threaten victims attempting to escape from traffickers. In many cases the threat of witchcraft is more powerful than the theft of the passport. In Malawi, for example, to force compliance, victims are locked in a room and subjected to the enactment of a ritual intended to frighten and intimidate.²²

Regarding trafficking related to adoption, it is noteworthy that in Africa only three countries (Burkina Faso, Burundi, Mauritius)²³ have ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. In general, information on trafficking for purposes of adoption is scarce. Furthermore, there is a grey zone between trafficking and the widespread practice of children being sent to live with relatives in other countries (a practice often perceived

as a strategy, inside the extended family, to cope with poverty). This is an area that requires further research.

Conflicts can generate two distinct types of demand for child labour. A direct one, widely documented and analysed, is recruitment for participation in hostilities and such related purposes as sexual services, portage and domestic functions. The trafficking of the children of soldiers and other combatants in order to provide family income during the period that the family's normal income earner is away fighting manifests a second type of demand.

2.2 KEY ACTORS

A trafficking process or network involves three key actors: victims, users and traffickers.

2.2.1 Victims

The recruitment of the victim often occurs in one of two ways: (a) traffickers contact the potential victim or his or her family – in many cases traffickers know the victim or the victim's family and are likely to take advantage of a condition of general vulnerability, e.g. illiteracy, poverty, lack of information; (b) a potential victim or his or her family contact traffickers – the potential victim is usually in a precarious position, seeking “help” to escape a situation of oppression, desperation or persecution, and to reach a desired destination. This can lead to a possible link between smuggling and trafficking.

2.2.2 Traffickers

Traffickers occupy a central place between supply and demand. On the one hand, they try to increase the supply of trafficked persons through recruitment, often using false information, fraudulent identification and abuse of

²⁰UNICEF Innocenti Research Centre, 2000, op. cit.

²¹UN ECOSOC, Commission on Human Rights, Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, Resolution 2002/92, E/CN.4/2003/79 6 January 2003.

²²International Organization for Migration, 2003, op. cit.

²³The Convention entered into force in Burkina Faso (1.05.1996), in Mauritius (1.01.1999) and in Burundi (1.02.1999).

power. On the other hand, they try to boost the demand by providing easy access to a steady supply of trafficked persons. Traffickers may be organized in criminal groups or be linked together in a chain of middlemen. In a minority of cases, international criminal gangs snatch or recruit the children themselves. For example, a group of Tanzanian girls in Sweden described to medical personnel how an African woman came to their parents' house and offered the girls "education opportunities" abroad. The girls were taken to Sweden by the woman, kept in her house and shown sex videos and then forced to work on the streets as prostitutes.²⁴

It is possible for victims to enhance the traffickers' network. In northern Tanzania, for example, trafficked youth are sometimes sent back to their villages to recruit new children for work in the tanzanite mines. In other instances there are reported cases of women engaged in prostitution returning to their villages to recruit young girls with promises of easy money.

In the case of trafficked children it is crucial to explore influences within the family, in particular the role that parents may play. There are numerous reports of parents inducing or forcing children into trafficking because this is perceived as the only strategy for survival. For instance, in Togo it is not uncommon to find some degree of family involvement in the transaction, such as parents accepting money from traffickers, distant relatives paying intermediaries to find work abroad, or parents handing over their children based on the promise of education, professional training or paid work.²⁵ In some cases children have been offered by their parents to militia or other civil defence forces.

2.2.3 Users

The distinction between users and traffickers is crucial in order to understand the various patterns and to design effective interventions. Users are an important dimension of the trafficking process. As well as acting individually, they may be networked through access to activities of an illegal nature (such as prostitution or sexual abuse of children), to reduce costs by using cheap labour (such as illegal immigrants), to have access to easily manageable workers

(such as working children), or to fulfil scarce or unavailable supply (such as adoption).

In many cases they are not aware of or interested in the process of trafficking or the routes and procedures used. Very often they do not perceive themselves as part of the trafficking network, although they are, in fact, an engine in the machinery of exploitation. All aspects of the role of users require further research.

2.3 INCIDENCE OF TRAFFICKING CONCERNS

According to a survey conducted for this research in co-operation with UNICEF country offices and in consultation with many local stakeholders, trafficking is a recognised problem in at least 49 per cent of African countries.²⁶ Less than 10 per cent of replies reported trafficking not to be a problem in their countries.²⁷

The number of countries reporting trafficking in children is two times the number of the countries reporting trafficking in women. In all the countries reporting trafficking in women, child trafficking is also reported. The survey shows that child trafficking is usually perceived as more severe than trafficking in women.

In West and Central Africa trafficking²⁸ is recognised as a problem in more than 70 per cent of countries. In more than one in three countries in the region the problem is perceived as severe or very severe. In East and Southern Africa trafficking is identified as a problem in some 33 per cent of countries.

²⁴OCHA, *A Gap in Their Hearts: the Experience of Separated Somali Children*, IRIN, Nairobi, 2003.

²⁵Human Rights Watch, 2003, op. cit.

²⁶For some countries information was not available.

²⁷Libya, Algeria, Cape Verde and Mauritius.

²⁸UNICEF sub-regional classification: West and Central Africa: Benin, Burkina Faso, Cameroon, Cap Verde, Congo, Democratic republic of Congo, Ivory Coast, Gabon, Gambia, Ghana, Guinea, Equatorial Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Central African Republic, Sao Tomé and Príncipe, Senegal, Sierra Leone, Chad, Togo. Northern Africa: Algeria, Djibouti, Egypt, Libya, Morocco, Sudan, and Tunisia. East and Southern Africa: Angola, Botswana, Burundi, Comoros, Eritrea, Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Rwanda, Seychelles, Somalia, South Africa, Swaziland, Tanzania, Uganda, Zambia, Zimbabwe.

However, the problem is not perceived to be as severe as in Western Africa. Information on trafficking in human beings in Northern Africa is limited and the level of awareness is low. In the case of Egypt a preliminary report done by the Egyptian Center for the Rights of the Child (ECRC) in 2002 emphasizes the reluctance of society to accept trafficking as an existing issue in the country.²⁹ The fact that trafficking is still considered a very sensitive issue is reported as a major obstacle in finding data. There is a need to develop further, specialised research on this issue.

2.4 GENERAL DEFINITIONS: ORIGIN, TRANSIT, DESTINATION

Trafficking occurs when persons are transported, in a context of exploitation, from a place of origin to a final point or destination. In some cases the destination may be far from the place of origin and trafficked persons may pass through many transit points.

Figure 1 shows the basic relation between origin, transit and destination countries:

- country of origin: victim's home country or place of residence.
- country of transit: one or more countries the traffickers and victims pass through for geo-

graphic or logistic reasons to arrive at the final destination.

- country of destination: final point in the trafficking chain.

2.5 COUNTRIES OF ORIGIN IN AFRICA

Figure 2 maps the countries which, in the context of the research conducted, had cases of victims trafficked within and outside the continent.³⁰ Countries that recognise the problem were identified by research conducted either through the questionnaire or by desk reviews, and are therefore identified separately.³¹

On the basis of data collected, and cross-checked from origin and destination countries, the following patterns arise:

- Trafficking is a matter of concern throughout the continent.
- Trafficking is perceived as a particular problem among West and Central African countries. Most of the countries in the Region are 'originating'.

²⁹ Ministry of Social Affairs, Egypt, 2002.

³⁰ Where data is not available, this does not indicate that trafficking of women and children does not occur.

³¹ As primary and secondary sources.

Figure 1 - Origin, transit and destination countries

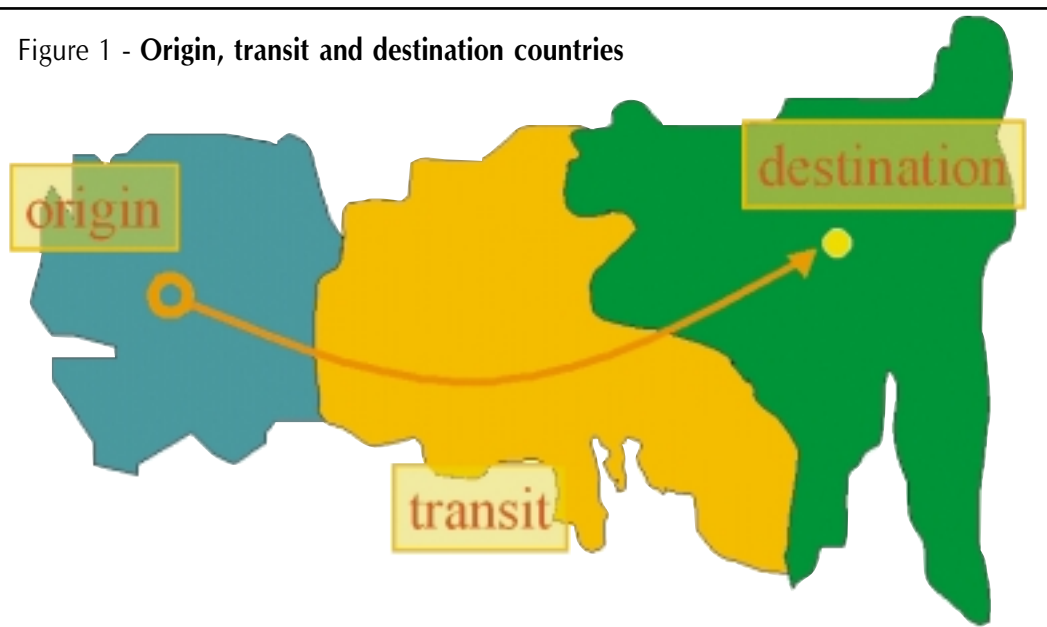
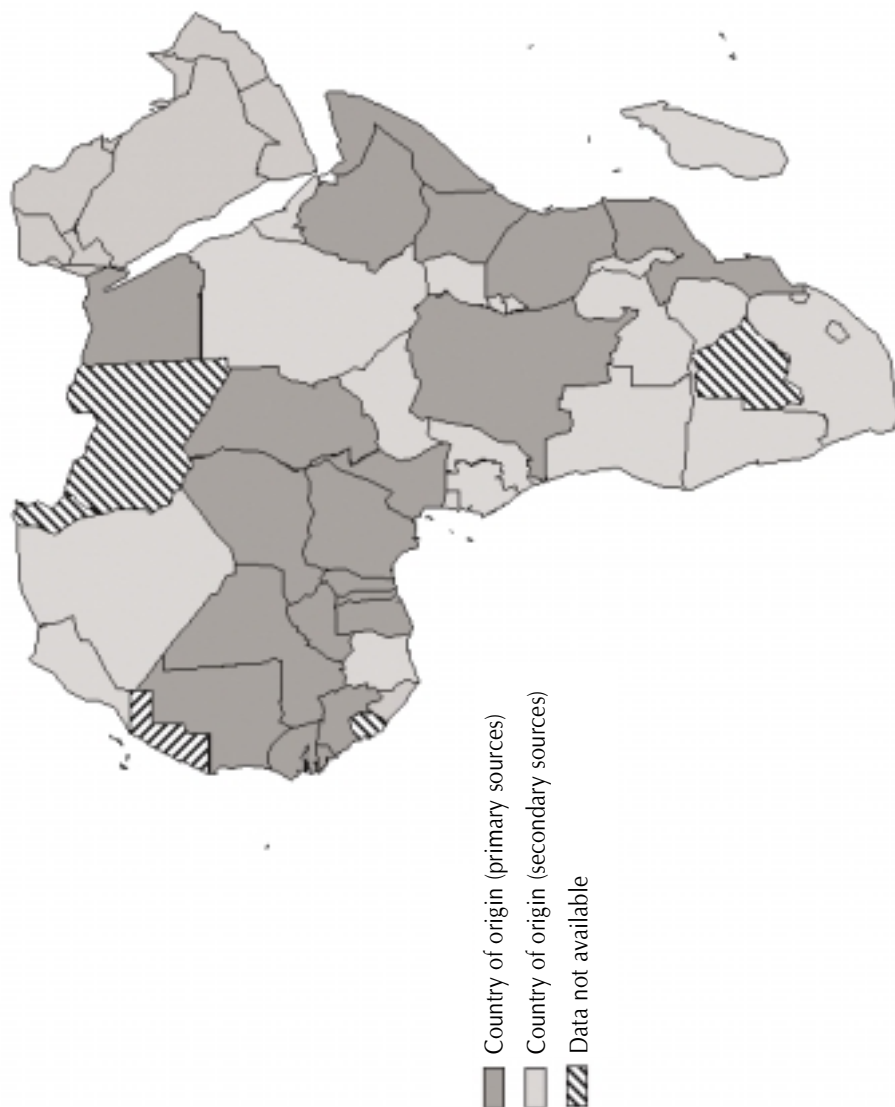


Figure 2 - Countries reported as country of origin in Africa



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- In the North African region there is very little information available. However, although official sources are lacking, victims of trafficking from certain North African countries have been reported in a number of European countries.

It is important to note that there is relatively high awareness and more information on trafficking in countries of origin because it is politically less sensitive to admit being a victim of trafficking, than to admitting association with the victim's exploitation. At the same time, however, in countries of origin it is difficult to collect reliable information on the specific final destination of trafficked persons leaving the country. Victims who do escape are often reluctant to return home because of difficulties in repatriation. Often they fear being stigmatised and do not want to face rejection by their families or by the people of their town or village. Moreover, sometimes, they fear being induced into trafficking chains again.

Tracing nationalities of trafficked persons is another challenge in the mapping process. Police officers from both East and West Africa reported difficulties in tracing the nationality of victims. The most common reason is the lack of identification documents, such as birth certificates and it is usually quite easy to obtain false documentation, further complicating the tracing process.

In Africa, most origin countries display patterns of trafficking to multiple destination countries (with an average of 3). This is particularly relevant in West Africa, with an average of trafficking to more than 4 countries. In some cases, a single country is the origin of trafficking for more than 10 destination countries. Women and children of Togo or Benin, for example, are trafficked to almost all neighbouring States, and also to Gabon, a non-neighbouring country. Multiple destinations from Togo were confirmed by other recent studies.³² In East and Southern Africa, countries of origin are linked, on average, to 2 destination countries, which is less than the African average. Trafficking flows are not only directed to neighbouring countries but also

further afield: for example, there are reported cases of women and children trafficked from Ethiopia to South Africa.³³

Figure 3 maps countries of origin, according to the number of links to destination countries. Gradation of colour corresponds to an increasing number of destination countries reported.

2.6 COUNTRIES OF DESTINATION IN AFRICA

Figure 4 maps the countries of destination for trafficking within Africa.

Figure 4 identifies the countries of destination for trafficking within Africa and is informed by findings from the questionnaire as well as desk review. The most significant element of this finding is the recognition that Africa is not only a trafficking origin region but also an important region of destination.

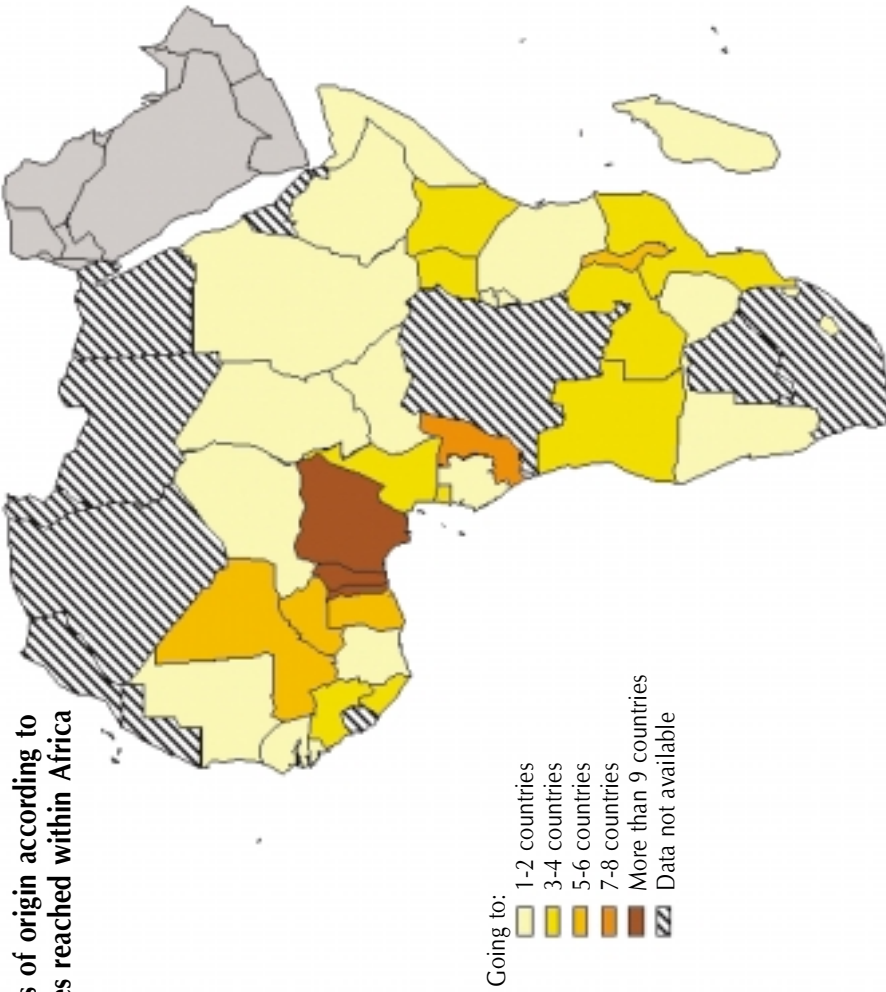
Many countries of destination are at the same time countries of origin. The number of states recognised as destination countries in Western and Central Africa (54 per cent) is larger than generally recognised (Côte d'Ivoire, Gabon and Nigeria). In East and Southern Africa, informants in only two countries perceive them to be countries of destination. Regarding North Africa, where there is no reported perception of their being destination countries, information collected from origin countries suggests otherwise. It is possible that women and children are trafficked there as a transit point to Europe and the Middle East. Also, Egypt is reported as a country of transit for women who are trafficked from Eastern Europe for prostitution. There are reports of Bedouin guides escorting Eastern European women by foot across the desert to Israel.³⁴ A criminal group was arrested in 1998 following the detection of an international prostitution ring that involved trafficking women from Russia to Egypt.³⁵

³² Human Rights Watch, *Borderline Slavery. Child trafficking in Togo*, April 2003.

³³ Molo Songolo, *The Trafficking of Children for Purposes of Sexual Exploitation*, Cape Town, 2000.

³⁴ Whitaker Brian, "Pimps Charge 'transfer fees' for Women", *The Observer*, Sunday June 10, 2001.

³⁵ "Egyptian Government Tightens Grip on Prostitution by Foreigners", *Deutsche Presse-Agentur*, 7 December 1998.



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Figure 4 - Countries reported as countries of destination

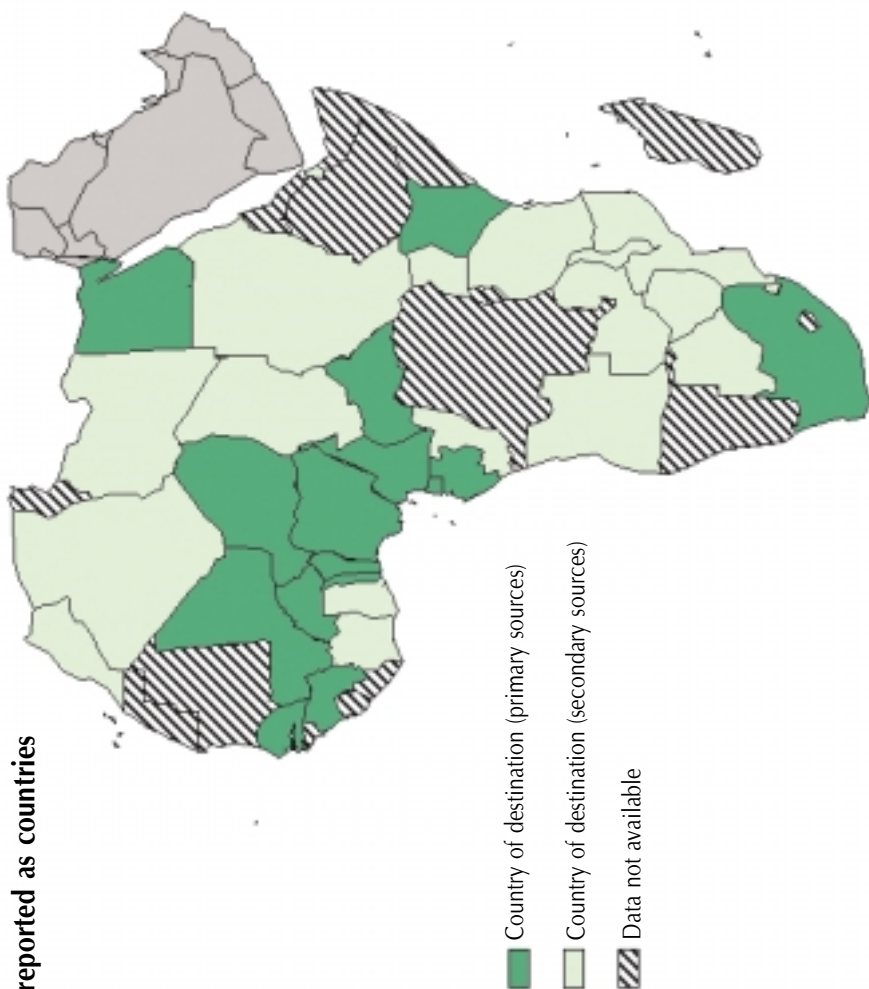
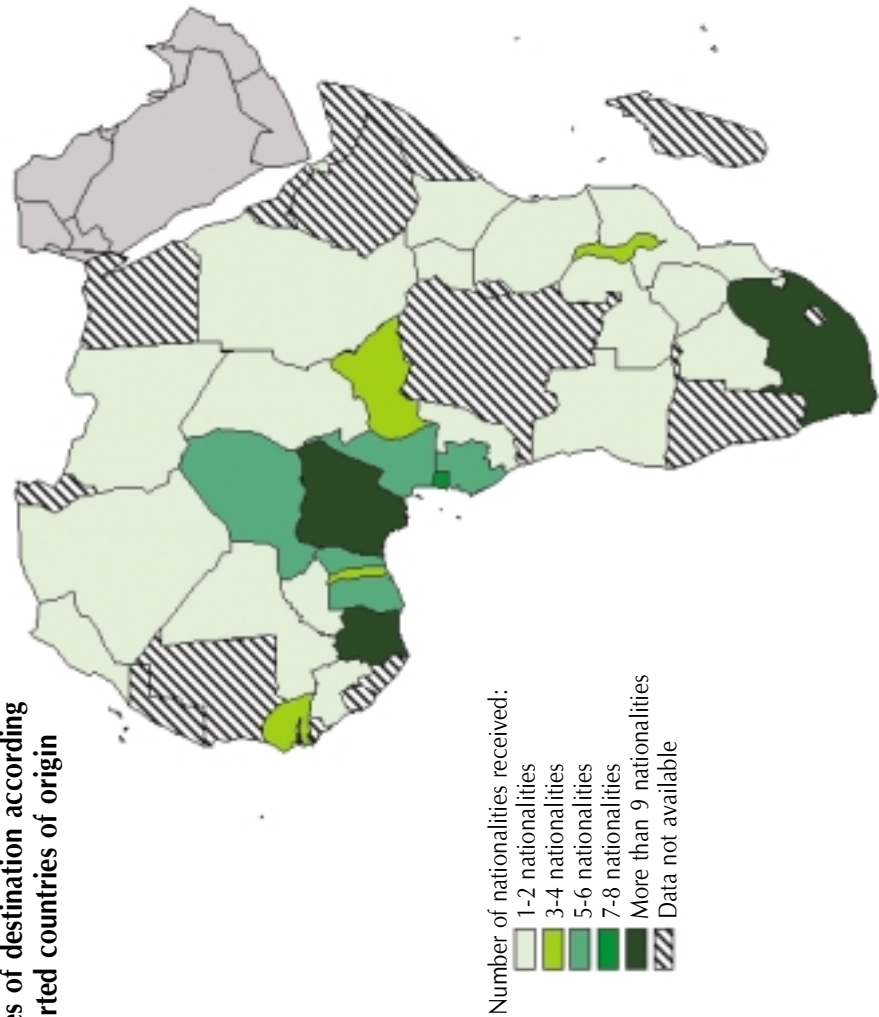


Figure 5 - Countries of destination according to number of reported countries of origin



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Figure 5 maps countries of destination, according to the number of countries of origin of victims, traced from each of the destination countries. Gradation of colour corresponds to an increasing number of nationalities, or origin countries, reported. On the basis of data gathered, cross-checking information collected from origin and destination countries, the following patterns arise:

- Most countries of destination in West Africa receive persons trafficked from multiple countries of origin, ranging from 3 to as many as 10.
- Destination countries situated in the south-east sub-region are characterised by having few reported countries of origin. South Africa is the major destination country, with women and children trafficked from more than 10 different origin countries.

Countries of destination are frequently perceived as less concerned with the problem of trafficking. They view the problem as having an origin outside their jurisdiction and in relation to which they do not have much of a role to play. Since their own nationals are not at risk, there is a reluctance to take action. Public opinion and policy makers in countries of destination tend to view the problem of trafficking as clandestine migration organized by foreigners, a reality which should not divert political attention from the needs of their own citizens. However, even though the perception is low among destination countries, the physical presence of trafficked children is the only reliable source of information for gathering factual data.

Victims of trafficking are generally isolated within the destination countries, where they have no social ties and are often unable to speak the local language and fearful of approaching the authorities. Traffickers take advantage of their vulnerability and usually maintain the isolation of victims in order to prevent them from creating contacts or relationships with the local population.

women and children pass through transit countries before reaching their final destination. Figure 6 maps some of the recognised key transit countries in Africa.

There are two main reasons for a country to be designated as a transit country, one is geographic proximity and the other is ease in facilitating passage. In Southern Africa, for instance, some borders with neighbouring countries are perceived to be so permeable that only those persons requiring official stamps for personal or business reasons bother to cross legally.³⁶ Geographic proximity is a relevant factor when the transit country is located en route between the origin and destination countries. Some countries also become prominent in part because they are perceived as places where “trafficking transitions” can be carried out.

Transit countries do not generally perceive trafficking as an issue of national concern and few preventive measures are likely to be undertaken. Reports gathered indicate that during transport victims are often mistreated or threatened but, as it is difficult to spot exploitation in this phase, there is little chance of legal action. Victims may be forced to walk long distances or to be transported by hazardous means. In some cases, trafficking may even lead to lethal accidents. For instance, a case has been reported of sixty-eight Togolese girls trafficked from Togo by boat. They arrived close to Cameroon but the waves were too strong, the boat tipped, and nine girls died.³⁷

It was also found that when women and children are trafficked through a transit country, their passage and vulnerability may generate a demand, as well as additional conditions for exploitation. In some cases, they may be diverted into exploitative labour or prostitution inside the transit country. Furthermore, it is not uncommon for trafficked persons in transit countries to have their identification papers and money taken away by traffickers, in order to prevent their escape.

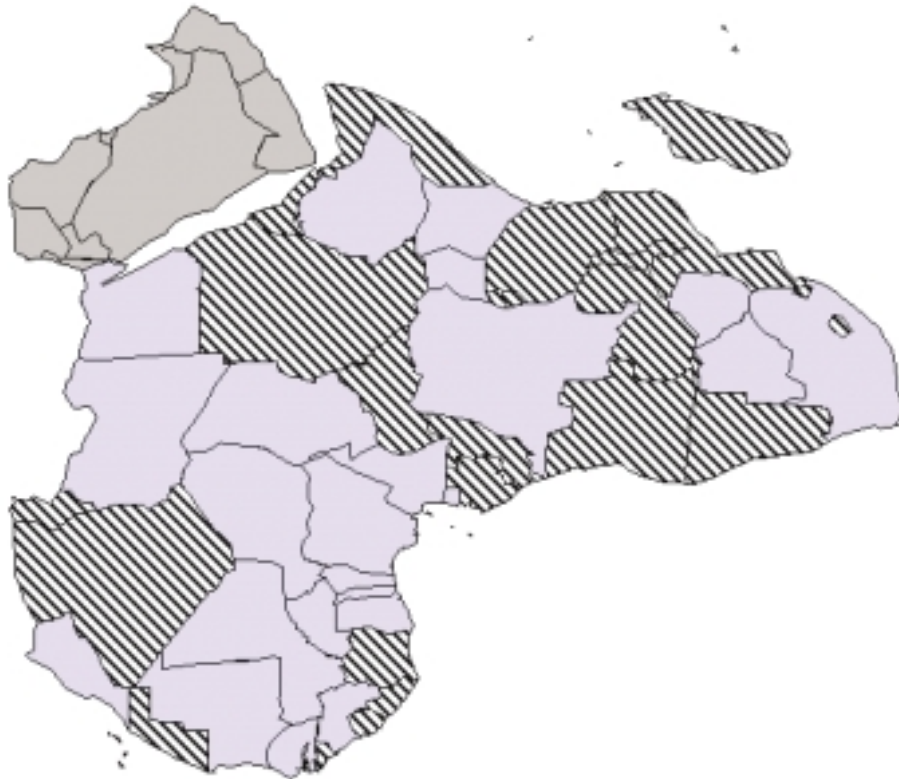
2.7 COUNTRIES OF TRANSIT

Trafficking does not occur only between neighbouring countries – in some cases

³⁶International Organization for Migration, 2003, op. cit.

³⁷Human Rights Watch, 2003, op. cit.

**Figure 6 - Countries reported
as country of transit**



Country of transit
Data not available

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2.8 SPECIAL CHALLENGES

In analysing and mapping the various trafficking flows, a number of special relations were noticed. In Africa, it is not uncommon for a country to be identified, on the one hand, as a destination country and to find, on the other hand, that women and children are also being trafficked from that country, as a country of origin. Nigeria is a particular case, being recognised as a country of origin for women and children trafficked to 12 countries, but at the same time identified as a country of destination for women and children coming from 10 different countries.

2.8.1 Symmetry

In a number of instances it was found that neighbouring countries are engaged in trafficking in both directions across a common border. This symmetrical relationship – when trafficking is perpetrated from country A to country B and, again, from country B to country A – usually indicates a porous border but other social and economic factors can also influence or facilitate this pattern of movement.

In research undertaken for this study more than 12 cases of symmetry were identified, mostly in West Africa. Usually when two countries are linked by symmetry the magnitude of

the flow is greater in one direction than the other. And the trafficking generally occurs in different and separate markets, for example, children may be trafficked from A to B for labour, and trafficked from B to A for prostitution.

2.8.2 Transitivity*

The nationality of trafficked persons usually identifies their country of origin. But in some cases the trafficking process may start in a different country or occur in two distinct phases. As a result, the nationality of the victim may no longer be indicative of the country of origin in the trafficking process. In South Africa, for example, a number of children trafficked from Lesotho were found to be Mozambique nationals. In Tanzania children from refugee camps housing Burundian children were trafficked internally to work in tobacco plantations.

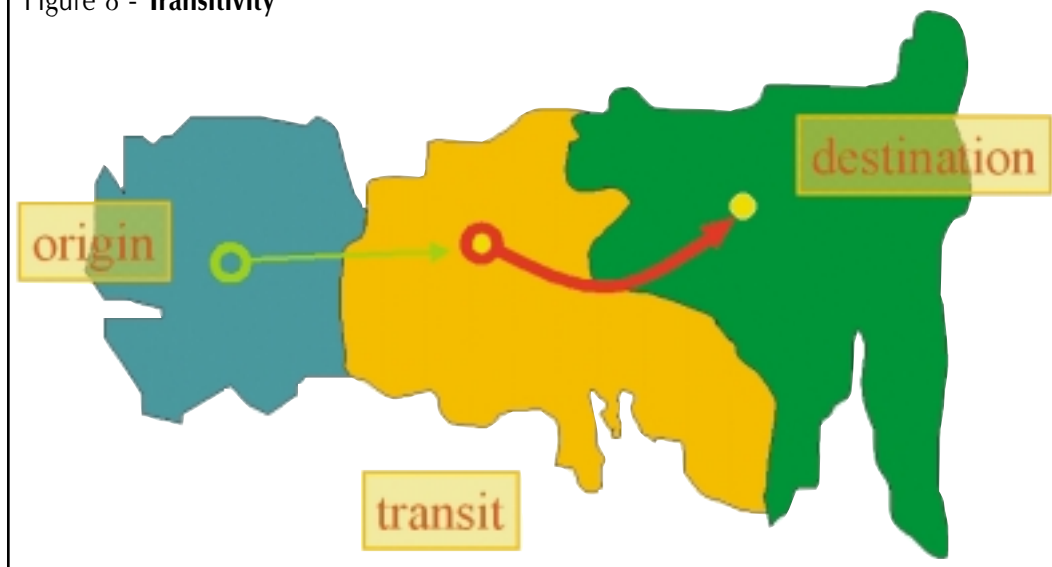
This relationship of “transitivity” is a challenge for the traditional definition of origin and transit countries. It can also challenge efforts to identify and repatriate victims.

In the analysis of this study, a number of diverse forms of transitivity were found:

- Persons migrating legally from one country to another find themselves at risk because of poverty, discrimination and marginalization and become trapped in a trafficking network.

Figure 7 - Symmetry



Figure 8 - **Transitivity**

- Persons trafficked from one country to another for a particular purpose are later trafficked to a third country, for a different purpose. For example, a child may be trafficked the first time as a domestic worker, and trafficked later on as a woman, sold or recruited into prostitution.
- Persons trafficked internally, from a rural area to an urban area, and later trafficked to another country for a different purpose. This creates a link between internal and cross-border trafficking.

2.9 TRAFFICKING PATTERNS

Trafficking flows are complex, with dynamic movements of people often carried out in a fraudulent and clandestine manner, thus limiting the possibility to map the patterns. An additional problem is that the patterns are constantly changing. Nevertheless, it is possible to identify and outline some preliminary dimensions.

A number of factors have to be taken into consideration in analysing trafficking flows. While various combinations of these factors will determine the pattern of a particular flow, their relative influence is likely to shift from place to place, and from time to time.

Geographical patterns: geographical proximity is probably the most important factor

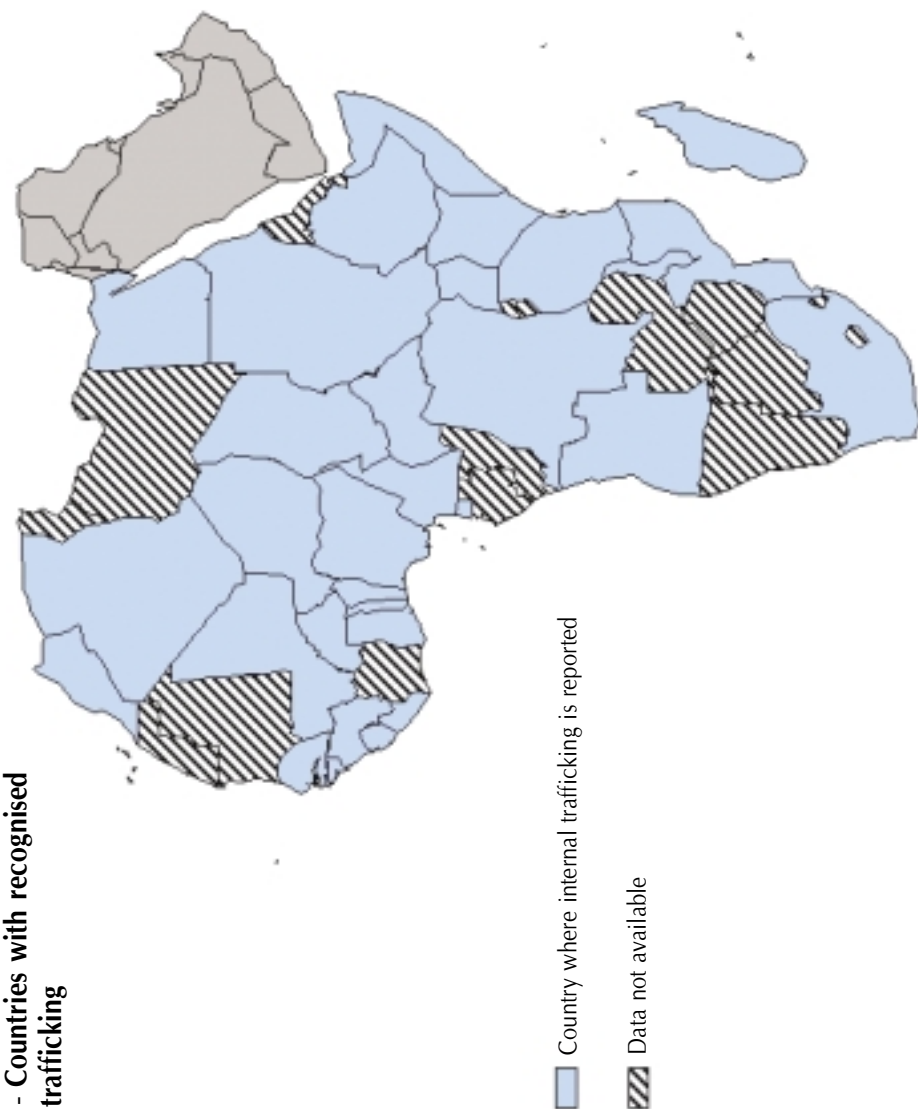
in defining trafficking routes, though in some cases the shortest route from the country of origin to the destination country does not present the best option for traffickers. Physical barriers, such as mountains, deserts or forests can pose formidable obstacles. For example, while the shortest route for trafficking between Mozambique and South Africa is through Kruger National Park, it is reported that traffickers tend to bypass this road because of the danger of encountering wild animals. Therefore, in some cases a longer route is chosen, for example through Zimbabwe.

Available transport and communication: the availability of public transportation, by road, railway, river or ocean crossing, is a key factor in determining transition routes. Traffickers tend to make use of transportation and communication systems at hand, unless they are thwarted by checkpoints or border crossings. In Mali, traffickers use mini buses or large trucks to transport women and children. In fact, research shows that many traffickers and intermediaries are either drivers or transport leaders.³⁸ In Tanzania, some truck drivers are reported to traffic girls within and outside

* The new concept of "Transitivity" in relation to human trafficking is under development at IRC.

³⁸UNICEF Innocenti Research Centre, 2002, op. cit.

Figure 9 - Countries with recognised internal trafficking



the country.³⁹ Young women are trafficked by taxi from Mozambique to South Africa.⁴⁰

Monitoring and border control: traffickers choose routes where they will encounter fewer checkpoints or border patrols. Lack of legislation or weak enforcement is also a significant factor in determining trafficking flows. Most transit countries do not criminalize trafficking. Corruption within law enforcement or judicial systems can facilitate trafficking across or within country borders. For instance, illegal crossings at Lesotho's border posts are facilitated by the reported tendency of favouritism towards certain known individuals. There is a recent reported case of a victim from Lesotho who crossed the borders at the hands of South African traffickers and indicated that at the border post there was no passport check. Where border patrols and check points are effectively introduced, the trafficking flow may be diverted through another neighbouring country or boats may be used to bypass border controls. In the case of Botswana, where officials are said to be vigilant, this often means taking a circuitous route to avoid detection.⁴¹

Organized crime: organized crime can play a key role in determining trafficking patterns. For example, criminal groups may gain control of a particular entry point into a country and that route may then become a "highway" for traffickers. Local officials or law enforcement officers may be corrupted by or linked to the trafficking network.⁴²

Internal trafficking affects the majority of African countries. However, even in countries where trafficking is a recognised problem, this particular aspect is only marginally addressed in research. In many cases, internal trafficking flows from rural to urban areas. In Eastern Africa girls are trafficked to urban centres. In Tanzania, for example, most of the girls in prostitution found in major cities were trafficked from rural regions.⁴³

2.11 TRAFFICKING FLOWS WITHIN AFRICA

According to the information collected for this study, every country for which there is data is linked by trafficking to an average of three other African countries – either as a place of origin or destination – and some countries are linked to more than 12 countries.

A sub-regional analysis is summarised in Figure 10 where the trafficking movements are divided into patterns that operate at the sub-regional level. The table presents the number of trafficking relations recorded between countries. The analysis demonstrates that more than 90 per cent of the trafficking reported occurs between countries within the same sub-region (cells in grey).

These sub-regional patterns can be understood based on geographical proximity, ease of movement and transport, and linguistic patterns such as differences between West

Figure 10 - Trafficking flows by sub-region; number of identified bilateral links

SUB-REGION	To Western and Central Africa	To Northern Africa	To Southern and Eastern Africa
From Western and Central Africa	74	4	2
From Northern Africa	1	0	0
From Southern and Eastern Africa	0	3	31

Source: UNICEF IRC Child Trafficking Research Project. Multiple origins and destinations reported

2.10 INTERNAL TRAFFICKING

Knowledge of cross-border trafficking in Africa is significantly higher than that concerning movements within countries. Figure 9 shows countries where internal trafficking is a recognised problem.

³⁹ILO - IPEC, Tanzania. *Children in Prostitution: A Rapid Assessment*, ILO Geneva, 2002.

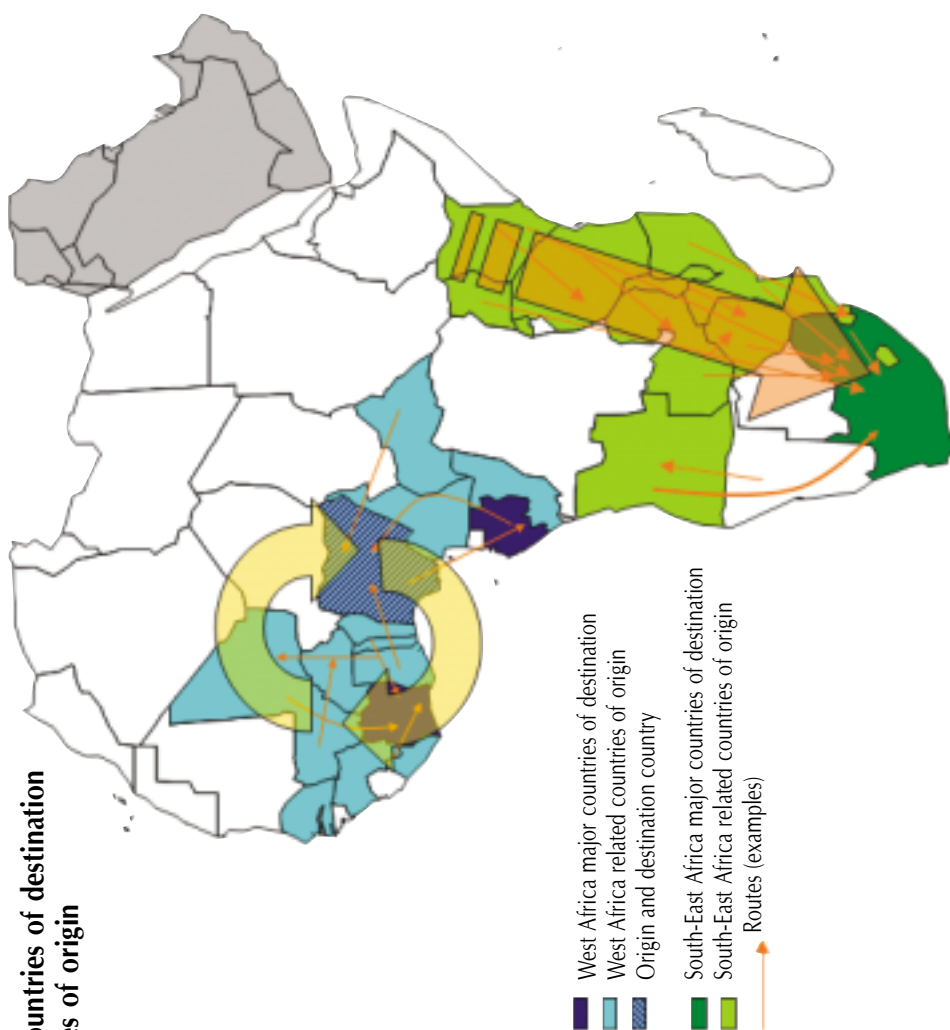
⁴⁰International Organization for Migration, 2003, op. cit.

⁴¹Ibid.

⁴²Ibid.

⁴³ILO, Tanzania. 2002, op. cit.

Figure 11 - Major countries of destination and related countries of origin



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Francophone Africa and East Anglophone Africa.

North Africa represents a special case. Despite the presence of a substantial geographical obstacle, the Sahara desert, there are reported cases of trafficking from other regions to the North. In some cases this is done by boats along the western African coast, in others by equally risky and in many cases lethal desert crossings.

By examining specific cases and mapping the relationships in each case, it is possible to underline differences and patterns of flow within and between the sub-regions. Figure 11 illustrates the key points.

In Eastern and Southern Africa the predominant trafficking flow is indicated by the arrow directed towards South Africa. South Africa is a destination country for women and children trafficked from more than 10 African countries, while other countries in the sub-region are linked as a destination to an average of less than two countries. As field research indicated, there are numerous transit countries that serve as transport points for trafficked persons in the sub-region, but South Africa is frequently the final destination. Access to transport by sea, using sailing boats, along the monsoon routes on the East coast, can also be an alternative way of reaching the South.

In West and Central Africa, the trafficking flows are more complex and run along circular lines. As noted, a number of countries in the sub-region are countries of origin and, at the same time, countries of destination. While a few countries are recognised as the major countries of destination in the sub-region – Côte d'Ivoire, Gabon and Nigeria – the trafficking patterns that emerge link many other countries in a web of complex relationships.

Based on testimonies of children and local experts, Human Rights Watch recently documented four routes of child trafficking into, out of, or inside Togo.⁴⁴ The present research suggests that Togo is a trafficking country for women and children from at least four different countries and found that trafficking patterns from Togo extend to nine countries in Africa, three countries in Europe, and two countries in the Middle East.

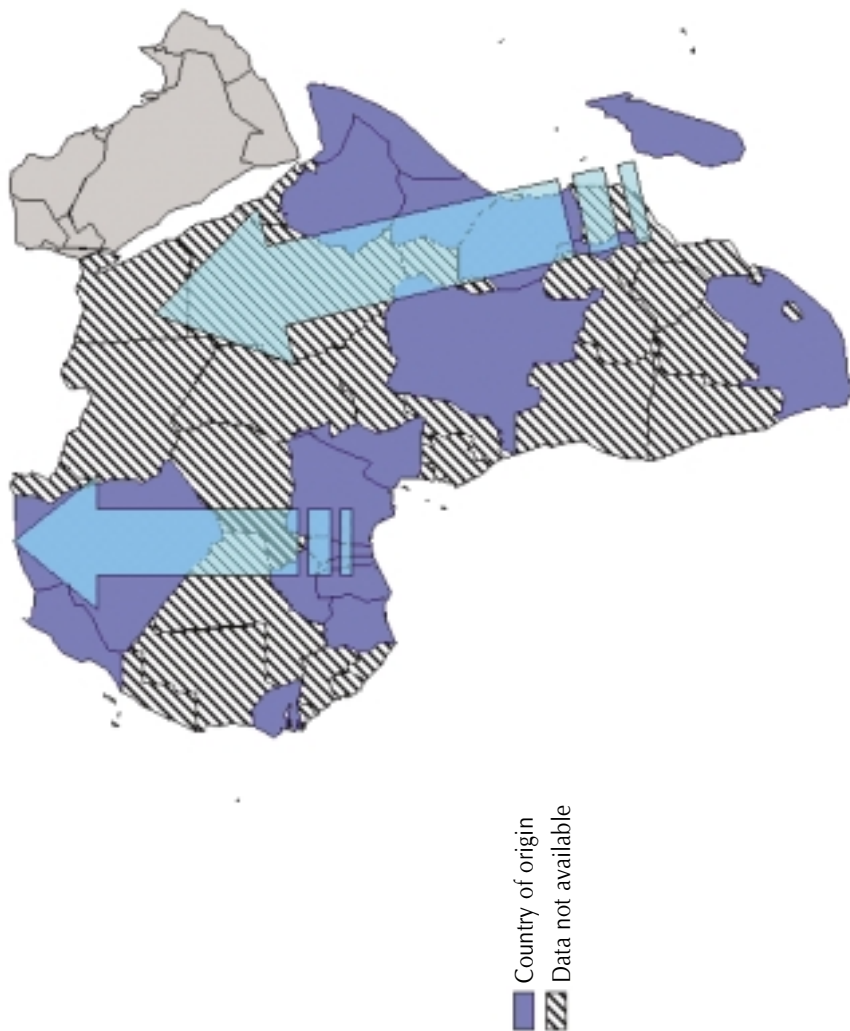
2.12 TRAFFICKING FLOWS FROM AFRICA

Although the majority of women and children trafficked in Africa are trafficked in local or regional networks, there are also trafficking networks that link Africa to global trafficking patterns. Africa is a place of origin for women and children trafficked to Europe, as well as to the Middle East, Gulf countries and to South-east Asia. Africa is also a destination, at the international level, for women and children trafficked from other continents. For example, women and girls have been trafficked for prostitution from Thailand to South Africa. In some cases, the continent of Africa also acts as a transit point. Reports indicate that some persons trafficked from Asia to Europe are moved through countries in northern Africa.

Figure 12 maps out the flows to Europe and Figure 13 maps out flows to Middle East and Gulf States. There are also a number of reported cases of trafficking from Africa to South and Southeast Asia, though further research is needed to determine the extent and frequency.

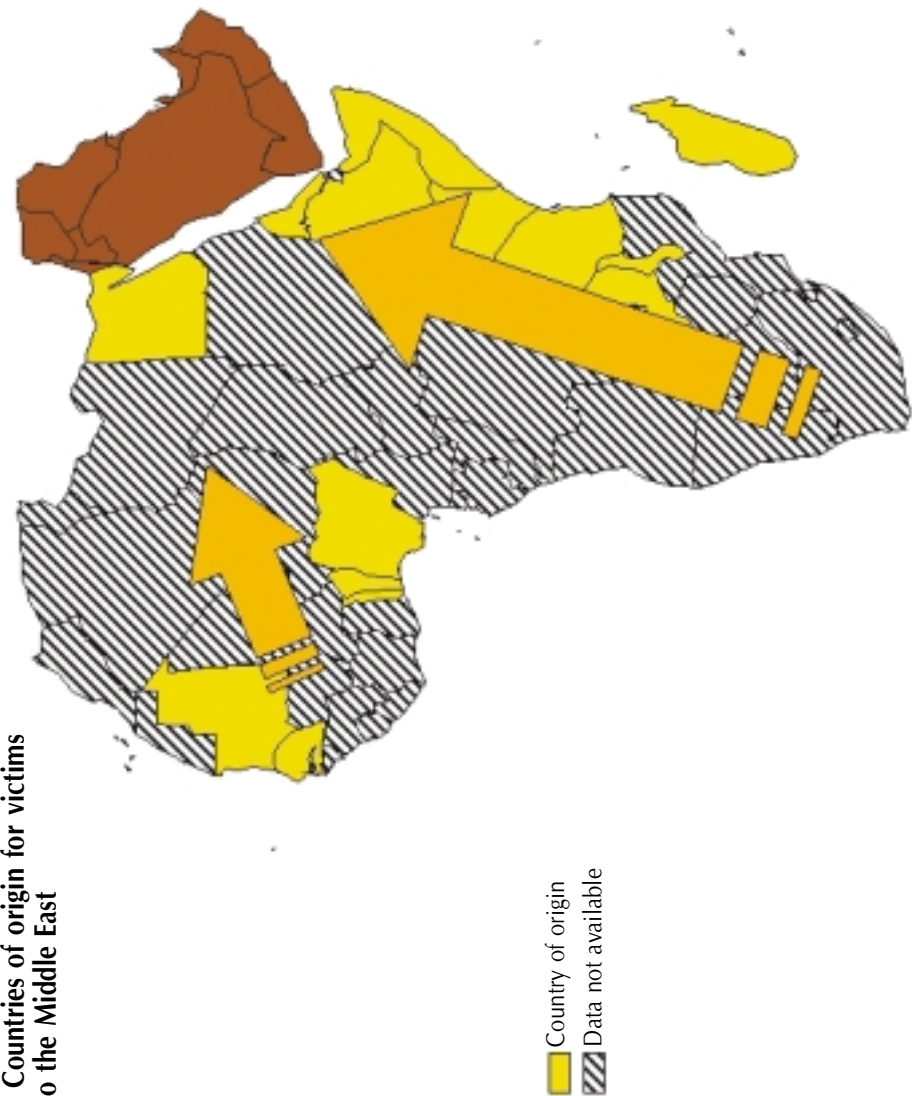
⁴⁴Human Rights Watch, 2003, op. cit.

**Figure 12 - Countries of origin
for victims trafficked to Europe**



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations
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Figure 13 - Countries of origin for victims trafficked to the Middle East



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations
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3. NORMATIVE FRAMEWORK

A strong international normative framework has been shaped over the recent years to ensure protection against human trafficking.⁴⁵ At its centre are the Convention on the Rights of the Child and its Protocol on the Sale of Children, Child Prostitution and Child Pornography (2000) and the ILO Convention Number 182 on the prohibition and immediate action for the elimination of the worst forms of child labour (1999). Moreover, upon coming into force, the Convention against Transnational Organised Crime (CTOC) (2000) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000) (the Palermo Protocol) will play a decisive complementary role.

Africa also benefits from an increasingly strong regional and sub-regional framework, setting an important reference for national legal initiatives. The principal relevant regional instruments are the African Charter on Human and Peoples' Rights (1981) and the African Charter on the Rights and Welfare of the Child (1990). An optional protocol to the African Charter on Human and Peoples' Rights concerning the rights of women will, once finalized and adopted, also be of significance.⁴⁶

At the sub-regional level, the Economic Community of West African States (ECOWAS) plays a critically important leadership role. A Declaration and Plan of Action against Trafficking in Persons (2002-2003) were adopted during the annual ECOWAS Summit held in Dakar in December 2001. The Plan of Action stipulates specific measures, including criminalisation of trafficking in persons, creation of an ECOWAS Coordination Unit to liaise with National Task Forces, protection and support of victims, awareness raising, cooperation

between border control agencies, and data collection by ECOWAS countries and the UN.

In December 2002 a Regional Meeting of Experts was held in Lomé, Togo to review and assess the progress of implementation of the ECOWAS Plan of Action against trafficking in human beings. During the meeting, three priority areas were identified as critical in pursuing efforts to combat trafficking in human beings. First, the need to set up more effective legal systems, or to review and reform existing ones, so that the prosecution of traffickers is facilitated. Second, a better understanding of the situation of the victims of trafficking is required and their protection has to be prioritised whereby they are not treated as criminals themselves. Finally, far-ranging awareness-raising campaigns in the public sphere should accompany policy measures to counter the phenomenon of trafficking in human beings. Based on these recommendations, the ECOWAS member states agreed on important policy actions. Concerning the improvement of legislative tools and frameworks, ECOWAS countries put particular emphasis on the ratification of the Paler-

⁴⁵A summary of the status of ratification and signature as of April 28th 2003, is contained in the annexes.

⁴⁶Additional international instruments include: Convention on the Elimination of All Forms of Discrimination against Women, (1979); Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, (1999); Slavery Convention (1926) and Protocol amending the Slavery Convention (1953); Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956); International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990); The Hague Convention #33 on Protection of Children and Co-operation in respect of Intercountry Adoption (1993); The Hague Convention #34 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, (1996).

mo Protocol. In the field of protection and assistance to victims of trafficking, they agreed “to cooperate with NGOs and other representatives of civil society as appropriate, in order to take measures to create or develop the capacity of the reception centres where victims of trafficking in persons can be sheltered”.⁴⁷ As to awareness-raising campaigns and dissemination of knowledge and information about trafficking, ECOWAS particularly stressed the need to realize “enlightenment campaigns” and to prepare a methodology-manual in order to increase awareness regarding all aspects of the problem, including the various methods employed by traffickers, their preferred routes, etc.

The priorities set by ECOWAS Member States in their Conclusions highlight the critical relevance of an inter-agency approach, encompassing all relevant actors involved in combating trafficking in the region. Consequently, it was agreed that Member States should, no later than six months after the meeting, establish national inter-ministerial task forces engaging representatives of IGOs, NGOs, and civil society organizations alike.

ECOWAS initiatives to promote strong normative responses to trafficking may also be identified within its broad actions to enhance more generally the criminal law provisions of and between its Member States. Of particular interest in this regard are the Convention on Mutual Assistance in Criminal Matters and the Convention on Extradition. The Convention on Mutual Assistance in Criminal Matters was adopted in Dakar on 29 July 1992, in close collaboration with the United Nations Office for Drug Control and Crime Prevention, and it promotes bilateral and multilateral measures of direct relevance for the criminal law pursuit of traffickers. The Convention on Extradition was adopted in Abuja on 6 August 1994. The Convention gives national courts of law an effective instrument for the arrest, prosecution and enforcement of penalties against offenders leaving the territory of one State to seek shelter in the territory of another.

ficking laws have primarily focused on criminal legislation on trafficking for purposes of prostitution. This concentration of attention is readily understandable in terms of the evolving perception of trafficking and it has carried with it the benefit of trafficking being recognised as an unacceptable practice requiring serious sanctions for perpetrators. It has formed a solid base for more comprehensive legal responses.

Recently, some countries, including Morocco, Mali, Senegal, Nigeria and Burkina Faso have adopted, or are in the process of adopting, anti-trafficking laws which go beyond issues of prostitution. These initiatives are encouraging. However, they are challenged by the lack of a common definition of trafficking. For instance, Mali has adopted the working definition endorsed by the February 2000 meeting in Libreville, Gabon, organized by UNICEF and the ILO, which focused on trafficking of children for labour purposes in West and Central Africa. Morocco is in the process of adopting the definition contained in the Optional Protocol to the CRC and Nigeria is proposing the Palermo Protocol definition. The employment of varying definitions is a challenge for inter-State harmonization of law and policy and may further challenge effective cross-border co-operation.

In the absence of comprehensive legislation specifically dealing with trafficking, most States in Africa tackle aspects of the situation by means of laws in place to deal with a wide range of *de facto* situations. These laws address five principal dimensions: 1) prostitution and related activities (pornography, incitement to prostitution, sexual relationship with minors, etc.); 2) child exploitation, abandonment and mistreatment of children, and abduction; 3) right to integrity (slavery, torture, unlawful detention); 4) child labour and employment regulations; 5) immigration.

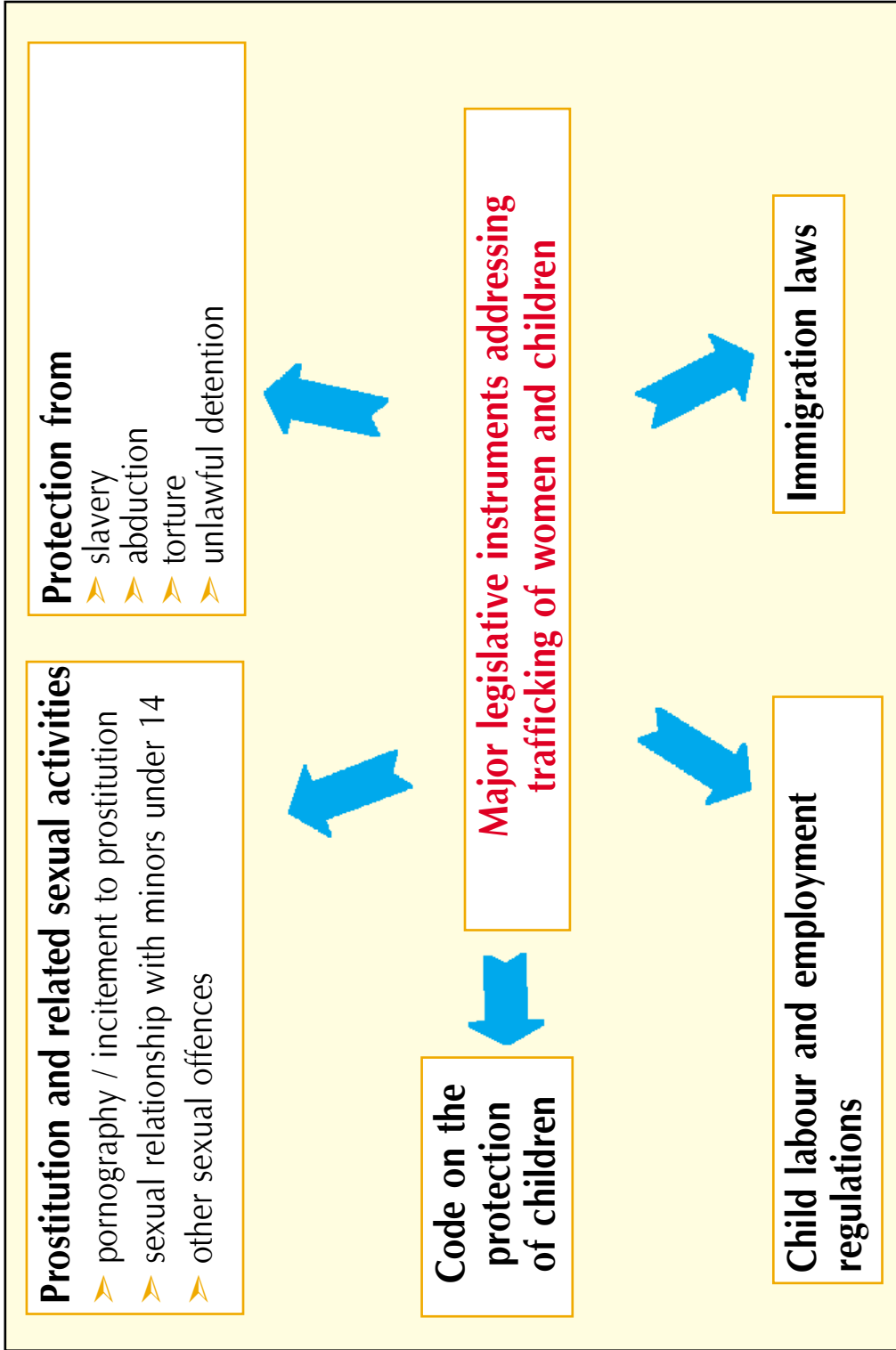
The breadth of these five dimensions demonstrates how a State is required to mainstream the fight against trafficking across its legal system. For instance, while sturdy criminal laws are required, States are acknowledging

3.1 NATIONAL LAW REFORM

Historically, in Africa and elsewhere, anti-traf-

⁴⁷ECOWAS Initial Plan of Action against Trafficking in Persons (2002-2003), Executive Secretariat, Dakar, December 2001, p.5.

Figure 14 - National legal framework in Africa



that these are never enough. They must be complemented by employment laws which take full account of ILO Conventions, especially Convention Number 182 on the worst forms of child labour, as well as: effective immigration laws; social security systems based on statutory provisions; compulsory and accessible systems of birth registration; freedom of movement; freedom to leave and return to one's country of origin. The increasing reference in national laws to potential and actual victims and their entitlements is also an important development, especially where provision is made for both the pursuit of civil remedies and for the availability of redress and rehabilitation solutions. Immigration laws are also increasingly recognizing the victim-status of the person who has been trafficked and making provision for temporary rights of residence, dignified voluntary return, etc. With regard to the particular situation of children, there is a trend towards recognition that all laws should be guided by the best interests of the child, ensure effective child protection and be anchored in the definition of parental responsibility.

3.1.1 The human rights approach

At the regional level, there is an increasing acknowledgment of the importance of a human rights approach in the development of laws to address trafficking. This is underpinned by the adoption of the African Charter on the Rights and Welfare of the Child and the initiative to finalize the optional protocol to the African Charter on Human and Peoples' Rights concerning the rights of women. It is also reflected in the critical work of the African Committee on the Rights and the Welfare of the Child, which, already at its first session in 2001, identified the need for a human rights-based response to the problem of trafficking.

The human rights approach is being pursued in concrete ways. For example, Ethiopia, in an anti-trafficking ordinance, the Private Employment Agency Proclamation 104/1998, provides for aggravated penalties for the perpetration of human rights abuses, including in the context of trafficking (see Box 2 on Ethiopia). In Senegal, in 2003, the National Assembly prepared a draft legal code on sexu-

al exploitation of children which contains such novel elements as the right for civil society groups, which may in certain circumstances include representatives of victims of trafficking to intervene as "partie civile" in criminal proceedings. South Africa has developed a sophisticated system of consultations with civil society and grassroots communities as a critical dimension of its law reform process. (See Box 4 on South Africa)

Experiences such as these, as well as those of many other States worldwide, are helping to clarify the multiple ways in which a human rights approach can render anti-trafficking laws more effective and ensure that they address the situation of all stakeholders, including actual and potential victims and their communities. The human rights approach draws attention to the obligation on the State, regardless of whether it is a country of origin, destination or transit, to take action to prevent this serious human rights violation, including through effective awareness raising, public information and capacity building activities, as well as to combat this phenomenon and to ensure the effective protection of all individuals under its jurisdiction, nationals or not. A human rights approach also helps maintain attention to the structural dimensions of trafficking as well as to underlying inequalities and discrimination that facilitate its prevalence. By integrating particular attention to the rights of women and children and by ensuring their mainstreaming across all legal responses, it allows these vulnerable groups to be properly acknowledged and empowered.

Experience is also increasingly reflecting how criminal law and human rights standards play a strong complementary role. In fact, targeting organized crime and related criminal activities are essential steps to combat this human rights violation. However, it is equally important to promote wide awareness raising and information efforts, to ensure strong judicial systems and effective law enforcement, as well as to set in place an effective system of victim protection and reintegration. Only through such a combination of efforts will the fight against trafficking be decisively successful and impunity actively fought.

Box 2 - The Ethiopian Government's response to trafficking of women for labour purposes

Even if Ethiopian women wish to migrate for work purposes, many of them become victims of trafficking, lured by false promises of good jobs, high salaries and an easy life. There have been many reports of abuse of Ethiopian migrant women recruited for domestic work in the Middle East and Gulf States. They find themselves abroad in very exploitative situations where they are abused and ill-treated in working conditions comparable to modern day slavery. In this context, when a woman reaches her destination, the employer or the agent from the employment agency permanently withholds her travel papers and official documents, undermining her basic human right to free movement.

Since 1996, many returnees publicly have denounced the circumstances in which they were detained and the exploitative conditions they suffered. Ethiopian newspapers reported that, between 1996 and 1999, 67 bodies of Ethiopian women were returned from the Middle East and Gulf States. In the majority of the cases reports accompanying the bodies stated that the cause of death was suicide, however the reports accompanying the bodies were often unintelligible, whereas in other cases the causes of death were questionable and vague.

From anecdotal evidence regarding cases of exploitation and the questionable reports accompanying the bodies, national and international stakeholders pressed the Government to take action. In response, the Ethiopian Government adopted, among other measures, the Private Employment Agency Proclamation, and created a special Inter-Ministerial National Committee on the issue of Ethiopian women being trafficked to the Gulf States.

The Private Employment Agency Proclamation 104/1998 aims at regulating all employment service entities and particularly at protecting the rights, safety and dignity of Ethiopians employed and sent abroad, with aggravated penalties for abuses of the human rights and physical integrity of workers.

The proclamation states that:

- a license is required for any person who wishes to set up a private employment agency.
- this agency must prepare a formal contract of employment and submit it to the authorities.

If the agency is providing services for hiring

and sending workers abroad, the agency must fulfil the additional following obligations:

- ensure that the employment contract fulfils the minimum working conditions set in Ethiopian laws;
- be responsible for ensuring the rights, safety and dignity of the worker;
- have a branch office or representative in the receiving country;
- provide orientation for the worker before he or she is sent abroad, concerning the work and the country;
- notify the nearest Ethiopian Embassy of the worker's presence;
- deposit guarantee funds in a recognized financial institution; US\$ 30,000 if up to 500 workers can be placed by the agency, US\$ 40,000 for between 500 and 1,000 workers and US\$ 50,000 for more than 1,000 workers.

Presently only one private employment agency for sending migrant workers to Lebanon has legal recognition. This concerns very few of all the potential candidates. Even if the immigration authorities did not issue visas for other migrant workers to Lebanon, this does not mean that trafficking would be stopped. It seems that the traffickers are using neighbouring countries like Tanzania and Kenya as transit countries for Ethiopian women to the Middle East and the Gulf.

The Ministry of Foreign Affairs established an Inter-Ministerial National Committee in June 1999 to look into the issue of Ethiopian women who are being trafficked to the Gulf States and Lebanon. This Committee proposed that a Consulate be opened in Beirut that could offer support to Ethiopian women who are being abused and exploited in that country. This Consulate opened a shelter to help these women who are victims of trafficking and have nowhere to turn. IOM is supporting the Government initiatives. Since the beginning of 2003, the Ministry of Labour and Social Affairs has taken over the responsibility of the Inter-Ministerial National Committee.

(Adapted from *Ethiopia: an assessment of the international labour migration situation. The case of female labour migrants*, by Emebet Kebede, ILO Gender Promotion Programme, Series on Women and Migration, Geneva n.d.)

Box 3 - Human Rights Guidelines on Trafficking (OHCHR)

The *Recommended Principles and Guidelines on Human Rights and Human Trafficking* have been developed in order to provide practical rights-based policy guidance on the prevention of trafficking and the protection of the rights of trafficking victims. The aim of these Guidelines is to promote the mainstreaming of human rights into national, regional and international anti-trafficking laws, policies and interventions. The Principles and Guidelines are used as the main framework and reference point for the work of the Office of the UN High Commissioner of Human Rights. These Guidelines were presented by the High Commissioner for Human Rights to the UN Economic and Social Council in 2002.

Guideline 1: Promotion and protection of human rights mainstreamed in all activities to prevent and end trafficking in human beings.

Guideline 2: Identification of trafficked persons and traffickers, distinguishing between victims of trafficking and migrant smuggling and identifying traffickers, including those who are involved in controlling and exploiting trafficked persons.

Guideline 3: Research, analysis, evaluation and dissemination, for the elaboration of effective anti-trafficking strategies on the basis of accurate and current information, experience and analysis.

Guideline 4: Ensuring an adequate legal framework in accordance with international standards and instruments.

Guideline 5: Ensuring an adequate law enforcement response against trafficking, with the coop-

eration of trafficked persons and other witnesses.

Guideline 6: Protection and support for trafficked persons without discrimination, paying due attention to the needs of the victims.

Guideline 7: Preventing trafficking in human beings, taking into account the trafficking demand as a root cause, and factors that increase trafficking vulnerability, such as inequality, poverty and all forms of discrimination and prejudice.

Guideline 8: Special measures for the protection and support of child victims of trafficking taking into account the best interest of the child and paying particular attention to the views of the child as well as to his or her rights and dignity in any action undertaken on his or her behalf.

Guideline 9: Access to adequate and appropriate remedies making trafficked persons more aware about their right to remedies.

Guideline 10: Obligations of peacekeepers, civilian police and humanitarian and diplomatic personnel to take effective measures to prevent their nationals and employees from engaging in trafficking and related exploitation.

Guideline 11: Cooperation at the international, multilateral and bilateral level and coordination between States and regions, in particular between those involved in different stages of the trafficking chain.

(From *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, OHCHR, Geneva, 2002.)

3.1.2 Law reform process

Reference has already been made to the way in which South Africa develops new laws on trafficking through a highly sophisticated process of consultation across society. The recent legislative developments in Senegal also follow on a process of consultation and discussion within the framework of the National Plan of Action on Sexual Abuse and Exploitation which was adopted in March 2002. These experiences reflect an increasing recognition by States of the need to pay close attention to the actual process of law reform itself.

Practice has shown the importance of ensuring the involvement of relevant stakeholders at every level of society in this process. There is no “one size fits all” legal

code on trafficking and national particularities must be taken into account – this can only be successfully done when law is developed in a framework of wide, deep and sincere consultation. As we have learned from South Africa, it is important to acknowledge the role local communities have to play. They are both directly affected and are part of the solution. Likewise, legal solutions are potentially more successful when they build upon positive initiatives and practices developed at the local level, while overcoming harmful traditions. Equally important is the involvement of parliamentarians throughout the planning and drafting stages rather than just when a bill is tabled before them – a realization which was accorded high priority by the Government of

Senegal when it facilitated an awareness raising workshop for parliamentarians prior to completion of the draft of its law on sexual exploitation of children.

3.1.3 Intercountry legal harmonization

As recognized by the ECOWAS political and legal initiatives, the combat against trafficking calls for an approach by which states develop their national legislative framework while keeping in mind the transnational and regional dimensions of the phenomenon. For this reason, intercountry legal harmonization is critically important in order to render the various national legal systems more effective in

dealing with transnational aspects of trafficking – in terms of prevention, investigation, prosecution, as well as victim protection.

In this process, it is necessary to address the manner by which relevant legislation can be enforced beyond the national jurisdiction. In this regard, the Cooperation Agreement between Mali and Côte d'Ivoire, to Combat Trans-border Trafficking of Children, made in September 2000, is of particular relevance. (see Box 8). Moreover, increasing consideration is being given in Africa to extra-territorial laws to prosecute nationals who have committed crimes in other countries. Measures and agreements have also been adopted to facili-

Box 4 - The South African experience

The South African Law Reform Commission was established in 1973 as an advocacy body with the specific function of making recommendations to modernize, develop, improve, and reform the national legal framework. The Commission's recommendations have become the basis for reform, adoption of new laws, including the repeal of unnecessary provisions, the removal of anomalies from the legal domestic framework and the consolidation/codification of branches of the law.

Recently the Commission has included in its program the investigation of trafficking in persons, especially to develop legislation, to ensure the effective punishment of traffickers and to ensure the effective protection of victims. The South African Commission promotes the extensive participation of all stakeholders, including relevant actors in the civil society. It proposes law reform through a participatory knowledge building process.

The law reform process follows these main stages:

Project Committee. For the duration of the investigation the Commission's researcher appoints a Project Committee – composed of people with particular expertise in the issue at stake.

Issue Paper. The initial process starts with the preparation of an Issue Paper, which clarifies the aim and scope of the investigation, outlines the potential solutions to the problem and invites submissions on possible solutions. Before publication, the Issue Paper is presented to a Working Committee – representing selected members of the Commission. When approved, the Issue

Paper is widely distributed for extensive consultation including several grassroots workshops across South Africa. Beyond the presence of experts, in every single step of the legislative process civil society, young people, members of Parliament, public institutions and NGOs dealing with victims of trafficking are involved and consulted. Responses to the Issue Paper and further research lead to a Discussion Paper.

Discussion Paper. The Discussion Paper contains draft proposals for law reform, including existing legal provisions, their deficiencies and a range of possible solutions. In most cases the Discussion Paper will also include draft legislation. Before publication, the Commission or its Working Committee must approve it. Copies are then widely distributed to organizations and sometimes individuals particularly interested in the issue. Extensive consultation is once more promoted. The purpose of this consultation process is to test public opinion on solutions proposed by the Commission. Responses to the Discussion Paper form the basis for the preparation of the Report.

Report. The Report contains the Commission's final proposed legislation. If accepted by the Commission, the Report will be submitted to Parliament for final approval.

(Adapted from "Process and steps towards comprehensive legislation on trafficking in persons in South Africa", paper presented by Louisa Stuurman, South African Law Reform Commission, at the Child Trafficking Expert Workshop held at the UNICEF Innocenti Research Centre, Florence, Italy 20–21 March 2003.)

tate extradition of suspected traffickers, to secure relevant criminal evidence and to increase communication and cooperation between prosecutors and police forces in origin, transit and destination countries. This process raises additional difficulties, including overcoming challenges such as the ones identified in Nigeria, where the current provisions on trafficking in the criminal code are found hard to prove when the exploitation occurs outside the country.

The importance of this process of law reform in West Africa explains the support provided by the ILO West Africa regional office within its sub-regional African programme on Child Trafficking (LUTRENA) to Benin, Burkina Faso, Gabon, Côte d'Ivoire and Mali to strengthen and harmonize their national legislation against trafficking.

3.2 LAW ENFORCEMENT

Though little hard data is available on levels of law enforcement, there is widespread anecdotal evidence suggesting that, at least regarding criminal provisions, it remains very low. This situation can be explained by many factors: ineffective anti-trafficking laws, low level of knowledge on legislation, scarce resources available to law enforcers, few or no resources for transnational investigations, as well as victims' fear to give evidence against traffickers, and in some cases corruption and complicity. There is evidence that in some cases traffickers offer money to police officers to induce them either not to investigate or to tamper with evidence.⁴⁸ Information also indicates that sometimes when traffickers are arrested they tend to be released for lack of evidence.⁴⁹ In some other cases, although arrests of potential traffickers take place, they do not seem to be followed by relevant legal action.⁵⁰

Poor intercountry information sharing can

also be a problem and is being tackled in innovative ways. Recently, taking account of trafficking flows from Nigeria to Italy, an Italian NGO organized a delegation of Italian police, immigration, prosecutors and magistrates to visit the concerned authorities in Nigeria to enhance their collaboration. This has been considered as a successful initiative.⁵¹

The particular experience of a number of African States and the views of regional experts suggest that, in tackling law enforcement, consideration should be given to, inter alia, the need to elaborate laws appropriate to a country's capacities and constraints, campaigns of public information on the laws and the underlying policies, the empowerment of local communities to promote and support the implementation of legal provisions, the sustainable dedication of resources for implementation of the laws and the ongoing promotion of training for all relevant public officials. In the particular context of criminal law, it is also necessary to ensure consistency of approach during investigation and prosecution, establishment of joint investigation units at national and international levels, ensuring appropriate severity of penalty, provision of appropriate training to law enforcement officials regarding, in particular, the rights of victims, and paying special attention to border patrol activities and the provision of relevant travel documents.

The following chapter, in discussing policy responses to trafficking also draws together those threads which bind policy to law, enabling the presentation of an overall framework for effective responses to the problem.

⁴⁸Pearson, E., *Human traffic, human rights: redefining victim protection*, Anti-Slavery International, 2002, p. 164.

⁴⁹Human Rights Watch, 2003, op. cit.

⁵⁰U.S. Department of State Human Rights Country Reports on Gabon, 2001. U.S. Department of State, *Trafficking in Persons Report*, June 2003, p.142, p. 130, p.154.

⁵¹Anti-Slavery International, 2002 op. cit., p. 164.

4. POLICY FRAMEWORKS

Across Africa diverse perceptions of the problem of trafficking, combined with different socio-economic situations in each country, and with varying levels of political awareness, have created a heterogeneous mix of policy responses.

■ 4.1 REGIONAL LEVEL

Chapter 1 of this report has chronicled the principal African regional policy initiatives on trafficking. It has also referred to the important joint EU / Africa actions that are aimed towards adoption of an action plan to combat trafficking in human beings, particularly women and children.

Another development of considerable significance is the formulation of the New Partnership for Africa's Development (NEPAD) and the related commitments entered into by the G8 Governments in their meeting held in Kananaskis (Canada 2002). NEPAD provides a historic opportunity to overcome obstacles to development in Africa. Its overall objective lies in providing African leaders with a basis upon which to consolidate democracy and sound economic management, to promote peace, security and people-centred development, good governance and human rights as necessary pre-conditions for Africa's recovery.

In support of the NEPAD objectives, the G8 leaders undertook to establish enhanced partnerships with African countries whose performance reflects the NEPAD commitments and focuses on:

- Promoting Peace and Security;
- Strengthening Institutions and Governance;
- Fostering Trade, Investment, Economic Growth and Sustainable Development;

- Implementing Debt Relief;
- Expanding Knowledge: Improving and Promoting Education and Expanding Digital Opportunities;
- Improving Health and Confronting HIV/AIDS;
- Increasing Agricultural Productivity.

The dimensions are of clear relevance for effectively combatting the trafficking of human beings. The links are all the more evident with the stated commitment of the G8 Governments to focus their efforts on countries that demonstrate a political and financial commitment to good governance and the rule of law, that invest in their people, and pursue policies that spur economic growth and alleviate poverty. Such efforts can be further strengthened by a steady investment in children, as recognized by UNICEF in its recent policy statement "The Young Face of NEPAD" (see Box 5).

Important policy-level initiatives have also been undertaken at the sub-regional level in Africa, especially in Western and Central Africa. One of the first sub-regional consultations was held in Lomé, Togo, in 1997 involving Governments and NGO representatives. The consultation drew attention to the growing cross-border trade in child domestic workers and linked proliferation of trafficking networks to demographic, economic and socio-cultural factors. In July 1998, UNICEF and the ILO facilitated a sub-regional workshop in Cotonou, Benin, on the trafficking of child domestic workers in West and Central Africa generating a new awareness of the problem and encouraging research and action at the national level.

Box 5 - The young face of NEPAD⁵²

UNICEF is committed to support NEPAD as it recognizes the crucial role of African children and young people in the pursuit of its substantial programmes. NEPAD can be energized by a common global and continental concern for children, and by the recognition that human capacity is best fulfilled through investing in children and young people and through the realization of their rights.

Children and young people represent more than half of Africa's population. Substantial and sustained programmes in health, nutrition, basic education, clean water and social protection are essential investments in the development of these young citizens – and for Africa's future economic growth. Combating HIV/AIDS and making decisive improvements in girls' education are especially crucial for progress.

Young Africans in turn have the potential to be the engine that helps propel the NEPAD process in all parts of the continent. If given the right opportunities by African leaders, at all levels young people will be positive and dynamic partners for NEPAD, including for the bold actions that are necessary to overcome the unacceptable state of Africa's children.

Education, poverty, and empowerment are key areas where NEPAD aims to make a difference. These areas also relate to the key "push" factors of trafficking. It is therefore clear that the success of the NEPAD initiative is directly linked to combating the trafficking of women and children.

One of the most innovative dimensions of

NEPAD is the dedication of Heads of State to periodical monitoring and assessing progress made by African countries in meeting commitments towards achieving good governance and reforms. The system will use an independent body of experts and will be based on voluntary accession as well as mutually agreed codes and standards.

The system of "peer review" also provides a platform for countries to share experience with a view to fostering good governance and the democratic process. Such a procedure is very much in line with world experience since the 1990 World Summit for Children which has shown how the involvement of top leadership is a critical factor in the success of public action for children.

Furthermore, by involving young people in a mutually accountable planning and monitoring process and by considering child trafficking indicators of progress, the Peer Review foreseen by NEPAD can effectively work towards the elimination of this serious child rights violation.

In this context it will be important to ensure that the best interests of the child are the primary consideration in decisions made by social welfare institutions, courts of law, administrative authorities and legislative bodies. Child victims of trafficking should be provided with appropriate psychosocial, legal, and educational support, together with community based prevention. Neighbouring countries should aim to harmonize legislation and procedures to combat the trafficking of children and women.

On the basis of the experience of the Benin workshop, in February 2000 UNICEF and the ILO facilitated a further consultation in Libreville, Gabon, focusing on trafficking of children for labour purposes in West and Central Africa. This meeting was characterised by the high-level participation of all key stakeholders in the sub-region and led to the adoption of the Libreville 2000 Common Platform for Action, which marks the beginning of a regional process with serious political and strategic implications. The Platform for Action calls, inter alia, on international organizations to coordinate activities to support the develop-

ment and implementation of national policies against child trafficking, collecting, disseminating and sharing information among countries and institutions, as well as establishing a monitoring system. It helped to shape a common perception of trafficking – a pre-requisite for institutional cooperation at national or regional level and the first step towards a common strategy. The Libreville process continues and a second consultation took place in

⁵²The Young Face of NEPAD. Children and Young People in the New Partnership for Africa's Development (NEPAD), UNICEF 2002.

March 2002, again exemplifying the importance of sustained collaboration between Governments, international organizations and the NGO community.

The previous chapter referred to the groundbreaking policy-level initiatives of ECOWAS, especially the 2001 Declaration and Plan of Action and its follow-up activities. The engagement of ECOWAS carries with it the highly important benefits of support from the principal inter-governmental body within the West Africa sub-region. It also offers a transnational framework for country-level initiatives. Its impact and that of the Libreville process will be greatly enhanced if they can be closely calibrated to and mutually supportive of each other.

■ 4.1.1 Sub-regional activities concerning trafficking

In other sub-regions of Africa there is considerably less progress even though some incremental steps are being taken. The Southern African Development Community (SADC) has identified the threat posed by trafficking in the context of the increased regional mobility following political changes and the subsequent opening-up of borders and trade. In October 2002, IOM and the Government of Mozambique hosted a workshop on trafficking in persons in the SADC region, in Maputo, Mozambique. With a specific focus on the trafficking of women and children, the workshop brought together the relevant governmental and intergovernmental partners:

Box 6 - ECOWAS Declaration and Plan of Action against trafficking in persons

The Declaration and the Plan of Action against Trafficking in Persons were adopted during the annual ECOWAS Summit held in Dakar in December 2001. These two instruments mainly focus on criminal justice-related responses to trafficking in human beings. They also call for the elaboration of a more detailed and far-reaching action plan in the year 2003, on the basis of a deeper evaluation of the implementation of this initial Plan of Action.

To elaborate an effective legal framework and responsive policy development, the ECOWAS Declaration and Plan of Action established an internal monitoring body for ECOWAS: the Secretariat on the progress of the implementation of the initial Plan of Action. At the local level, they invite States to establish a National Task Force on Trafficking in Persons.

The National Task Force activities are mainly dedicated to:

- Enhancing cooperation and coordination between relevant Ministries and Agencies in developing anti-trafficking policies and interventions.
- Developing policy and taking action against trafficking in persons in cooperation with Inter-

Governmental Organizations, NGOs and representatives of civil society.

- Developing recommendations for the national plan of action against trafficking in persons.
- Monitoring and reporting through their government to the ECOWAS Secretariat on the progress of the implementation of the initial national plan of action on a bi-annual basis.

Secretariat on the progress of the implementation of the initial Plan of Action

The Secretariat on the progress of the implementation of the initial Plan of Action is a monitoring body, whose activities include:

- Receiving on a bi-annual basis the report from the National Task Force on Trafficking in Persons concerning the ongoing implementation of this initial Plan of Action.
- Coordinating and monitoring the implementation of the Initial Plan of Action and reporting on the progress achieved every 6 months to the Ministerial meeting of the Mediation and Security Council.
- Organizing an Expert Group Meeting for 2003, that evaluates the implementation of the Initial Action Plan.
- Making recommendations for further actions to be taken against trafficking in persons.

UNODC, UNICEF, INTERPOL, and NGOs and served as a useful forum for exchange of information.⁵³ In East Africa, in May 2002, a Conference for East Africa on migration policy was organized by the International Migration Policy Programme. This ground-breaking event was the first time trafficking was discussed at the sub-regional level in East and Southern Africa.

4.2 INTERCOUNTRY COOPERATION MECHANISMS

As has been already observed regarding inter-State legal arrangements, States are increasingly acknowledging that trafficking is a transnational issue.

At the policy level, formal responses to the need for close cooperation between countries include the development of bilateral cooperation agreements. As mentioned in Chapter 3, in Bouaké, on 1 September 2000, the Governments of Côte d'Ivoire and Mali signed a Cooperation Agreement on Combating Transborder Trafficking of Children. Though the recent

instability in Côte d'Ivoire has impeded implementation of this agreement it continues to have considerable potential to address intercountry concerns in an effective manner. Other West African agreements include one between Benin and Côte d'Ivoire and a repatriation agreement between Togo, Ghana, Benin and Nigeria.

Nigeria has also developed bilateral cooperation with some of the European countries of destination. For instance, the Nigerian and Italian governments have negotiated a "Re-admission Agreement" under which they cooperate in order to ease the re-entry of illegal immigrants deported back to Nigeria. The negotiation opens the way for accelerated deportations by Italy, and in return commits Italy to funding reintegration projects in Nigeria. The two governments are also committed to a technical cooperation pilot project with the United Nations Interregional Crime and Justice

⁵³This was one of the bases for a SADC programme against trafficking of drugs.

Box 7 - The African Committee on the Rights and the Welfare of the Child

The African Committee on the Rights and the Welfare of the Child is established under the African Charter on the Rights and Welfare of the Child and held its first session in April 2002, in Addis Ababa. In this session the Committee identified child trafficking as one of the main issues to be addressed together with children in armed conflicts, child labour, sexual abuse of children, orphans affected and infected by HIV/AIDS and the child's right to education. The second Session was held in Nairobi, Kenya on 17 February 2003. The Committee reported on different activities including the active role of the Organization of African Unity in drafting the "Plan of Action to Combat Trafficking in Humans, Especially Women and Children", considered by the Second Africa-Europe Ministerial Conference in Ouagadougou, December 2002.

The Committee:

- (1) Promotes and protects the rights enshrined in the Charter, in particular to;
 - collect and document information, commission inter-disciplinary assessment of situations on African problems in the fields of the rights and

welfare of the child, organize meetings, encourage national and local institutions concerned with the rights and welfare of the child, and where necessary give its views and make recommendations to Governments;

- formulate and lay down principles and rules aimed at protecting the rights and welfare of children in Africa;
- cooperate with other African, international and regional institutions and organizations concerned with the promotion and protection of the rights and welfare of the child.

(2) Monitors the implementation and ensures protection of the rights enshrined in the Charter.

(3) Interprets the provisions of the Charter at the request of a State Party, an institution of the Organization of African Unity or any other person or institution recognized by the Organization of African Unity, or any State Party.

(4) Performs any other task as may be entrusted to it by the Assembly of Heads of State and Government, Secretary-General of the OAU and any other organs of the OAU or the United Nations.

Research institute (UNICRI) to strengthen their local and national instruments to reduce trafficking of children and young women from Nigeria into Italy. The project includes the involvement of local administrations as well as the assistance of civil society from both countries. Also, two National Task Forces Against Trafficking, composed of representatives from the Nigerian and Italian Ministries of Interior and Justice, the National Police, Prosecution Department, NGOs and relevant experts, have been created to improve bilateral cooperation.

An analysis of existing inter-State cooperation agreements, in West Africa and elsewhere, demonstrates that their success is dependent on the extent to which they establish genuine complementarity, with each State committed to taking action to combat trafficking. When bilateral or multilateral agreements have been pushed only by a single country requesting the others to simply follow, the success of such a process is clearly compromised.

An important dimension of intercountry cooperation relates to victim repatriation and the need for its financial burden to be shared between the states concerned. There is, however, a prevailing perception that costs should be borne by the “supplier” country or by those exploiting the victims (who are, in any case, often not pursued). But in reality “supplier” countries frequently lack the necessary financial resources to fund assistance and repatriation for victims (in a number of African States NGOs and other organizations dealing with victims of trafficking have been requested by the Embassies of the country of origin of the victims, to assist with the cost of repatriation).

4.3 NATIONAL ACTIVITIES ON TRAFFICKING

One in four African countries is implementing a national project targeting trafficking in human beings. The preponderance of these is

Box 8 - The Cooperation Agreement between Mali and Côte d'Ivoire

On 1 September 2000, the Governments of Côte d'Ivoire and Mali signed a Cooperation Agreement on Combating Transborder Trafficking of Children. This groundbreaking agreement, signed under the aegis of UNICEF and in the presence of NGOs combating trafficking, is the first in West and Central Africa to establish formal procedures for cooperation against child trafficking between two States.

It is built on two principles: **the best interests of the child** in all circumstances, in line with the provisions of the Convention on the Rights of the Child (CRC); and **the definition of minimum standards**, with each State free to go beyond the obligations listed to combat child trafficking. Its recognition of all those under the age of 18 as children is in line with the CRC.

It uses a broad definition of child trafficking as: *“the entire process whereby a child is displaced inside or outside a country under circumstances which transform him or her into a marketable commodity for at least one of the attendant adults whatever the purpose of the displacement of the child; any act involving the recruitment, transportation, receipt or sale of a child; any act causing the displacement of a child inside or outside a country.”*

The Agreement is based on complementary responsibility and two types of common obligations are established: parallel measures and strategies to be implemented at national level, and actions to be undertaken jointly.

The country of origin has the obligation to prevent the trafficking and to ensure re-integration of child-trafficking victims in their communities of origin and in their families.

The country of destination has to protect child-trafficking victims, without discrimination, by ensuring that they receive the care they need and that they are repatriated; victims will be ensured full rehabilitation and their right to compensation will be recognized.

Monitoring and research: countries have to document and monitor child-trafficking practices within their national territory and organize and facilitate the repatriation of children within national territory in association with other bodies.

Joint funding: the financial burden for repatriations must be shared by the States according to mechanisms to be arranged.

(Extract from: *“Child Trafficking in West Africa: Policy Responses”*, UNICEF Innocenti Research Centre, Innocenti Insight 2002)

in West and Central Africa, as a result of the strong mobilization process of the recent past. However, there is an increasing incidence of national projects in Southern and Eastern Africa, where programmes and projects are implemented by one in every three countries.

Boys and girls are mentioned as a priority target in all of the projects which have been examined for purposes of this research, with 31 per cent specifically targeting child trafficking, and 46 per cent mainstreaming trafficking into other child protection areas, such as projects against child labour, commercial and sexual exploitation, and protection of street children. Trafficking of women is targeted in the remaining 23 per cent which are focused on trafficking in human beings in general.

An important characteristic of action and projects developed at national level in Africa is the tendency to work through collaborative processes with the broad participation of civil society. This allows the stakeholders to contribute to the formulation of policies and also helps the government to understand the perception of the stakeholders.

The most comprehensive programmes, such as those for development and implementation of national plans of action against trafficking, can be found in Western and Southern Africa. This is the case for example in Mali, which has a “*Plan national d’urgence de lutte contre le trafic des enfants*”, or Mozambique where trafficking is mainstreamed in the national campaign against child abuse, “*Campanha contra o Abuso de Menores*” developed in the framework of the program on women and children “*Programa de Atendimento à Mulher e à Criança*”.

Some other African countries, especially in Western Africa, have also elaborated national plans of action which are, however, not operational. Difficulties with the implementation of these national plans recall the extent to which national action planning is a challenging and long term process; furthermore, some of the national plans may have been designed on too large a scale and, for this reason, encountered serious setbacks concerning sustainability. Others did not succeed in building the necessary political support and were too heavily donor driven.

Both in terms of the extent to which individ-

ual States are developing and implementing policy and the content of that policy, countries are taking a wide variety of approaches. Countries of origin tend to be more aware of the issue of trafficking and usually more active in promoting policy responses. This is particularly visible in cases where trafficking is linked to important cross bordering migration flows as in the instance in Mozambique in the context of increasing migration flows to South Africa. In Tanzania, on the contrary, where trafficking seems to be perpetuated mainly internally, policy responses at the national level are less developed.

Transit countries are more likely to perceive trafficking as a non-national issue. Victims and users are not their nationals, and for this reason governments frequently may not acknowledge any direct responsibility for tackling the problem. This might explain the lack of information regarding action on trafficking in North Africa, a sub-region widely reported to be a transit point for trafficked people en route to Europe.

Authorities in countries of destination frequently display a certain indifference towards the victims of trafficking and might perceive it as a problem that originated in another country and that does not affect their own children. Thus destination countries tend to be more active in the prosecution of the traffickers, and, in many cases, trafficking is addressed as part of policy responses to illegal immigration, to strengthen border control and limit the movement of persons. Governments might also be liable to transfer responsibility for the flows of trafficked children to neighbouring countries and, as a consequence, analysis of intercountry ‘cause and effect’ patterns is only sporadic.

In general, policy responses seem to reflect an understanding that, for Africa, trafficking is an emerging issue and that the main focus of reaction should be guided by the principle of providing rapid responses to protect and assist victims.

■ 4.4. TOWARDS A FRAMEWORK FOR ACTION

■ 4.4.1 A human rights approach

The growing appreciation by States in Africa of the significance of combating trafficking

Box 9 - The Concluding Observations on African country reports of the Committee on the Rights of the Child

During the period 1993-2002, the Committee on the Rights of the Child examined the reports of 42 African countries and commented on the national trafficking policies of 18 countries.

In Western Africa,⁵⁵ the Committee welcomed the national programme on trafficking undertaken by Burkina Faso and the adoption of a travel document by that country together with five other countries in the region. It also welcomed the bilateral agreement between Mali and Côte d'Ivoire prohibiting trafficking between them and Mali's decision to set up a National Commission on trafficking. However, the Committee expressed concern about trafficking in many countries in the region – often described as either widespread or increasing. Trafficking was primarily for the purposes of either economic or sexual exploitation, often particularly affecting girls. In its recommendations, the Committee called, in particular, for the promotion of cooperation agreements between countries, the ratification of relevant international legal instruments, review and reform of legal frameworks, the strengthening of law enforcement and the instigation of educational programmes focusing on raising awareness on trafficking issues, together with reintegration programmes for victims.

In Southern Africa,⁵⁶ the Committee noted the

efforts of South Africa to address trafficking of children, including by the adoption of the Hague Convention on The Protection of Children and Co-operation in Respect of Intercountry Adoption. However, the Committee was concerned about trafficking in a number of countries in the region. Trafficking for the purposes of prostitution was the most common reason. Recommendations were similar to those in Western Africa.

In Central Africa⁵⁷ the Committee noted the recent criminalisation of trafficking in children in Gabon and the setting up of a national inter-ministerial committee on the issue. However, it also noted the exploitation of large numbers of trafficked children in several countries in the region, both through slavery and sexual abuse. Recommendations included training and childcare programmes.

There were comments from the Committee concerning only one country in Eastern Africa.⁵⁸ The Committee noted incidents of trafficking in children, especially girls, primarily for domestic labour. The Committee recommended facilitation of reunification of child victims with their families and provision of adequate care and rehabilitation for them. There was no discussion of trafficking during the examination of reports from Northern Africa.

with a human rights approach has been discussed in Chapter 3 and elsewhere in this report.⁵⁴ This approach goes beyond legal provisions whereby it informs policies and programming at the national level, as well as at the levels of bilateral and multilateral cooperation, *inter alia* in the context of regional and international organizations.

Among the significant references bridging international human rights provisions and national policy is the guidance provided by several international bodies which monitor the implementation of the human rights treaties by States Parties, in particular the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination Against Women. The strong commitment already given to the combating of trafficking by the newly established African Committee on the Rights and the Welfare of the Child also indicates the role it is likely to play in monitoring

the reality of trafficking and providing relevant policy guidance.

4.4.2 Trafficking as a development issue

The priority attention paid to trafficking and its root causes within multilateral African initiatives such as those of ECOWAS and, potentially, in the NEPAD framework, reflects how this issue has a structural significance in society with extensive implications on the social, economic and organizational levels.⁵⁹ Thus, as has been observed, trafficking is increasingly understood to be a phenomenon facilitated by prevailing poverty, lack of education and of

⁵⁴See also Box 5, p.36.

⁵⁵Benin, Burkina Faso, Cameroon, Cape Verde, Guinea, Côte d'Ivoire, Mali, Mauritania, Niger, Nigeria, Togo.

⁵⁶Lesotho, Malawi, Mozambique, South Africa.

⁵⁷Democratic Republic of Congo, Gabon.

⁵⁸Tanzania.

⁵⁹See Box 5, p.36.

investment in other basic social services. It also represents a decisively significant factor compromising development of the poorest countries as well as the development of the most vulnerable groups in society. In most cases it affects the most marginalized members of society and, by taking advantage of their vulnerability and social exclusion, it erodes community protection networks, increases the waste of human resources and contributes to the enlargement of criminal organizations' capacities.

At the country level the link between trafficking and development is beginning to be reflected within development frameworks, such as the Common Country Assessments/United Nations Development Assistance Frameworks (CCA/UNDAF) and the Humanitarian Consolidated Appeals (CAP), as well as the Poverty Reduction Strategy Papers (PRSP). For instance, in the Great Lakes Region, Central Africa, and Southern Africa region, within the context of CAP, resources have been allocated to implement specific actions providing support to vulnerable children with particular attention to child victims of abuse and exploitation.⁶⁰ In Guinea one of the poverty reduction priority objectives includes the protection of children against trafficking through awareness raising programmes, training of security and justice officials and NGOs.⁶¹ Country-based programmes of co-operation, such as those agreed upon between UNICEF and African governments, may play an equally important role in developing policy and strategies to counter trafficking.

4.4.3 Building partnerships. The critical importance of collaboration and cooperation among stakeholders

Trafficking is a complex phenomenon involving multiple stakeholders at different institutional and community levels.

Government departments

Governments have a primary responsibility in combating the practice of trafficking. Given the multifaceted nature of trafficking and its solutions, responsibilities extend to the work of multiple departments, usually with one of them taking the lead role. In Africa that lead role

tends to be fulfilled by the Ministries of Social Affairs⁶² (47 per cent of countries analyzed), followed by the Ministries of Labour (17 per cent), the Ministries of Justice (7 per cent) and Home Affairs (7 per cent). In Southern and Eastern Africa it is essentially the Ministries of Labour and of Home Affairs which act as chief agents. In some African countries, trafficking in human beings is also dealt with by other ministries such as Foreign Affairs and those with special responsibility for women's and children's affairs.

The involvement of various ministries in the formulation and implementation of policies against trafficking in children and women requires effective coordination arrangements, both to achieve an integrated national policy approach and effective mobilisation of resources, and to facilitate effective international cooperation. For this reason, a number of African States has devised successful models for cooperation between relevant authorities. In Gabon an ad hoc Inter-Ministerial Committee has been put in place and is taking the lead pursuant to the Libreville Common Platform of Action. In Nigeria, an ad hoc Presidential Committee on Human Trafficking and Child Labour has been established. The Ethiopian Government has responded to the increasing salience of trafficking with an Inter-Ministerial Committee on trafficking of women and children.

When this approach is not followed at the national level, institutional collaboration will be compromised, resources will not be mobilized, and it will be difficult to effectively promote and monitor programmes. Internationally, it will be impossible to ensure effective law enforcement and judicial cooperation to protect victims and prosecute perpetrators, or to provide effective reintegration processes guid-

⁶⁰United Nations, Consolidated Inter-Agency Appeal for Great Lakes Region and Central Africa 2003, Mid-Year Review, New York and Geneva, May 2003; United Nations, Consolidated Inter-Agency Appeal for Southern Africa, Mid-Term Review 2003, Regional Overview, New York and Geneva, February 2003

⁶¹Government of Guinea, Poverty Reduction Strategy Paper, January 2002.

⁶²The denomination of 'Social Affairs' may differ from one country to another. This text uses the general term Ministry of Social Affairs, to distinguish this ministry from the Ministry of Labour.

ed by the best interests of the child and by the relevant human rights standards.

Social services and education sectors

Two other key governmental stakeholders in the struggle against trafficking – national social service systems and the formal educational sector – appear to have less impact in Africa than elsewhere. In Africa, social services in general suffer from limited resources and often face critical challenges in ensuring their effective functioning. Due to the limited financial capacities, large gaps in rehabilitation structures as well as in expertise and skills have to be addressed when dealing with the phenomenon of trafficking. Where large-scale school systems exist, their potential in contributing to the prevention of trafficking has yet to be recognized by the principal agents. Nevertheless, some important steps in this direction are currently being taken: for instance, in Ethiopia, IOM is embarking on a project which aims at sensitizing female students on pertinent issues regarding HIV/AIDS, irregular migration and trafficking; both in schools and in the informal sector.

Police and border patrols

Police and border patrols play a crucial role in

preventing trafficking flows by promoting the protection and return of victims and the identification of traffickers. However they can also become participants in the trafficking chain. To prevent risk of negligence, complicity and corruption, as well as the disrespect of children's and women's rights, training becomes essential. Save the Children Alliance in West Africa is preparing a training manual on children's rights for law enforcement officials in the context of trafficking.

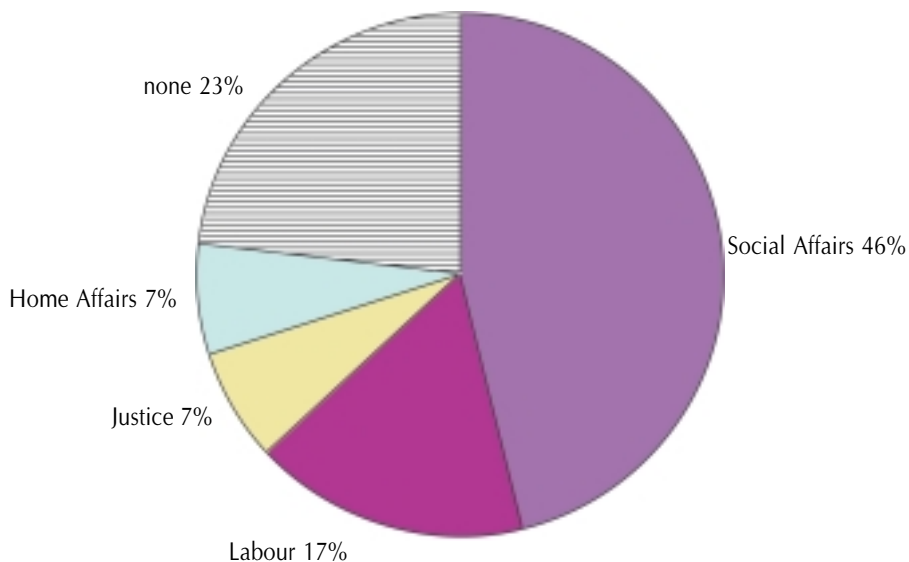
Non-governmental organizations

Among the national NGOs actively involved in fighting trafficking in Africa, most appear to focus on prevention programmes addressing potentially vulnerable children and women and promoting awareness raising in communities at greatest risk. Few of them have, as yet, developed strong capacities. Major international NGOs are also active in the region, including Save the Children, Terre des Hommes, ECPAT and WAO-Afrique.

Community-based organizations

Community-based organizations (CBOs) can contribute significantly to concrete policy measures undertaken against trafficking, as

Figure 15 - Ministries tackling trafficking in African countries



exemplified by experiences in Benin and Togo, where village committees have been established. Apart from enabling the involvement of civil society in awareness raising against trafficking, these committees were also successful in reporting cases and monitoring the re-integration of victims. Benin has over 700 of these committees.

Labour organizations

Labour organizations can also fulfil a critical function in promoting measures against trafficking. In many cases, trade unions are immediate stakeholders in child trafficking and could make a valuable contribution to its eradication. Transport unions in Mali and taxi drivers in Gabon have taken a lead role in addressing their responsibility for facilitation of trafficking and have also become actively involved in sensitizing their colleagues in neighbouring countries.⁶³

Media

Potential engagement of the media should not be underestimated, though official anti-trafficking campaigns in Africa tend to overlook their partnership possibilities – a gap which was identified and imaginatively tackled in Senegal, where training workshops for journalists on the issue of sexual exploitation were

held during 2002. That training programme emphasized that media engagement should be encouraged not to address trafficking on a merely sporadic basis, related to the latest horrific news. Rather, media attention may have a greater and lasting impact on public opinion if it is reflective and sustained.⁶⁴

Children and youth

Children and youth involvement is crucial, not just because they are one of the major groups at risk but because they can play an indispensable role in building knowledge and awareness and improving prevention. Their efforts and capacities require ongoing support. The potential of youth groups is exemplified by the achievements of the African Movement of Working Children and Youths, which is successfully involved in awareness-raising campaigns against trafficking. This is also reflected in the recent ECPAT project for child victims of sexual exploitation in South Africa, Mozambique and Malawi (see Box 11). The critical importance of involving children and youth has recently been emphasized by UNICEF in the context of NEPAD as discussed in Box 5.

⁶³UNICEF Innocenti Research Centre, 2002, op. cit. p.15.

⁶⁴Ibid. p.7.

Box 10 - Benin Village Committees to fight child trafficking

As a result of joint research by UNICEF and the Government of Benin, together with the decentralization of activities against child trafficking, Benin's first Village Committees were created in August 1999 in the sub-prefectures of Ze, Dogbo and Agbangnizoun in the south of the country – the area most affected by child trafficking. There are now more than 170 committees carrying out a whole range of activities.

The Committees provide social surveillance of the movements of children in their villages by means of raising awareness and through reporting cases of sexual or other abuse of children, of suspect or fraudulent departures of children and of children exposed to placement or trafficking. Additionally, they monitor the re-integration of trafficked children once they return to the village.

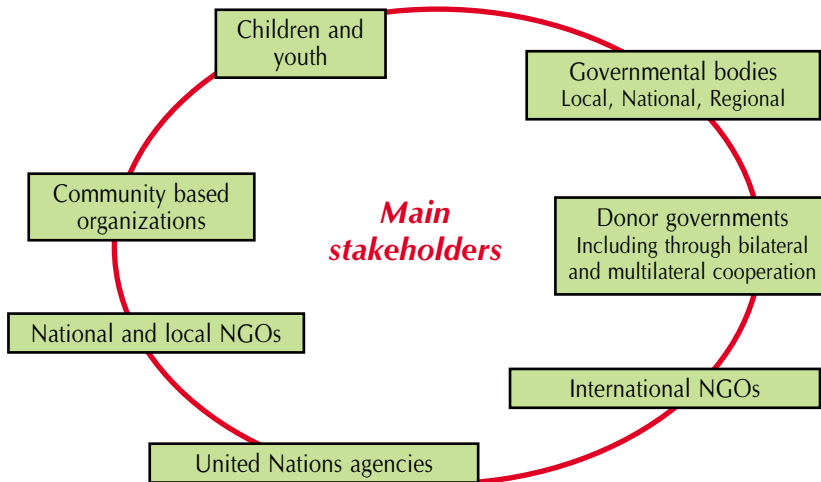
When a child leaves the village, the Committee carries out a rapid investigation and alerts the

nearest gendarmerie unit or the Juvenile Protection Squad. In many cases, this rapid response has impeded the transportation of 'cargoes' of children to neighbouring countries.

Village Committees have the advantage of on-the-spot supervision, which encourages spontaneous monitoring of local children, an early warning system, and the division of tasks so that everyone involved is assigned a clear-cut role in the process. The Committees also provide efficient birth and death registers in the villages, thus keeping population information up to date. This allows better understanding of the current situation and of the movements of children, and compensates for ineffective official registry of births, marriages and deaths.

(Extract from: "Child Trafficking in West Africa: Policy Responses", UNICEF Innocenti Research Centre, 2002)

Figure 16 - Main stakeholders in Africa



Box 11 - Youth partnership project for child victims of commercial sexual exploitation in South Africa, Mozambique and Malawi

In 2003, ECPAT International started a project for child victims of commercial sexual exploitation. This project is based on an active involvement of young people and intends to increase their participation in the fight against commercial sexual exploitation of children (CSEC), to strengthen their skills, to improve the quality of recovery and reintegration programmes for victims, and to reduce victims' sense of isolation.

More specifically, the project aims at improving young people's counseling capacities and strategies. To this end, the project prioritizes the support of lobby and advocacy activities – including awareness-raising campaigns – and the creation of a knowledge base on commercial sexual exploitation. It will be realized, with the support of ECPAT International, by the following leading national organizations in South Africa, Mozambique and Malawi:

- *Sithabile Center* in South Africa
- *Rede da Criança* in Mozambique
- *Eye of the Child* in Malawi.

The project is based on the belief that children's and young people's empowerment is essential so that they are able both to claim their rights

and to understand their responsibilities. Apart from targeting potential victims of CSEC, the project also aims at enhancing perceptions and knowledge about CSEC in the police sector and in judiciary systems. ECPAT finally endorses the view that both an active role by local communities and greater awareness about CSEC in the society at large are indispensable pillars for successful actions against child trafficking.

Building on young people's active participation, the project embarks on two main strategies:

- **Peer counseling.** Young people, victims of CSEC, will be trained as young counselors specifically on CSEC. They should then be able to support target groups of CSEC, assist young victims in the role of recovery and reintegration facilitators and intervene as shelter and help-line workers.
- **Awareness raising.** Awareness raising activities, implemented by young victims of CSEC, will address local communities, law enforcement personnel and media personnel.

(Extract from "A Child Participatory Approach to Awareness Raising Campaigns" presented by Manuel Finelli, ECPAT International, at the Child Trafficking Expert Workshop held at the UNICEF Innocenti Research Centre, Florence, Italy, March 20–21 2003.)

Women's organizations

Women's organizations often also play a highly significant role in programmes against trafficking, as exemplified by the national impact of Girl's Power Initiative and Women Consortium of Nigeria. The impact of women's organizations is enhanced when undertaken with-

in the context of networks – organizations report that the sharing of crucial information and experiences reduces a certain sense of isolation and makes organizations' members more conscious of their valuable role in awareness-raising processes. Moreover, formal and informal associations of women create a net-

Box 12 - IOM experience of repatriation in Nigeria, with vocational skills training

"Do not be deceived into travelling to Italy, things are rough over there. The promise of a well paid job – a bed of roses – may be a way of luring you into prostitution, you will be exposed to untold hardships." This was the advice Victoria gave to a couple of girls whose discussion about travelling to Italy she overheard while at a hair dressing salon. The two young girls who were having their hair plaited, laughed at her and wondered what she was talking about until they heard her story and the bad experience she had in Italy. Victoria was speaking with a heartfelt desire to protect the two young innocent girls. At the beginning they looked at her with disbelief, but at the end of a long talk they were finally convinced and thanked her.

Victoria is the only daughter of a poor, but honest family in Benin City, consisting of her father, mother and four brothers. While she was still a young teenager, her parents divorced and she replaced her mother in taking care of the family. Her father did all he could to look after the family, but even though Victoria would have loved to complete her studies, she had to leave, so that her father would have enough money for the education of her brothers.

At that time Victoria was regularly visiting an old school friend, whose mother, Pauline, offered her a job in Italy. It was common knowledge that many Benin girls go to Italy for prostitution, so she told her that she was not interested. Pauline reassured Victoria about the job and shortly took her to a voodoo shrine to make a vow. Victoria knew that this was the usual traditional ritual to have control over a girl's will, however she accepted to undergo such practice upon condition that she would not to be brought to Italy for prostitution.

Some days later, Pauline introduced Victoria to a 40 year-old woman, called Madame, who had just come back from Italy. She seemed

delighted to meet Victoria. Finally, Victoria started her long journey to Italy with the Madame, stopping in Lagos where Madame procured her a passport. Once in Italy, in the cab from the airport Madame started to talk about the possibility for Victoria to start working the next day and told her that she was going to work as a prostitute. Victoria became extremely angry and her protests attracted so much attention that Madame abandoned her, after confiscating her passport, to prevent any problems.

Victoria roamed the streets of Milan in desperation for five days until an Italian woman gave her enough money to take a taxi to the nearest police station. The police helped Victoria and referred her to the Missionary Sisters of Charity who offered her a safe shelter and further assistance for her voluntary return to Nigeria.

Once back in Africa, the IOM office in Lagos gave Victoria the opportunity to start a micro enterprise, after "ad hoc" vocational training. She set up a shop selling baby clothes. This decision was taken between the IOM staff and herself, after thorough analysis to find the best and most durable way for her to reintegrate into her home society, building her economic stability and independence on the basis of her personal skills.

She is now busy with her job and actively involved in helping young girls making sure that they are informed about the dangers of falling prey to traffickers.

Victoria is one of 28 Nigerian victims of trafficking that IOM Rome assisted with their safe return and reintegration into their area of origin, since April 2001 with the support of the Italian Government.

(Extract from 'Alliances to Protect Victims from Trafficking', paper presented by Giulia Falzoi, at the Child Trafficking Expert Workshop held at the UNICEF Innocenti Research Centre, Florence, Italy 20-21 March 2003.)

work of mutual assistance, which may both reduce the risk of being trafficked and the potential threat of reprisals against reintegrated victims.

International organizations

International organizations are contributing to the fight against trafficking of human beings by supporting governments' efforts. Trafficking in human beings, especially women and children, falls within the mandate of a number of UN agencies, funds and programmes and other international organizations. In Africa, for example the following are active: IOM, ILO, UNICEF, UNODC, UNICRI, OHCHR, UNHCR, ICRC, and IFRC.

4.4.4 Areas of action: an overview

By taking into account the very many significant anti-trafficking measures which are being implemented across Africa, as well as experience elsewhere, it is possible to chart an overview of key areas which should be addressed, and experience demonstrates the importance of connecting the problem of trafficking in human beings to many areas of political and social life and of addressing it at multiple policy levels: international, regional, bi-lateral, national and local.

Prevention has often been emphasised as a priority area for policy action. Prevention may be more effective when focusing on the overall empowerment of vulnerable communities and groups of the population at greater risk. Similarly, strategies to protect the human rights of potential and actual victims of trafficking gain a special relevance. Major improvements in this area are often dependent on providing these communities with appropriate tools to protect themselves, such as: birth registration systems, an empowering environment for responsible parenting, support to the development of protective community networks, affordable and real access to basic social services, provision of travel papers, etc. Protection also includes determined criminal law responses in terms of policing, investigation, prosecution and accountability of traffickers and trafficking networks, as discussed already in this chapter.

Secondly, policy measures implemented against trafficking may be more efficient if they are directly targeted at practices and perpetrators of trafficking. This dimension of counter-measures could comprise the use of appropriate criminal legal instruments as a deterrent, the sensitization of local communities towards certain cultural practices that may reinforce or perpetuate trafficking in women and children (keeping in mind that Africa is a region of origin, transit and of destination), the training of stakeholders, information campaigns, and the ongoing promotion of research on roots, forms and patterns of trafficking. All preventive actions, whether large-scale or targeted at specific instances of trafficking, must have adequate resources and political support.

Criminal law responses can be more efficient when they include comprehensive witness and victim-focused measures and safeguards. These measures may range from confidentiality, legal assistance, provision of appropriate safe and secure environments for groups at higher risk, to specific measures against the stigmatisation and criminalisation of victims. Concerning potential risks of victimisation, factors of compassion have to be considered in the regularisation of a victim's social status. Above all, the particular situation of children has to be kept in mind and all procedures affecting them should be governed by the best interests of the child.

The protection of victims should inform all actions aimed at their potential repatriation, return to their communities and reintegration into society. Thus, they should be afforded safe, voluntary and timely repatriation. If required, protective measures should include appropriate alternatives to repatriation, especially in the light of the principle of the child's best interests. Finally, particular relevance should be attached to a monitoring process whereby the reintegration of all formerly trafficked human beings is supervised. This might include specific initiatives to provide an appropriate welcoming and supportive environment to the returnees by assisting their communities.

Box 13 - Experience in one region: UNICEF policies and programming on child trafficking in West and Central Africa

UNICEF has been working on the issue of child trafficking in West and Central Africa since 1998. It has promoted advocacy at the highest international and regional levels. At country level, UNICEF supports the integration of trafficking into current policy areas and the development of National Plans of Action against this phenomenon.

The regional strategy against child trafficking has four main thrusts:

- advocacy;
- improving knowledge and information sharing;
- strengthening international cooperation;
- enhancing internal capacity building.

UNICEF has incorporated child trafficking into its broader child protection projects, creating three entry points:

- as a specific issue in the area of protection;
- in programmes for information, awareness and advocacy on children's rights;
- in programmes or projects to combat child labour.

Initial activities in West Africa focused on programme activities for children trafficked for domestic work. Activities have now expanded to include children working in agriculture and the informal urban sector, with four strategic thrusts:

- advocacy and social mobilization;
- national capacity building;
- studies and research;
- educational rehabilitation and socio-economic re-integration of children.

A review of country approaches finds that child trafficking is being mainstreamed in a flexible manner according to national priorities.

In Benin, for example, the 1999-2003 UNICEF programme on Children in Need of Special Protection Measures (CNSPM) supports capacity building activities on the CRC, the completion of studies on children at risk and child

workers, and advocacy for the creation of village monitoring committees and improved coordination between relevant players. The programme also includes indirect support for the recovery and reintegration of children through local NGOs, although this is not intended to act as a substitute for the desired government activity in this area.

In Gabon (2002-2006) child trafficking comes under UNICEF's Advocacy and Social Policies Development Programme, with a strategy based on awareness-raising, data collection and support for sub-regional agreements.

In Mali, UNICEF supports a National Emergency Plan to Combat Child Trafficking, adopted in March 2000. A National Monitoring Committee has been established under the leadership of the Ministry for the Family, comprising all government and non-governmental partners as well as UNICEF, ILO/IPEC and IOM.

In Nigeria, UNICEF helped to raise awareness of rapidly emerging cases of child trafficking with an early study on the issue, published in 1998,⁶⁵ and a broader study on the protection of children's rights.⁶⁶ The new Cooperation Programme for UNICEF in Nigeria (2003-2007) includes a Programme for Youth Protection and Participation, focusing on HIV/AIDS and the eradication of the worst forms of child labour, in particular trafficking and sexual exploitation. A community development programme may also include activities against child trafficking.

In Togo (2002-2006) child trafficking falls under the Community Capacity-building Programme, which empowers communities to take action on child protection problems, including child trafficking.

⁶⁵UNICEF, *Child Trafficking in Nigeria's Southern Border Towns*, Lagos, 1998.

⁶⁶UNICEF, *Child Protection in Nigeria: Summary of research findings on protection and violation of children's rights*, Lagos, 1998.

5. CONCLUSION

The incidence of trafficking in Africa gives cause for concern. This report has demonstrated the extent of its prevalence across all sub-regions as well as the complexity of its forms. It is clear that Africa faces a challenge both as a region of origin for trafficked women and children and also as a region of destination in the sense that most trafficking appears to occur within the continent itself. Levels of awareness of the problem vary significantly from sub-region to sub-region.

There are, however, grounds for guarded optimism regarding the capacity and resolve to tackle the problem. At the regional level, the bold new thinking reflected in the NEPAD demonstrates the determination of African States to address the root causes of trafficking, and the support of G8 leaders for NEPAD is encouraging. What is more, the priority given in the Africa-Europe Dialogue to the issue of trafficking of women and children is important.

The experience of African States demonstrates the extent to which effective counter-trafficking measures require to be comprehensive, integrated and targeted at multiple levels within society. In so doing they must balance effective criminal law reform and enforcement with a firm commitment to the promotion and protection of the human rights of actual and

potential victims. The extent to which a number of States are reflecting all these dimensions in their planning and programming is encouraging and it will also serve to guide States outside Africa in their own efforts.

Trafficking is a scourge which requires responses based on respect for human rights, including the best interests of the child and which, as an element of a gender perspective, should seek to empower women and girls.

For policy development there is a need for continuous quality information on the magnitude, nature and economics of trafficking. To this end, effective cooperation and coordination is required at every level and across all sectors, at the national, regional and international levels (including between states of Africa and Europe). This requires partnerships between governments, inter-governmental organizations, non-governmental organizations and other relevant actors of civil society.

There are strong expectations that the Action Plan to Combat Trafficking in Human Beings, Especially Women and Children, developed in the framework of the EU/Africa Summit, when adopted, will, together with other important initiatives and strategies, set a clear framework to inform effective action, tangible implementation and successful cooperation between countries.

ANNEXES

ANNEX 1

IRC Database on Trafficking of Women and Children in Africa

Section of database	List of variables
	Identification Number Regional Office Name of the country
Basic economic and demographic information	Population GDP per capita Under 5 population Net primary school enrolment ratio Percentage of population using improved water sources Infant Mortality Rate Under 5 Mortality Rate Children living with HIV Women living with HIV Human Development Index
Status of implementation of International actions:(planned, not planned, ongoing, completed, not completed)	Common Country Assessments United Nations Development Assistance Framework Debt Initiative for Heavily Indebted Poor Countries Poverty Reduction Strategy Paper
Number of documents available in the public domain on trafficking of children and women in African countries	Number of documents found in English Number of documents found in French Number of documents found in Spanish/Portuguese
Perception of trafficking patterns	Recognition of trafficking as a problem Internal trafficking Cross border trafficking Recognition of the country as an origin point for trafficking Recognition of the country as a transit point for trafficking Recognition of the country as a destination point for trafficking Labour as a reason for trafficking Prostitution as reason for trafficking Adoption as reason for trafficking

continued **IRC Database on Trafficking of Women and Children in Africa**

Section of database	List of variables
International standards and legislation: status of signatures and ratifications of International Conventions and Protocols relating to trafficking in human beings	<p>Convention on the Rights of the Child</p> <p>Optional Protocol to the CRC on the sale of children, child prostitution and child pornography</p> <p>Worst Forms of Child Labour ILO Convention 182</p> <p>Convention against Transnational Organized Crime</p> <p>Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</p> <p>Hague Convention n.33 on Protection of Children and Cooperation in Respect of Intercountry Adoption</p> <p>Hague Convention n.34 on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children</p> <p>Convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others</p> <p>UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery</p> <p>International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p>Convention on the Elimination of All Forms of Discrimination against Women</p> <p>Optional Protocol to The Convention on The Elimination of Discrimination against Women</p> <p>African Charter on Human and Peoples' Rights</p> <p>African Charter on the Rights and Welfare of the Child</p>
National legislation	<p>Legislation against trafficking</p> <p>Legislation against child labour</p> <p>Legislation against sexual exploitation</p>
Cooperation agreement	<p>Cooperation Agreement</p> <p>Multilateral agreement</p> <p>Regional Plan of Action</p>
Programmes and projects	<p>National Plan of Action</p>
IRC questionnaire answered by Unicef field offices in collaboration with major stakeholders in African countries	<p>Perception of severity of trafficking</p> <p>Perception of trafficking patterns</p> <p>Perception of victims' exploitation</p> <p>Perception of the magnitude of trafficking</p> <p>Main sources of information on trafficking at national level</p> <p>Main limits in getting data and figures on trafficking at national level</p> <p>Need to improve capacities in data collection at national level</p> <p>Need to improve capacities in data analysis at national level</p> <p>Need to improve capacities in data dissemination at national level</p> <p>Identification of leading institution dealing with trafficking</p> <p>Identification of governmental mechanism dealing with trafficking</p> <p>Identification of others key players dealing with trafficking</p>

continued **IRC Database on Trafficking of Women and Children in Africa**

Section of database	List of variables
IRC questionnaire answered by UNICEF field offices in collaboration with major stakeholders in African countries	Validation of Public Information Baseline National mechanism to monitor the implementation of international conventions National legislation on trafficking in human being National legislation regulating child labour National legislation against sexual exploitation of children Other legal instrument useful in the fight against trafficking Number of actual prosecutions and convictions for trafficking
	Government project targeting trafficked women and children Cooperation agreement to fight against trafficking Multilateral agreement to combat trafficking Regional Plan of Action and monitoring mechanism to combat trafficking Unicef projects targeting trafficked women and children and number of beneficiaries Other relevant associations and organizations' program targeting trafficked women and children

ANNEX 2

Ratification Status of the International Instruments Relating to Trafficking in Human Beings		
	Africa	EU
Total number of countries	53	15
UN Convention against Transnational Organized Crime - CTOC (2000)	10	2
Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime - CTOC (2000)	6	2
ILO Convention 182 on the Worst Forms of Child Labour (2000)	42	15
Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000)	12	3
Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (1999)	3	12
Hague Convention n. 33 on Protection of Children and Cooperation in Respect of Intercountry Adoption (1993)	3	11
African Charter on the Rights and Welfare of the Child (1990)		21
Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990)	8	0
Convention on the Rights of the Child (1989)	52	15
African Charter on Human and People's Rights (1986)	53	
Convention on the Elimination of all Forms of Discrimination against Women (1979)	49	15
UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956)	31	15
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949)	21	7

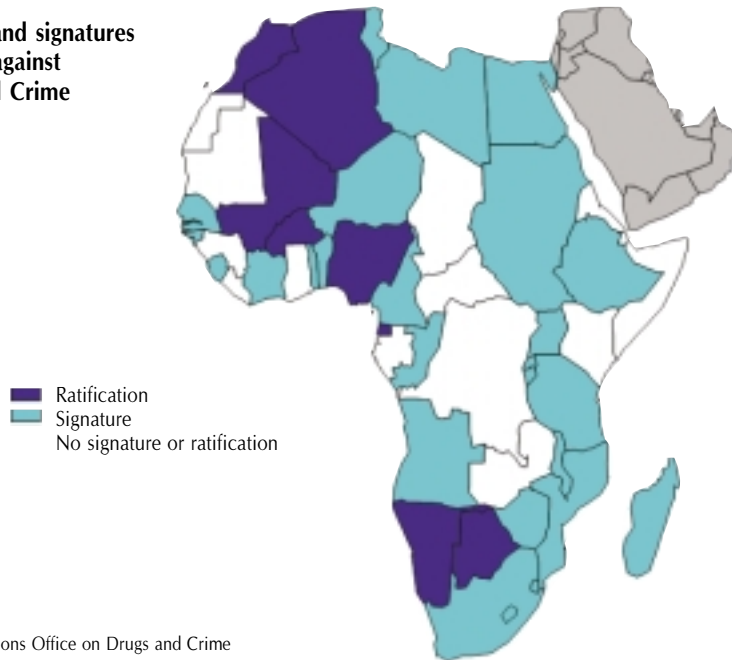
As of April 28th 2003

Source: UNICEF IRC

ANNEX 3

Ratification of International Conventions and Protocols Relating to Trafficking in Human Beings

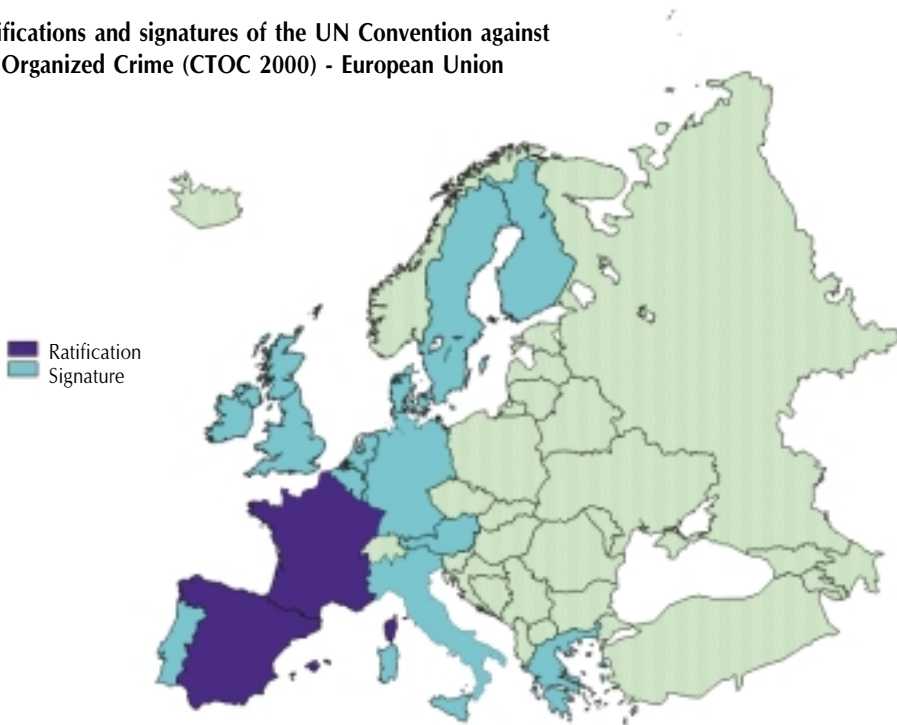
Figure 1 - Ratifications and signatures of the UN Convention against Transnational Organized Crime (CTOC 2000), Africa



As of April 28 2003, United Nations Office on Drugs and Crime

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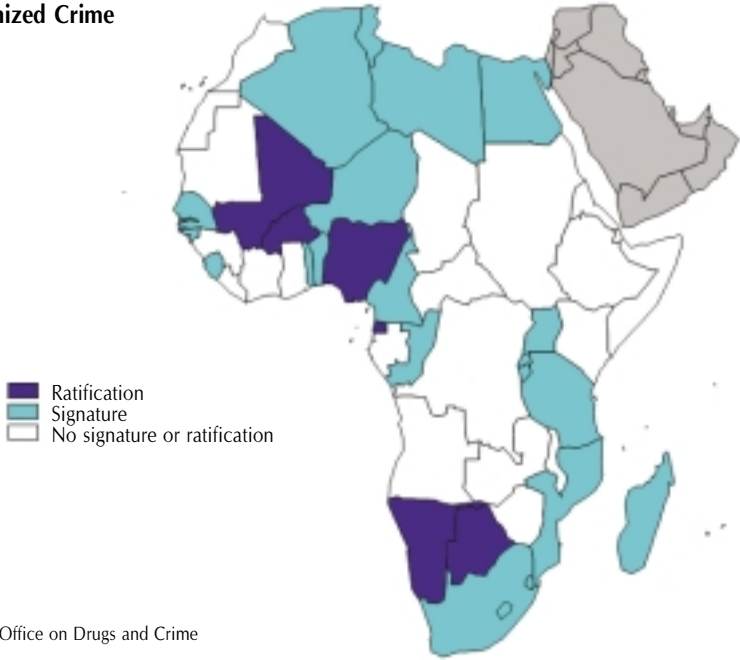
Figure 2 - Ratifications and signatures of the UN Convention against Transnational Organized Crime (CTOC 2000) - European Union



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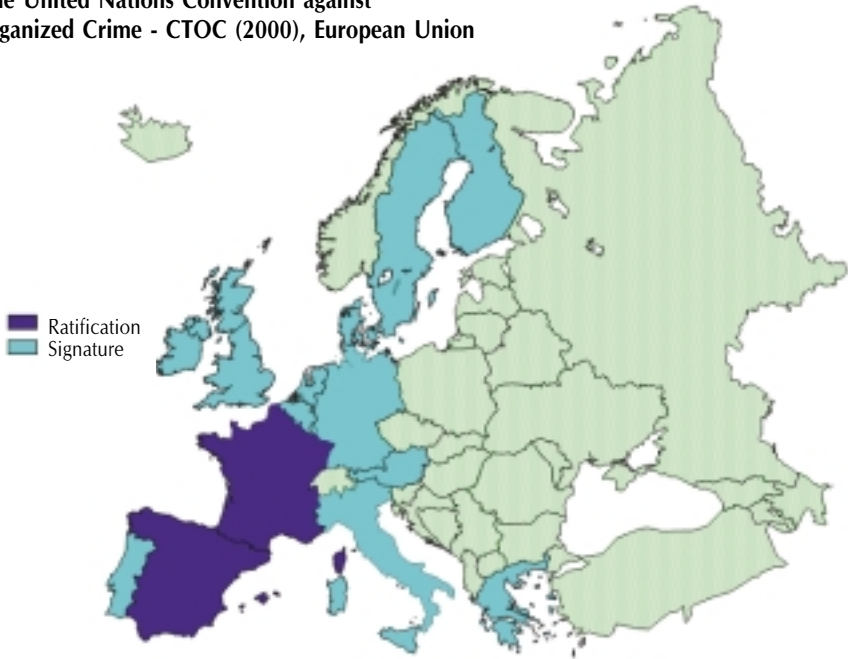
Figure 3 - Ratifications and signatures of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime CTOC (2000), Africa



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The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

Figure 4 - Ratifications and signatures of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime - CTOC (2000), European Union



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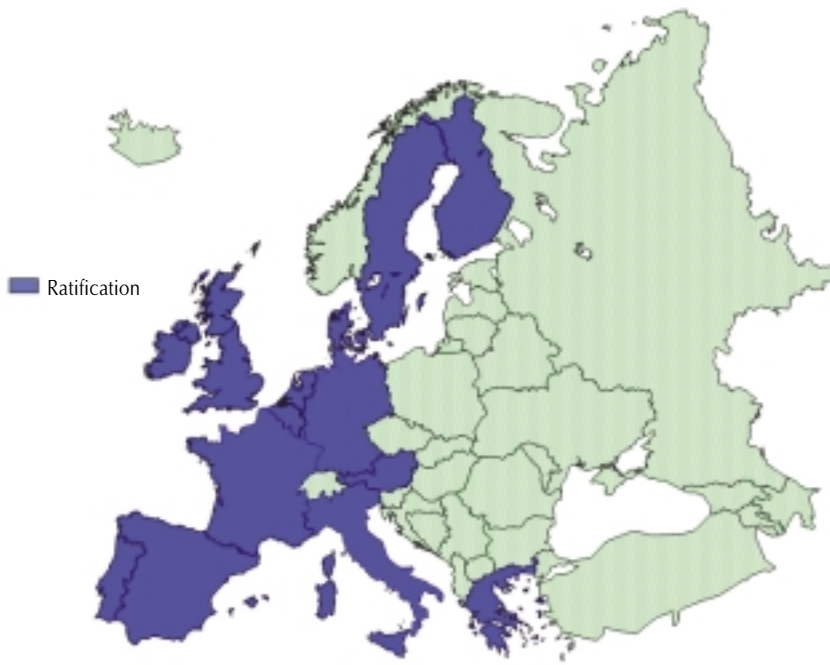
Figure 5 - Ratifications and signatures of the ILO Convention 182 on the Worst Forms of Child Labour (2000), Africa



As of April 28 2003, International Labour Organization

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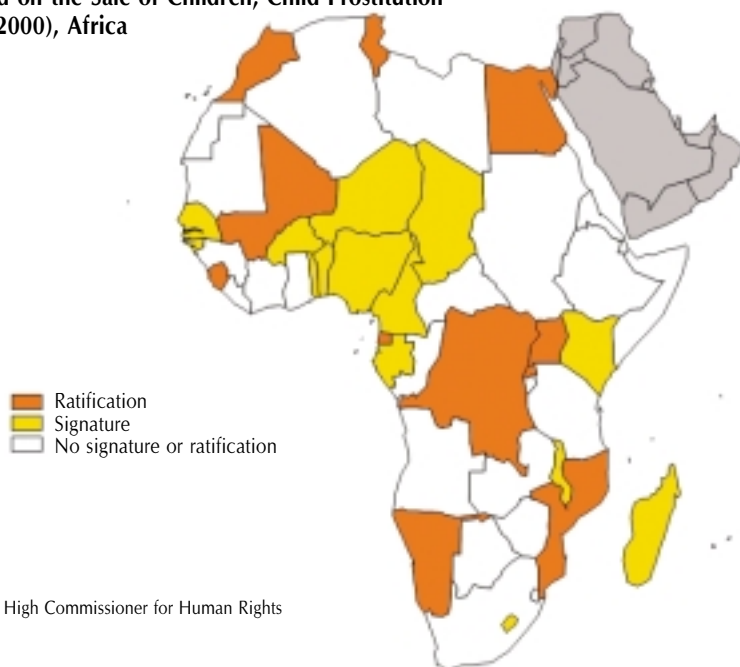
Figure 6 - Ratifications and signatures of the ILO Convention 182 on the Worst Forms of Child Labour (2000), European Union



As of April 28 2003, International Labour Organization

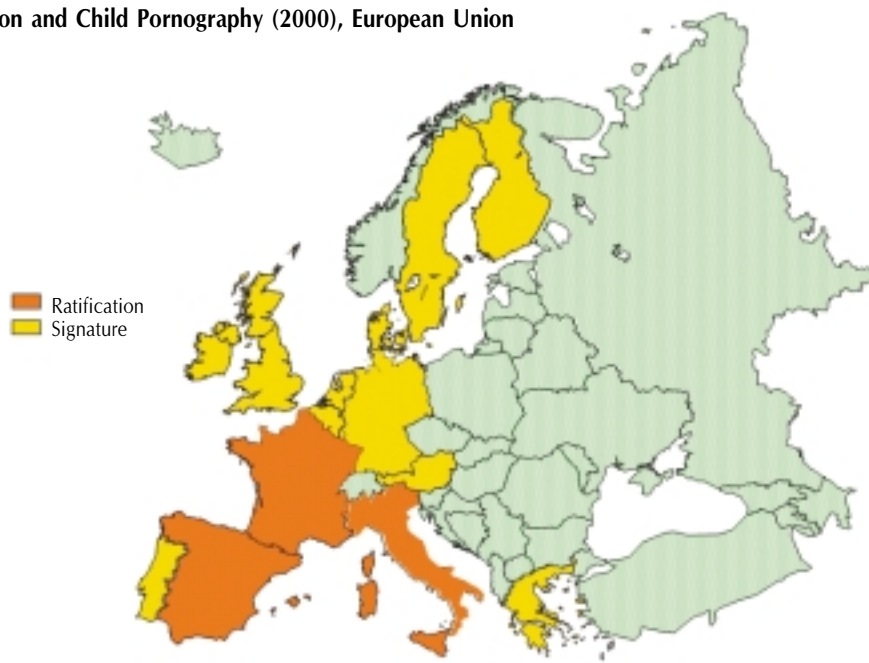
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

Figure 7 - Ratifications and signatures of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000), Africa



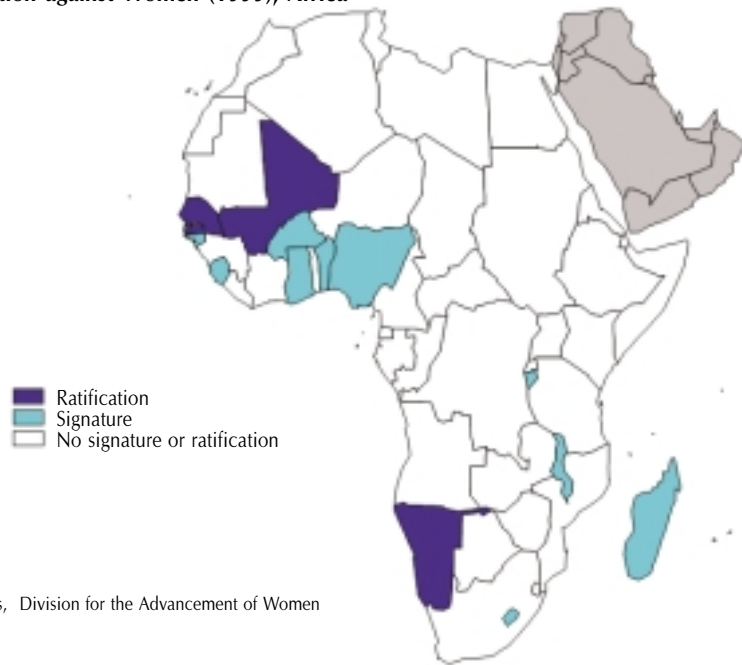
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

Figure 8 - Ratifications and signatures of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000), European Union



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

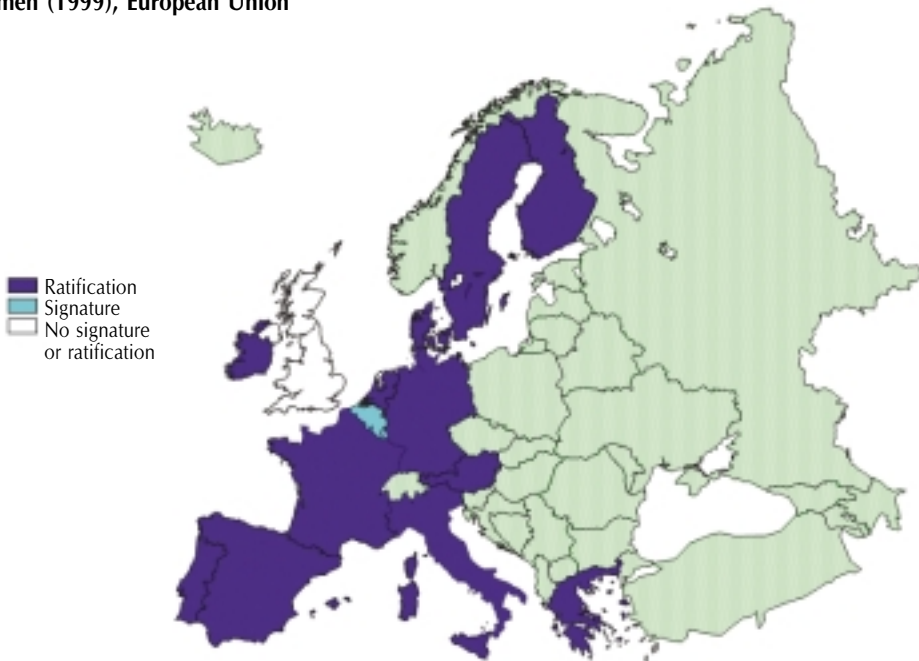
Figure 9 - Ratifications and signatures of the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (1999), Africa



As of April 28 2003, United Nations, Division for the Advancement of Women

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Figure 10 - Ratifications and signatures of the Optional Protocol of the Convention on the Elimination of all Forms of Discrimination against Women (1999), European Union



As of April 28 2003, United Nations, Division for the Advancement of Women

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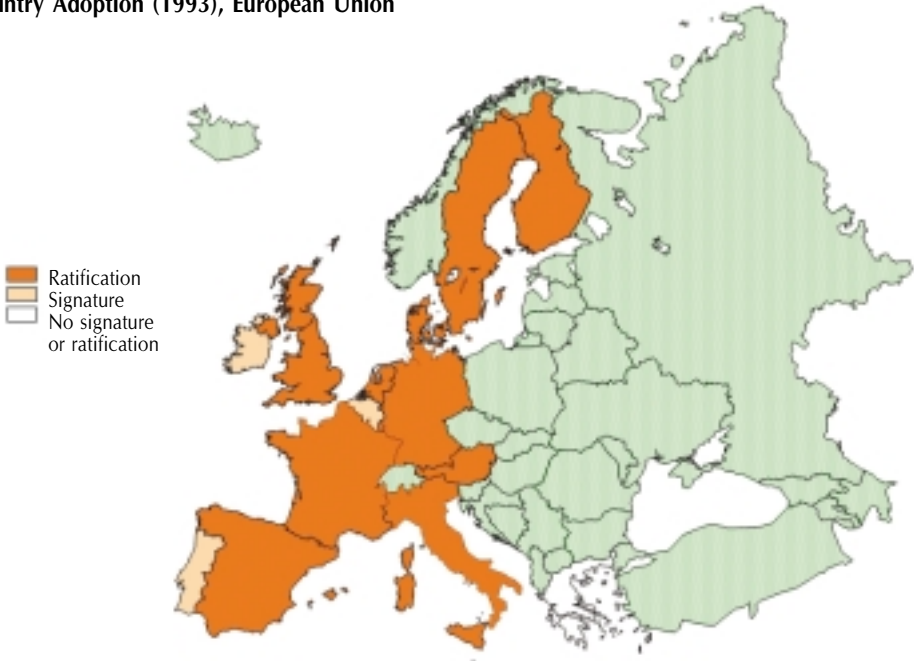
Figure 11 - Ratifications and signatures of the Hague Convention No. 33 on Protection of Children and Cooperation in Respect of Intercountry Adoption (1993), Africa



As of April 28 2003, Hague Conference on Private International Law

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Figure 12 - Ratifications and signatures of the Hague Convention No. 33 on Protection of Children and Cooperation in Respect of Intercountry Adoption (1993), European Union



As of April 28 2003, Hague Conference on Private International Law

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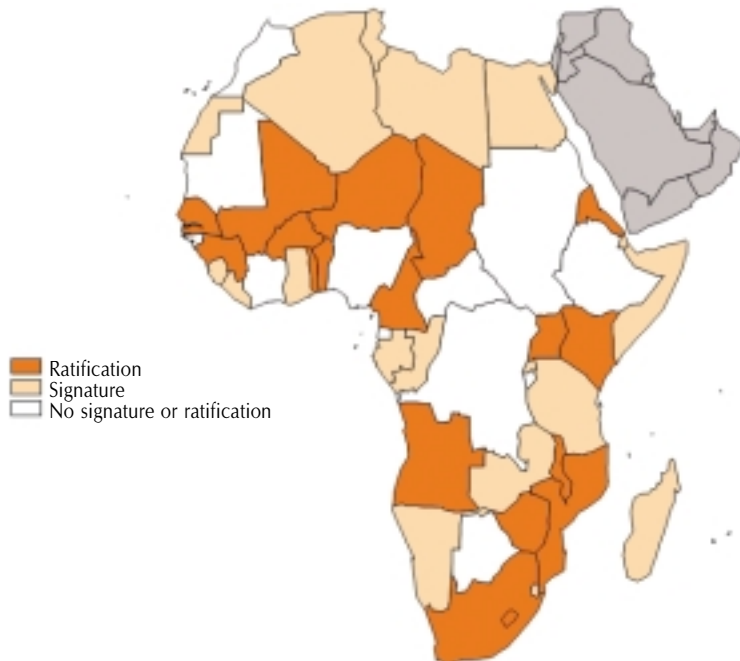
Figure 13 - Ratifications and signatures of the African Charter on Human and People's Rights (1986)



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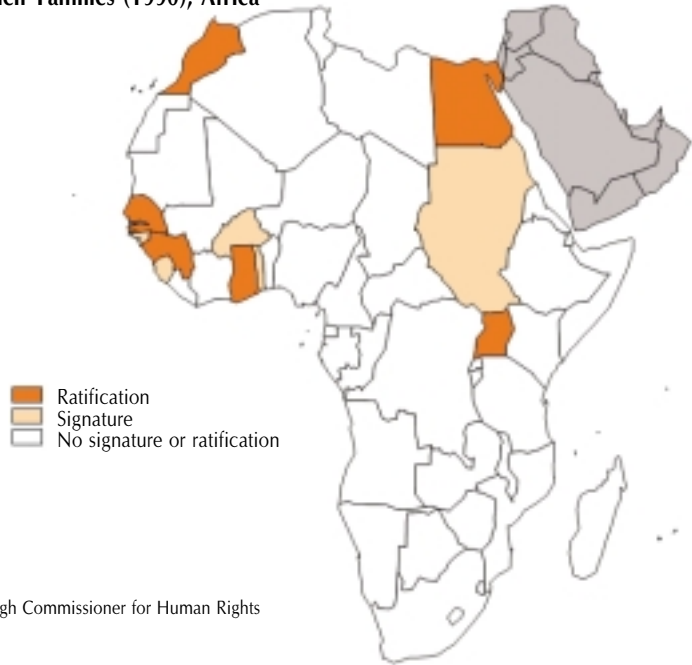
Figure 14 - Ratifications and signatures of the African Charter on the Rights and Welfare of the Child (1990)



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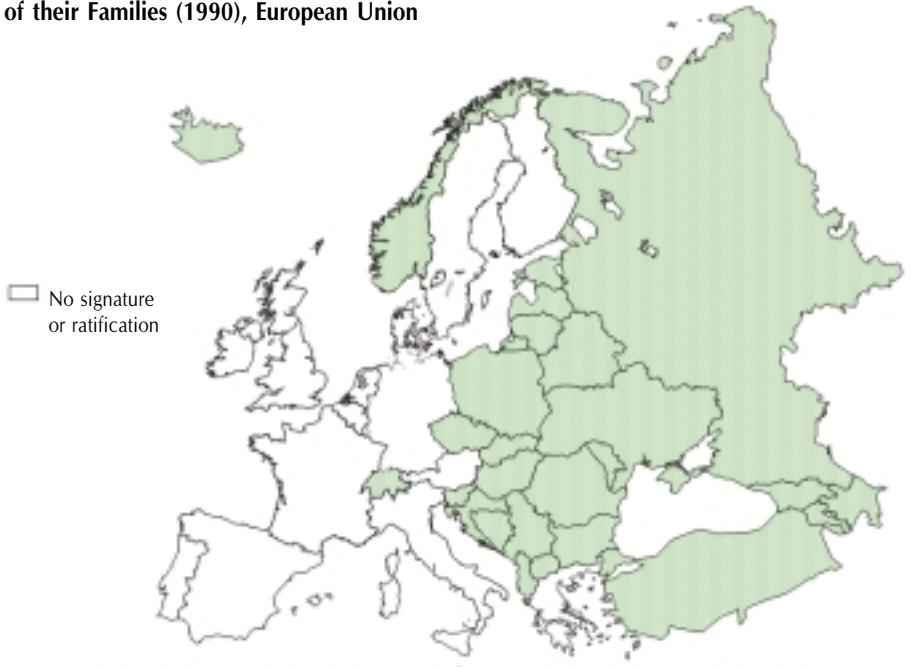
Figure 15 - Ratifications and signatures of the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990), Africa



As of April 28 2003, Office of the High Commissioner for Human Rights

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Figure 16 - Ratifications and signatures of the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990), European Union



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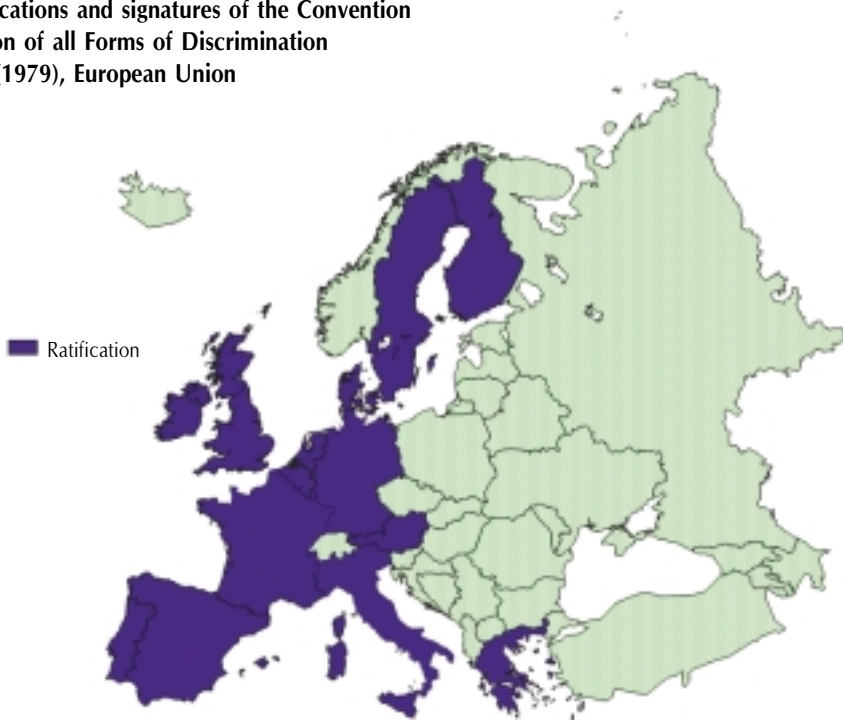
Figure 17 - Ratifications and signatures of the Convention on the Elimination of all Forms of Discrimination against Women (1979), Africa



As of April 28 2003, United Nations, Division for the Advancement of Women

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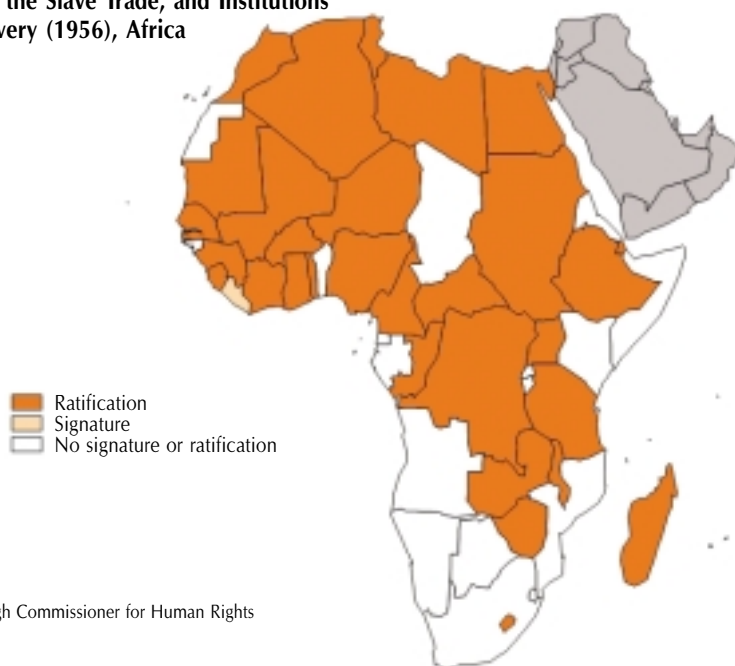
Figure 18 - Ratifications and signatures of the Convention on the Elimination of all Forms of Discrimination against Women (1979), European Union



As of April 28 2003, United Nations, Division for the Advancement of Women

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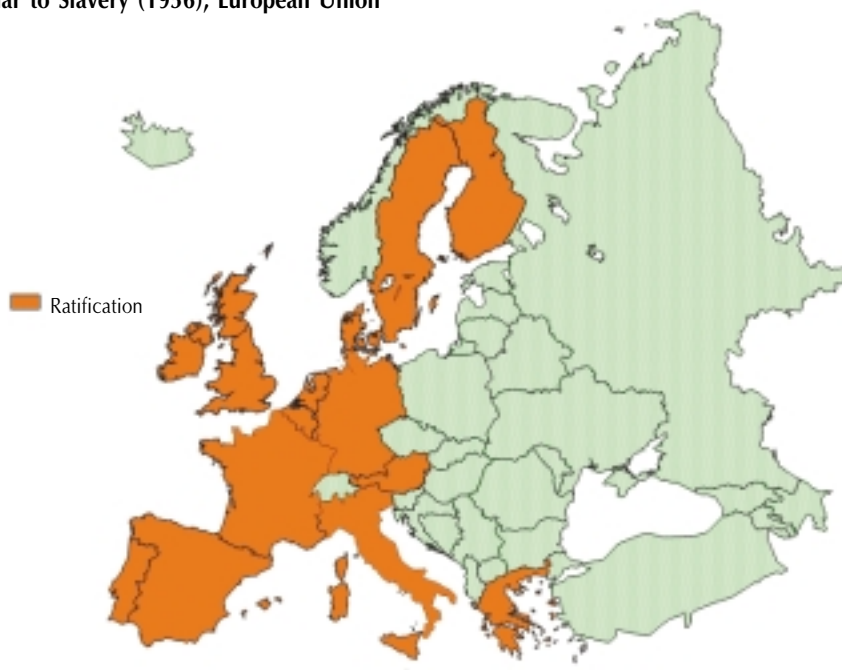
Figure 19 - Ratifications and signatures of the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956), Africa



As of April 28 2003, Office of the High Commissioner for Human Rights

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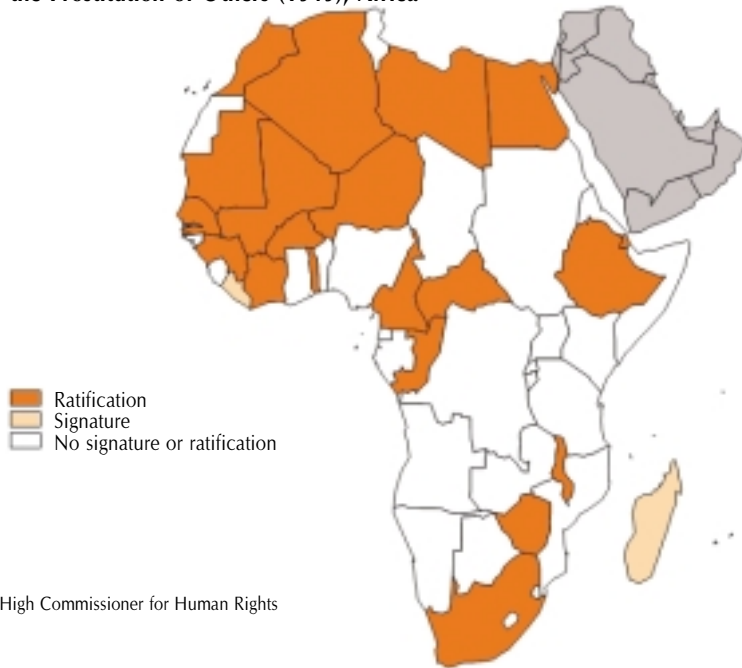
Figure 20 - Ratifications and signatures of the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956), European Union



As of April 28 2003, Office of the High Commissioner for Human Rights

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

Figure 21 - Ratifications and signatures of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), Africa



As of April 28 2003, Office of the High Commissioner for Human Rights

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Figure 22 - Ratifications and signatures of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), European Union



As of April 28 2003, Office of the High Commissioner for Human Rights

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

ANNEX 4

SUMMARY TABLES

Table 1 - Policy Responses. Countries implementing projects on trafficking

	project	no project
Western and Central	10	12
Southern and Eastern	3	6
Northern	0	2
Africa	13	20

Table 2 - Policy Responses. Major target by number of countries

Target		
child trafficking	4	31%
child protection	6	46%
trafficking in people	3	23%

Table 3 - Policy Responses. Ministries in charge by number of countries

	Min of Social Affairs	Min. of Labour	Min of Justice	Min. of Home Affair	none
Western and Central	13	2	1		3
Southern and Eastern	1	3		2	3
Northern			1		1
Africa	14	5	2	2	7

Table 4 - Perception by number of countries

	very severe	severe	not severe	no trafficking	data not available
Western and Central	1	8	8		7
Northern Africa			1	1	5
Southern and Eastern		3	4	1	14
Africa	1	11	13	2	26

Table 5 - Major target of trafficking by number of countries

	Trafficking in children	Trafficking in women
Western and Central	17	8
Northern Africa	2	1
Southern and Eastern	7	4
Africa	26	13

Figure 1 - Perception of trafficking among African countries

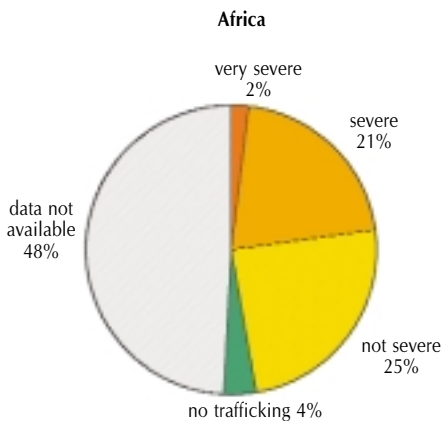
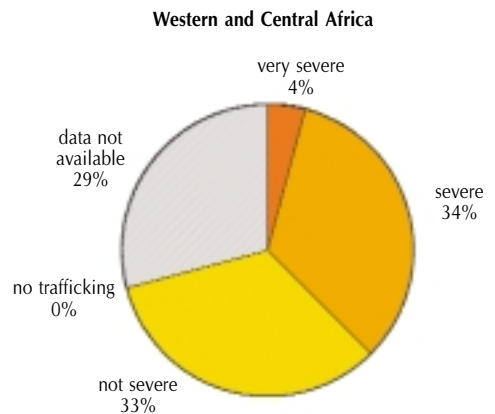


Figure 2 - Perception of trafficking among Western and Central African countries



ANNEX 5**List of Acronyms**

AU: African Union

CAP: Humanitarian Consolidated Appeal Process

CBO: Community-based Organization

CEDAW: Convention on the Elimination of all Forms of Discrimination against Women

CNSPM: Children in Need of Special Protection Measures

CRC: Convention on the Rights of the Child

CTOC: Convention against Transnational Organized Crime

ECOWAS: Economic Community of West African States

ECPAT: Elimination of Child Prostitution, Child Pornography and Trafficking of Children for Sexual Exploitation

ECRC: Egyptian Center for the Rights of the Child

EU: European Union

ICRC: International Committee of the Red Cross

IFRC: International Federation of Red Cross and Red Crescent Societies

ILO/IPEC: International Labour Organization / International Programme on the Elimination of Child Labour

IOM: International Organization for Migration

NEPAD: New Partnership for Africa's Development

NGO: Non-Governmental Organization

OAU: Organization of African Unity

OCHA: United Nations Office for the Coordination of Humanitarian Affairs

UNHCHR: United Nations High Commissioner for Human Rights

PRSP: Poverty Reduction Strategy Papers

SADC: Southern African Development Community

UNDAF: United Nations Development Assistance Framework

UNHCR: United Nations High Commissioner for Refugees

UNICEF: United Nations Children's Fund

UNICEF IRC: UNICEF Innocenti Research Centre

UNICRI: United Nations Interregional Crime and Justice Research Institute

UNODC: United Nations Office on Drugs and Crime

WAO-Afrique: World Association of Orphans/Action to Stop Child Exploitation

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