African Union

AU
POLICY

On the Prevention of Trafficking In Persons [TIP] in Africa

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AU

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Acknowledgement

The African Union Commission (AUC) wishes to sincerely thank everyone who contributed to the development of this policy document, especially to the colleagues in the Commission, specifically in the Labour, Employment and Migration Division (LEM) of the Department of Health, Humanitarian Affairs and Social Development for their tireless efforts in providing technical guidance in the overall development, validation and eventual endorsement of this policy by AU member states. Their highest level of technical expertise provided the much-needed focus and quality based on our Continent's needs and priorities.

Additionally, the Commission wishes to extend sincere appreciation to the International Organization for Migration (IOM) AU Office and GIZ AU Office for providing financial and technical support. This document provides clear evidence of what our joint work and partnership can produce based on our institutional capacities and capabilities. The IOM worked with the AUC in the technical development of this policy including the validation process while the GIZ AU office provided initial support in the evaluation of the Ouagadougou Plan of Action on the Prevention of Trafficking in Persons (TIP), especially Women in Africa. It is the report of this evaluation that recommended the development of this policy framework to guide our member states and Regional Economic Communities (RECs) in combating this crime in Africa.

This work would not have been completed without the involvement of different experts from member states and consultants. The Commission wishes to thank Prof Marius Olivier, International Institute for Law and Policy (IISLP), North-West University for providing the initial draft of this policy.

It is with sincere hope that this policy document, which is a product of the immense contribution and efforts of various stakeholders and experts, from different institutions, will contribute greatly to shaping a vibrant policy framework in combating TIP when fully implemented. We look forward to working and supporting all our member states, RECs and other stakeholders in implementing it in their regional and national frameworks.

Foreword

Trafficking in Persons (TIP) has been a huge challenge in migration governance in most of our member states in the Continent. Countries in the Eastern, Horn of Africa and Western regions have been grappling with the increased cases of trafficking in persons, especially women and children. Most of these victims go through unbearable suffering and abuse, including sexual and gender-based violence, organ removals among others.

The illegal trafficking networks have also been more complex and sophisticated hence the need for a vibrant strategy by member states to collectively address this rapidly increasing crime.

This policy document is therefore meant to provide member states with a comprehensive framework that provides policy recommendations, that if adopted and implemented will go a long way in addressing this menace in the Continent. With predictable and harmonized approaches, coupled with an enhanced collaboration and coordination framework, I am sure we will have a huge change in the way irregular migration is managed in Africa.

Africa has to determine and shape migration governance, specifically irregular migration management in the World. We all have an obligation to collectively work together to implement this policy document. I am personally delighted to being part of this new policy dispensation and looking forward to working with all AU member states, Regional Economic Communities (RECs), partners, and other stakeholders in the implementation, reporting, and review process of this policy document.

Finally, the Commission wishes to take this opportunity to call upon member states and RECs to commit to adopting the AU policy on the Prevention of Trafficking in Persons in Africa and thereby improve how irregular migration is managed in the Continent. Thank you.

H.E Amb. Minata Samate Cessouma

Commissioner for Health, Humanitarian Affairs and Social Development

List of Abbreviation and Acronyms

ACERWC .... African Committee of Experts on the Rights and Welfare of the Child

ACMPD .... African Common Position on Migration and Development

AI .... Artificial Intelligence

AMU .... Arab Maghreb Union

AU .... African Union

AU COMMIT .... AU Commission Initiative against Trafficking Campaign

AUC... .... African Union Commission

AUC-DSA .... AU Commission, Department of Social Affairs

AU-HOAI .... AU-Horn of Africa initiative

CEDAW .... UN Convention on the Elimination of all forms of Discrimination against Women

COMESA .... Common Market for Eastern and Southern Africa

CRC .... UN Convention on the Rights of the Child

CRRF.. .... Comprehensive Refugee Response Framework

CSO .... Civil Society Organizations

CTDC.. .... Counter-Trafficking Data Collaborative

DRC... .... Democratic Republic of the Congo

EAC .... East African Community

ECCAS .... Economic Community of Central African States

ECOWAS .... Economic Community of West African States

ECOWAS Court of Justice .... The Community Court of Justice of the Economic Community of West African States

EU .... European Union

EUTF .... EU Emergency Trust Fund

GAMM .... Global Approach to Migration and Mobility

GEWEAU .... Strategy for Gender Equality and Women's Empowerment 2018-2028

GIZ.... .... Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)

GLO.ACT .... Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants

HDI... Human Development Index

HRC... .... Human Rights Council

ICAO.. .... International Civil Aviation Organisation

ICAT... .... Inter-agency Coordination Group Against Trafficking in Persons

IDP... Internally Displaced Persons

IGAD.. .... Inter-governmental Authority on Development

INGO .... International Non-governmental Organization

IOM... .... International Organization for Migration

IRIS...International Recruitment Integrity System

ISLA...Institute for Strategic Litigation in Africa

MDAs. ....Ministries Departments and Agencies

MDGs.......................................Millennium Development Goals

MME.. ....Migration, Mobility and Employment

MONTRASEC ....Monitoring Trafficking in human beings and Sexual Exploitation of Children

MPFA ....Migration Policy Framework for Africa

NAP..National Action Plan

NGO..Non-governmental Organization

NSCOs.......................................Networks of Civil Society Organizations

NTF.... ....National Task Force

OAP..Ouagadougou Action Plan

OAU..Organization of African Unity

NSCOs.......................................Networks of Civil Society Organizations

NTF.... ....National Task Force

OAP..Ouagadougou Action Plan

OSCE...Organization for Security and Cooperation in Europe

Palermo Protocol......................Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing theUnited Nations Convention against Transnational Organized Crime

PEA..Private Employment Agency

RECs.. ....Regional Economic Communities

RMPF ....Regional Migration Policy Framework (IGAD)

ROCK. ....Khartoum Process and AU-Horn of Africa Initiative

SADC ....South African Development Community

SDGs ....Sustainable Development Goals

SRHR ....Sexual and Reproductive Health

TVPA ....Trafficking Victims Protection Act

UAE   ....United Arab Emirates

UNCTOC ....United Nations Convention on Transnational and Organized Crime

UNDP.......................................United Nations Development Programme

UNICEF.....................................United Nations Children's Fund

UNODC.....................................United National Office of Drugs and Crime

US-TIP Report ....the US Department of State Trafficking in Persons Annual Report

WAN ....West African Network

WOTCLEF...................................Women Trafficking and Child Labor Eradication Foundation

Executive Summary

Trafficking in persons (TIP), sometimes referred to as human trafficking, is a transnational crime that has affected the African continent for a long time. Transnational organized criminal networks have taken advantage of vulnerability of migrants in some parts of the African continent, due to conflicts, lack of employment and other livelihood opportunities. Other factors that affect TIP in Africa include protracted asylum and refugees' regimes in most host countries that have led to despair by most refugees and asylum seekers and have been pushed to secondary movements to other parts of the continent; coupled with systematic gender discrimination and inequities in most rural societies in Africa, among other factors to lure their victims into their illegal networks. Research indicate that most African countries are either source or transit; as many of these victims end up in Europe, Asia, Middle East and other regions; ostensibly for forced labour, sexual exploitation, among others.

The recent evaluation report of the 2006 Ouagadougou Plan of Action, which was validated by AU Member States in Kampala Uganda in 2019, showed that there is a need for continental policy documents for both the prevention of Trafficking in Persons(TIP) as well as Smuggling Of Migrants (SOM) in the continent. The report, among other issues, indicated the need for a harmonised approach in terms of policy coherence and efforts by Member States, to jointly tackle this transnational organised crime in the continent. The above meeting therefore requested the African Union Commission to develop this draft policy document on the prevention of the TIP, based on the outcome of the evaluation report, for Member States consideration, adoption and implementation.

This policy document is therefore intended to provide a harmonised policy approach in the prevention of TIP in the continent. It is divided into five chapters, where the initial chapters provide background information and justification of the development of this policy document. Further they also provide a structural analysis of the TIP Situation in the continent, by highlighting the trends and developments of TIP at the global, continental and regional levels. Further, the document also highlights the structural root causes of TIP in Africa, with the aim of sensitizing Member States to proactively address them for sustainable prevention of the crime in the continent.

Most importantly, this policy document provides, in its final chapters, policy recommendations and prescriptions to AU Member States and RECs, by identifying 12 Strategies, with clear actionable commitments, if implemented by Member States and RECs, may provide a sustainable, harmonised approach in prevention of TIP in the continent. These strategies are based on international best practices including incorporation of the principles of the 5Ps, which is Policy, Protection, Prevention, Prosecution and Partnership. Additionally, the strategies proposed in this policy document advocate for the need to ensure there are strong Member States institutions to fight TIP in the continent, investment in the collection of verifiable data and research on this topic; and the need to embrace technology and information system to prevent the vice. Lastly, the policy document also provides a framework for review, follow up and reporting mechanism to ensure effective implementation of this policy.

CHAPTER 1:
Introduction

More than 80% of African migration takes place in Africa, and is both intra-regional (mainly within West, East and southern African regions), and inter-regional (from West Africa to Southern Africa, from East/Horn of Africa to Southern Africa and from Central Africa to Southern Africa and West Africa)[1]. According to IOM, the significant increase in international migration within Africa has contributed to the recent population growth in some African countries. For example, the share of international migrants as a proportion of the national population in Equatorial Guinea has sharply increased from less than 1 per cent of the country's population in 2005 to nearly 17 per cent by 2019. Also, in South Africa, where international migrants comprised 2.8 per cent of the population in 2005, by 2019 this figure had risen to 7 per cent[2]. In particular in Eastern and Southern Africa, intra-regional migration is also driven by the growing demand for high and low-skilled labour[1].

In this introductory chapter, two main issues are presented; background to the development of the policy on prevention of TIP in Africa, and the rationale behind the development of this policy document on the prevention of TIP in the continent.

a) Background to the Development of the Policy on Prevention of Trafficking in Persons in Africa

Like many other parts of the world today, Africa is confronted with the phenomenon of Trafficking in Persons (TIP), sometimes also referred to as human trafficking. Trafficking in persons in Africa follows historical migration routes to and from countries within the region and beyond. In the past decade, economic challenges, increase in conflicts in the region, climate change, multiple and widening inequality and discrimination, the rise in conservatism in politics and religion, amongst other factors have led to increased emigration from the region; further impacting on the closely related risks of trafficking in human beings and migrant smuggling[2].

Current and credible data on the magnitude of trafficking in persons globally is largely lacking. The limited data that exists on modern slavery (inclusive of human trafficking), confirms that of the estimated 40.3 million people globally who were victims of modern slavery in 2016; 23% were located in Africa (9.23 million). According to ILO, 24.9 Million people were being forced to work under threat or coercion as semi-skilled labourers either as domestic workers, sex industry and other menial duties that are sometimes abusive[3].The prevalence of modern slavery is highest in Africa – 7.6 victims for every 1,000 people, which of this figure, there were 2.8 victims of forced labour per 1,000 people in Africa (3.42 million) – 54% of whom were held in debt bondage. An estimated 400,000 people in Africa were victims of forced sexual exploitation, accounting for eight percent of all victims of forced sexual exploitation and commercial sexual exploitation of children worldwide[4]. Forced labour in Africa imposed by private agents for sexual and labour exploitation generated illicit profits to the tune of $13.1 billion in 2014.[5]

In order to provide a comprehensive framework to prevent and combat human trafficking in Africa,

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1   Ibid, 62.
2   AU Draft Report of The Evaluation of the Implementation Status of The African Union's Ouagadougou Action Plan to Combat Trafficking in Human Beings, specially Women and Children (2006) in Africa (2019).
3   International Labor Organization (ILO) and Walk Foundation (2017): Global Estimates of Modern Slavery: Forced Labor and Forced Marriages as retrieved from https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf
4   ILO & Walk Free Foundation Global estimates of modern slavery: Forced labor and forced marriage (ILO, Geneva, 2017) 21, 26, 27; Walk Free Foundation The Global Slavery Index 2018 (2018) 69.
5   ILO Profits and poverty: the economics of forced labor (ILO, Geneva, 2014) 5, 13. This figure does not account for profits generated by victims of state-imposed forced labor.

the AU-EU Ministerial Conference on Migration and Development adopted the Ouagadougou Plan of Action to Combat Trafficking in Human Beings, especially Women and Children (2006) (the Ouagadougou Action Plan) was adopted in Tripoli in November 2006. It was one of four major migration policies that were adopted in Africa in 2006[6], and was aimed at bolstering implementation of the key global anti-human trafficking instrument, i.e. the *Palermo Protocol*[7], ratified by nearly all African countries. In 2009, the AU Launched the AU Commission Initiative against Trafficking (AU. COMMIT) Campaign under the Department of Social Affairs to build on and accelerate implementation of the Action Plan. However, there has been little or no information available on the work of this campaign after its launch.

Since 2006, many AU Member States and several Regional Economic Communities (RECs) have adopted an extensive range of instruments and actions to address trafficking in persons (TIP). In addition, various political dialogues have been established on the continent to coordinate efforts at combatting human trafficking, including the AU-Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants (AU-HOAI), the Khartoum Process and the Rabat Process. However, none of these dialogue frameworks involving some AU Member States makes reference to, or has utilised the Action Plan as a guiding document[8]. There is also evidence of duplication of activities among the above frameworks, leading to uncoordinated efforts, while several AU Member States are not involved in any of these dialogue frameworks. Also, according to the report, most of the AU Member States have rarely used the Action Plan as the basis for their legal and institutional reforms to effectively deal with human trafficking

as they have embarked on compliance with their commitments under the Palermo Protocol.

Furthermore, since 2006 major developments have taken place as regards trafficking in persons trends and modalities, informed by changing socio-political dynamics, and an evolution in patterns and modalities of traffickers. Also, as noted in a recent AU evaluation report[9], over the past few years, conflicts in the region, economic and environmental pressures have intensified, pushing vulnerable migrants into increasingly exploitative and abusive conditions along the East and North African migratory routes.

b) Rationale for the Development of the Policy on the Prevention of Trafficking in Persons in Africa

As a result of the aforementioned, the African Union Commission (AUC) commissioned an evaluation study to evaluate the Ouagadougou Plan of Action. The Draft evaluation report, that was validated by the AU Senior Officials in Uganda in March, 2019, identified various gaps in the prevention of trafficking in persons (TIP) on the continent. These gaps included the lack of a policy document and a clear plan of action to guide AU Member States in the prevention of this transnational crime.

The Ouagadougou Plan of Action as it were, was not hinged on any continental policy framework on the prevention of Trafficking in Persons. In validating the Draft Evaluation Report, the meeting recommended a vibrant and responsive continental policy framework on the prevention of TIP with clear actionable commitments. The proposed policy document could borrow lessons learnt from the Ouagadougou Plan of Action; based on the principles of

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6 The other three being the AU Migration Policy Framework for Africa (2006); AU African Common Position on Migration and Development (2006); and the Joint AU-EU Declaration on Migration and Development (2006).
7 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime (2000).
8 The Draft Evaluation Report of the Implementation of the 2006 Ouagadougou Plan of Action on the Prevention of Trafficking in Person in Africa
9 AU Draft Report of The Evaluation of the Implementation Status of The African Union's Ouagadougou Action Plan to Combat Trafficking in Human Beings 12.

the 4Ps embedded in the Plan of Action, i.e. prevention, prosecution, protection and partnerships, to support Member States in addressing this problem on the continent.

It is against this background that the Commission has developed this Draft Policy document on the Prevention of Trafficking in Persons in Africa to respond to the current realities and challenges, for Members States' and RECs' consideration. This will support AU Member States and RECs and by extension other relevant stakeholders, with a harmonised approach and policy framework in combating TIP in the continent. This Draft Policy document provides forward-looking strategies; that if adopted by Member States and RECs, will enhance a unified approach in addressing a myriad of challenges associated with the prevention of this crime on the continent. It also seeks to promote collaboration and cooperation among Member States and RECs with different stakeholders in this field; while at the same time identifying key areas of intervention at national, regional and continental levels.

CHAPTER 2:
Situation Analysis of Trafficking in Persons (TIP) in Africa

A situation analysis of trafficking in persons in Africa is presented in this section. This includes the analysis of trends, patterns and flows of trafficking in persons at the global, continental, regional economic commissions' levels. The section also includes the analysis of the links between trafficking in persons and other types of violation.

a)   Trends, Patterns and Flows of Trafficking in Persons at the Global Level

There has been a marked increase in both the total number of human trafficking victims per country, and the number of convictions of traffickers. Trafficking in persons has even been described as the fastest growing crime in the world[10]. It is not clear whether this upward trend can be ascribed to an actual increase in the incidence of trafficking worldwide, or whether this is the result of enhanced national capacity to detect trafficking and prosecute traffickers.
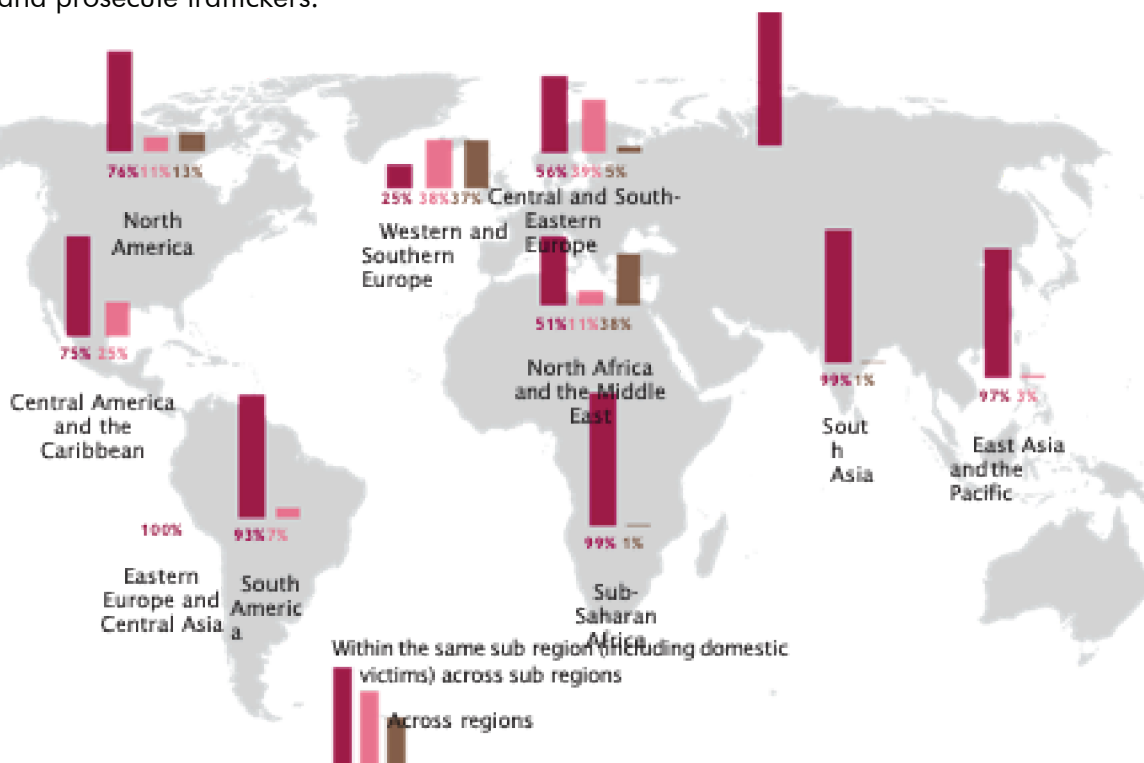

Figure 1.1

Share of detected victims by area of origin and of detection, by sub region, 2016 (or most recent)

In addition, intra-regional trafficking (i.e. trafficking within the same region) generally prevails over trafficking to countries outside the region where victims originate from. Yet, sizeable shares of victims are trafficked from all over the world to Western and Southern Europe, and to countries in the Middle East[11].

The profile of victims being trafficked varies depending on the region, and sometimes even the country concerned. Globally, however, most of the victims are adult females, but increasingly also girls, who are mainly trafficked for sexual exploitation. Men constitute the majority of victims of trafficking for

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10   Seeth, A Human trafficking; The "fastest growing crime in the world" (https://city-press.news24.com/News/human-trafficking-the-fastest-growing-crime-in-the-world-20191030).
11   Ibid, 9, 13

forced labour. Regionally the picture differs. In West Africa, for example, the majority of victims are children, while in Central Asia a comparatively larger share of adult male victims is detected. Further, convicted offenders tend to be mostly male (65%), although regional differences are apparent. However, women traffickers tend to be particularly active in the recruitment phase of trafficking in persons.

The purpose for which victims are trafficked goes beyond sexual exploitation and forced labour; and includes trafficking for forced criminality, organ removal (primarily detected in North Africa and Central and South-Eastern Europe), forced begging, production of pornographic material (mostly women and children) and child marriage. Of special significance also in the African context is trafficking in the course of armed conflicts, aimed at trafficking victims, including children, while other forms include for exploitative begging, sexual exploitation and slavery, forced marriage, armed combat and different forms of forced labour[12] – a matter discussed in more detail below.

b)   Trends, Patterns and Flows of Trafficking in Persons at the Continental Level

As noted in the Ouagadougou Action Plan evaluation report (2018), historical migratory routes in Africa are becoming more dangerous for potential migrants with the rise in political, environmental and economic pressures that are pushing more vulnerable groups outwards. Emerging trends in trafficking in human beings across Africa emphasise the need to appreciate the close link between human trafficking, human smuggling, and irregular migration. The experience by the UN in 2010 of African migrants being kidnapped for ransom by their smugglers, bought and sold as slaves or having their organs removed, testifies to this reality.

Simultaneously, long recognised forms of trafficking, such as child trafficking, trafficking for domestic servitude, forced labour and sexual exploitation continued to proliferate within and beyond the continent. In addition, increasingly restrictive migration regimes abroad have been pushing vulnerable migrants into the arms of international criminal networks who facilitate human trafficking and smuggling.
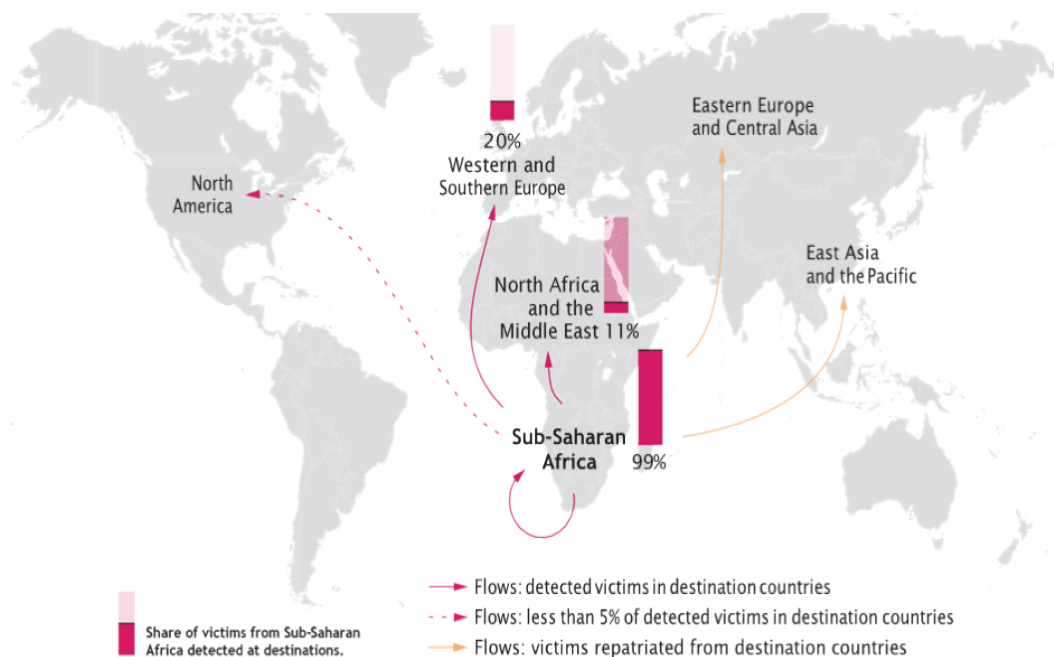
Source: UNODC elaboration of national data

The majority of AU Member States serve as source, transit and destination countries for human trafficking; and steps that Member States have taken to (among others) improve the legal and institutional framework.

12   Ibid, 10-11.

The UNODC Global Report on Trafficking in Persons 2020 indicates that trafficking is widespread, both internally within countries and cross-border, affecting in particular women and children. Forced labour is the most frequently detected form of trafficking in Africa (49%), followed by sexual exploitation (36%). Policy responses to the phenomenon remain incomplete, although significant progress has been made by many AU Member States with the ratification and domestication of the Palermo Protocol on trafficking.

Apart from forced labour generally, trafficking in persons in the African context also overlaps with other forms of modern slavery, such as child labour and forced marriage. In 2016, the number of child labourers on the continent reached 72 million. About 5.8 million people were in forced marriages in Africa in 2016, mostly women and girls; this number included about 1.5 million children[13]. Africa has the highest prevalence of forced and child marriages in the world, which often interplays with armed conflict[14].

While most of the detected human trafficking takes place domestically and within regions in Africa, Europe remains a destination region for trafficking in persons from Africa. Migration to Europe intersects with human trafficking, and has caused many AU Member States and Europe to join efforts to address this phenomenon. This is through preventive actions, including strengthened border management, and innovative strategies to intercept and prosecute traffickers, while providing strong legal and social protection to victims.

Other forms of trafficking in the continent include for criminal activities, exploitative begging, mostly in countries in Northern Africa , forced marriage and removal of organs. This trend varies from one region to the other depending on various socio-economic factors. However, forced labour is the most prevalent form of exploitation for majority of trafficking victims detected in the continent, followed by sexual exploitation.

c)   Trends, Patterns and Flows of Trafficking in Persons at the RECs levels

Regional differences in relation to trafficking in persons are important. Broadly speaking, key distinctions can be drawn between other regions of the Continent and North Africa, but regional differences, especially in Eastern, Central and Southern regions, are noticeable[15]. The majority (55%) of those who are trafficked are children, divided almost equally between girl victims (30%) and boy victims (25%). More adult women (29%) than adult men (16%) are trafficked. Yet, important regional differences are apparent. In West Africa, child trafficking (in particular trafficking of girls) is far more readily detected than in the rest of Africa. In East Africa, adult victims predominate, while in Southern Africa adult women in particular are subject to trafficking.

In North Africa, the majority (56%) of those who are trafficked are adults. Nevertheless, child victims make up a sizeable portion (44%) of trafficked victims, with boy victims predominating (33%), as opposed to girl victims (11%)). More adult women (32%) than adult men (24%) are trafficked. As is the case with sub-Saharan Africa, trafficking for forced labour is more common than trafficking for sexual exploitation, although sizeable numbers of victims are trafficked for forced begging, for sexual exploitation and for organ removal.

Sizeable numbers of victims from West Africa have increasingly been detected in Western and Southern Europe, and in North Africa; victims

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13   AU Draft Ten Year Action Plan on Eradication of Child Labour, Forced Labour, Human Trafficking and Modern Slavery in Africa (2020-2030): Agenda 2063-SGD Target 8.7 (2019) 1, 6.
14   Walk Free Foundation The Global Slavery Index 2018: Africa Region Report (2018) 4.
15   See UNODC Global Report on Trafficking in Persons (2018) 80-88, on which the information below is largely based.

from West and East Africa are often detected in the Gulf States. Furthermore, the regional and sub-regional nature of human trafficking is evident: firstly, most of the victims detected in sub-Saharan Africa are citizens of sub-Saharan countries. Secondly, victims are normally trafficked within the same geographical area – either domestically or from neighbouring countries. This is especially true of West, East and Southern Africa. Yet, in West Africa, "trafficking flows appear to criss-cross the area: there are no specific origin or destination countries that dominate detections."[16]   As noted by the UNODC, in this region, domestic trafficking accounts for 79% of all trafficking and a further 20% of victims are trafficked within the sub-region.

d)   The Link Between Trafficking in Persons and Other Forms of Modern Slavery in Africa

Within the continent, there is growing concern of the prevalence of modern forms of slavery, much (but not all) of which are associated with human trafficking. Increasingly, there are reports of online and physical slave markets, involving African victims. Firstly, online slave markets have become a booming black market, operating via social media accounts[17].

The exponential development of the digital world has been abused making this crime a truly global one; and has unfortunately facilitated the creation of a global market for child sexual abuse, 'enslavement' through the use of generated abuse material. The past few years have seen a dramatic increase in reports of online child sexual abuse and exploitation with Africa not being an exception from 23,000 in 2010 to more than 725,000 in 2019, which included more than 3 million images and videos[18].

The geographical location of and conflict-related conditions in some African countries, have made it possible for migrants from the continent en route to Europe and other destinations to use these countries as migration transit countries and as pathways to gain irregular entry into countries of destination. Simultaneously, however, these countries have also become focal areas for migrant abuse, exploitation, human trafficking and even human enslavement. This is true even of the migration experience en route to these transits and eventually the destination countries, for those able to embark upon the onward journey. Cases of migrant kidnappings in the course of the desert journey and even organ removal have increasingly been reported as well.

e)   COVID-19 and Its Effects on Trafficking in Persons

According to reports by the UNODC[19] , trafficking in persons went further underground during the pandemic making it even more difficult to estimate its scale. In some regions it was reported that trafficking increased due to local recruitments and exploitation. Women, children and migrants were further identified as vulnerable to recruitment and exploitation during the pandemic. Recruitment has often been online and locally. Women and girls have been recruited for sexual exploitation, especially in private apartments. Out of school children have also been targeted. Migrant domestic workers have been affected   especially those confined to private homes and exploited by abusive employers.

f) Climate Change and Natural Disasters

Climate change and natural disasters have been indicated by the UN Secretary General as factors that "exacerbate the vulnerabilities and desperation that enable trafficking to flourish", and the targeting of migrants[20]. Environmental change and disasters in sub-Saharan Africa in particular are prevalent and increasing,

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16   Ibid, 83.
17   Pinnell, O & Kelly, J Kuwait moves on Instagram slave traders after BBC investigation (accessed on https://www.bbc.com/news/technology-50266663).
18   As reported to the US National Centre for Missing and Exploited Children (NCMEC). US law requires internet companies based in the US to report to NCMEC any instances of child sexual abuse that they find in their networks. NCMEC then forwards those reports to the relevant public authorities around the world
19   https://www.unodc.org/documents/human-trafficking/2021/The_effects_of_the_COVID-19_pandemic_on_trafficking_in_persons.pdf
20   Egeh, B Conflict, climate change among factors that increase 'Desperation that enables human trafficking to flourish', says UN chief (30 July 2019)

and are influencing movements of people and displacement. Among the slow-onset changes and sudden-onset hazards include droughts, floods and cyclones, and the shrinkage of, in particular, the volume of Lake Chad by 90% over the past 40 years – all of this leading to mass movements due to the impact on livelihoods and nutrition needs[21]. Also, the inability of nomadic communities to adapt and be resilient in the face of global warming and changing environment that is not conducive to the pastoralist way of life, has contributed to the trafficking of children to undertake begging in urban areas[22].

Many displaced persons exposed to climate change see irregular migration as the only viable option to pursue better opportunities, and may seek assistance from human smugglers, placing themselves at risk of main forms of exploitation that are commonly associated with trafficking. Additionally, they may become exposed to the risk of trafficking in camps/camp-like settings established to shelter those displaced by natural disasters, and also at their destinations, such as in urban slums[23].

(https://news.un.org/en/story/2019/07/1043391).

21   IOM World Migration Report 2020 (2019) 63, 65-66.

22   AU Draft Report of The Evaluation of the Implementation Status of The African Union's Ouagadougou Action Plan to Combat Trafficking in Human Beings, especially Women and Children (2006) in Africa (2019) 32.

23   IOM The Climate Change-Human Trafficking Nexus (2016) 3-4. This publication also notes the other side of the dual dimension of the climate change-human trafficking nexus: "Many industries that are vulnerable to human trafficking or labour exploitation also have a detrimental impact on the environment and contribute to climate change. In Asia, they often lie at the root of supply chains that connect the global economy. There are numerous, well-documented cases in which environmentally damaging extractive industries are underpinned by large numbers of migrant workers in forced labour situations." (at 5) See also US Department of State "The intersection between environmental degradation and human trafficking", in: 2014 Trafficking in Persons Report (Office to Monitor and Combat Trafficking in Persons, Washington, D.C., 2014) 52-56.

CHAPTER 3:
Drivers of Trafficking in Person in Africa

Trafficking in Persons in Africa is a result of many factors. These include socio-economic, political and governance issues, and some of them are interrelated. It is important to note that these root causes differ from one region or nation to the other, depending on their specificities and uniqueness. Nonetheless, the following have been identified as main drivers of TIP in Africa:

a)   Irregularity of Migration Flows and Patterns

The irregularity of migration flows and patterns contributes to conditions which allow trafficking in persons to flourish. All regions in Africa continue to witness high incidents of irregular migration – whether as countries of origin, destination or transit – characterised by mixed migration flows and underpinned by multiple drivers, including socio-economic factors, conflict and political instability. This is often the case even though free movement agreements in the sub-region have been designed to facilitate migration and reduce irregularity. Migrant smuggling is particularly prominent, with many people using the services of smugglers to reach their intended destinations[24]. Mixed flows, consisting of different types of migrants and asylum seekers that use the same migration routes and means, have been on the rise; and as legal pathways for migration have diminished, migrants are falling prey to smugglers and human traffickers.

The securitization of the migration narrative in Africa. The discourse around irregular migration is often framed from a security standpoint with strong focus on, and direct linkages to, counter-smuggling and counter trafficking policies, law enforcement and border security. The securitization of the migration narrative places migrants on the spectrum of criminalization and law enforcement operations, while failing to properly integrate their vulnerabilities along the journey. It contributes to an increasingly hostile environment and amplifies the resort to harmful practices such as detaining migrants for immigration-related reasons or the excessive use of force in border management. It reduces the space available for migrants to safely seek international protection or access essential services.

The lack of legal pathways for migration and the push back against migration (whether asylum-based or irregular) have caused tremendous suffering and exposure of African migrants, and provided fertile conditions for trafficking in persons. Also, the increase in international terrorism and the tightening of border security due to various reasons, including health pandemics like the Covid 19; have led to policies that seek to deter migration and jeopardise the protection of the rights of migrants. The phenomenon of turning back boats with migrants and restrictive regulatory frameworks, such as the criminalisation of facilitating irregular entry and stay, are but two examples of the conundrum facing African migrants.

b)   Armed Conflicts and Violence

Armed conflict in Africa has played a pivotal role in driving trafficking in persons on the continent. It has been noted that most countries with the highest prevalence of modern slavery on the continent are all severely affected by armed conflict[25]. This becomes evident when the cumulative impact of factors associated with armed conflict is considered. Often, political instability, weak rule of law and the inability to appropriately address trafficking in persons, provide the bedrock for vulnerable people to be trafficked in situations of armed conflict – bearing in mind that these very

24   IOM World Migration Report 2020 (2018) 62-65, 67-68.
25   Walk Free Foundation The Global Slavery Index 2018: Africa Region Report (2018) 5, 20-23.

conditions and lack of access to basic needs, coupled with the desire to find suitable employment or a different source of income, may lead people to fall into the hands of traffickers and criminal gangs. It is important to acknowledge that victims of trafficking in situations of armed conflict and other situations of violence are in particularly vulnerable situations, and to include them in adequate protection responses. In these situations, individuals seeking asylum and safety may also become victims of trafficking, particularly on the journey to cross international borders. In these, and all, situations, ensuring access to international protection and the respect of international law, including the principle of non-refoulment, is crucial.

c)   Socio-Economic and Environmental Impact

Poverty, and with that deprivation more generally, is a key driver of migration and human trafficking in Africa. This follows from the historically embedded lack of sufficient employment opportunities in most of Africa's labour markets, fuelled by burgeoning youthful populations. Closely related to poverty and deprivation is the social and economic inequality caused by unequal distribution of resources (often aggravated by deeply embedded corruption), contributing significantly to the vulnerability of communities.

d)   Gaps in Border Control

Challenges in border control within the context of trafficking in persons relate, firstly, to the permeability of borders, which aids criminal organizations in the trafficking of persons, regionally and internationally. Secondly, the technical capacity of border control agencies to detect and prevent trafficking is often inadequate and needs to be improved. Information technology or even manual recordkeeping of the crossings of commercial carriers may not be available. Thirdly, border control agencies and

border police often lack staff, infrastructure and funding. Fourthly, border control agencies may also lack training to identify the protection needs of migrants with whom they come across, including needs related to being a victim of trafficking, and to ensure respect for international obligations and standards, such as the principle of non-refoulment. Finally, criminal networks benefit from that situation and are transporting groups across borders where there are no regular inspections[26].

According to IOM, nearly 80% of international human trafficking journeys cross through official border control points, such as airports and land border control points. This indicates the crucial role that border agencies and service providers at border points can play to identify potential victims and refer the suspected perpetrators to law enforcement agencies. Female victims are more likely to be trafficked through official border points than male victims (84% as opposed to 73%); and children are also less likely to be trafficked in this way than adults (56% as opposed to 80%). Labour exploitation accounts for 83 per cent of journeys through official borders, while sexual exploitation accounts for 14 per cent of journeys[27].

e)   Ineffective Labour Mobility and Employment Policies and Practices

Labour migration in Africa is fuelled by the lack of sufficient and appropriate employment opportunities in countries of origin, and the lure of such opportunities and a range of supporting social protection and other services in countries of destination. This is in particular true of the burgeoning youthful populations in many African countries, which may not be able to employ their skills, abilities and capacities effectively. Also, earlier it was indicated that trafficking for labour purposes is by far the most prevalent form of human trafficking in Africa.

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26   UNODC Toolkit to Combat Trafficking in Persons (2n edition) (2008) Tool 5.11.
27   IOM Victims of Trafficking on the Road: World Day against Trafficking in Persons 2018 (2018); Counter-Trafficking Data Collaborative (CTDC) Type of Border Crossing Victims of Trafficking Make (https://www.ctdatacollaborative.org/story/victims-trafficking-road).

This raises important issues in connection with the need to address trafficking in persons in this context via appropriate monitoring of workplaces by sufficiently equipped Labour inspectors. However, lack of the implementation of anti-trafficking mechanisms in the informal economy is an area of particular concern, as this is often the context in which trafficking in persons prevails. Further, the changing nature of labour markets has led to increased demand for migrant workers (especially temporary or seasonal contract workers), and the recruitment industry has responded accordingly.[28] Africa is no exception to this picture, as some of the trends and patterns highlighted earlier in this Policy confirm.

The result has been that millions of African workers turn to labour intermediaries, among them recruiters, but also agents or brokers, to facilitate their movement within countries concerned and across borders in search for employment opportunities. Recruiters and recruitment agencies function as a bridge between workers and employers and as noted, at their best, can provide helpful guidance and assistance in matching workers with jobs and in arranging visas and documentation, medical check-ups, pre-departure orientation, training, and travel. However, as noted by a recent IOM report, "At their worst, labour recruiters exploit the vulnerability inherent among those migrating for work, often engaging in fraudulent and misleading recruitment practices that can lead to human trafficking."[29] Simultaneously, this raises the likelihood of traffickers using recruitment channels to achieve their goals where they act as a source for their supply of their victims.

f)   Organised Crime and Illicit Financial Flows

Ttrafficking in persons is a form of international organised crime: irregular migrants and trafficked victims are seen as another commodity in the larger realm of criminal commerce that often involve other commodities such as narcotics, weapons and money laundering that generate large illicit revenues[30]. A host of security concerns and crimes, such as human smuggling, drug trafficking, computer crimes and terrorism, often perpetrated by organised groups, involve actors operating both within and outside the borders of a country.

These security concerns mentioned above have implications for Trafficking in Persons and may involve both external groups, government officials and national security system and terrorist groups. Children are recruited and used as combatants and support manpower, while women and girls are abducted and subjected to domestic servitude, forced labour, forced marriages, and sexual slavery[31].

g)   Advancement of Technology and Information Systems

A variety of measures are adopted by traffickers to achieve their objectives. Traffickers increasingly use the internet – in particular, cyberspace and social media – to lure victims into situations of trafficking. Modern technology makes it easier for traffickers to identify and get in contact with potential victims, while at the same time allowing them to avoid detection by maintaining secrecy and avoiding or limiting physical interaction. The victim would typically be lured by fake job offers into a situation that would entrap them into despair and eventually sexual exploitation or forced or bonded labour. Women are particularly affected by sexual exploitation, but so also children, who are used to produce sexual abuse imagery (pornography). The initial contact person often does not operate alone, but is part of an organised

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28   US Department of State Trafficking in Persons Report 2019 (2019) 26, noting that a 2018 ILO report estimates there are 164 million migrant workers worldwide, an increase of nine percent since the last estimate in 2015.
29   Ibid.
30   See https://www2.ohchr.org/english/issues/migration/taskforce/docs/trafficking-campeche.pdf.
31   AU Draft Ten Year Action Plan on Eradication of Child Labour, Forced Labour, Human Trafficking and Modern Slavery in Africa (2020-2030): Agenda 2063-SGD Target 8.7 (2019) (earlier draft) 31.

network of accomplices and other traffickers[32].

This nexus between trafficking in persons and the changing global technological landscape is becoming more acute in Africa, given the inroads of information technology into the continent through cheaper and more accessible telecommunications[33]. As noted by UNODC, traffickers innovate and take advantage of new technologies to work in flexible ways, including extending their operations across borders: "The use of Internet-based applications has eased the process of targeting and contacting victims, the logistics of transferring money, and the coordination between different groups. Moreover, the anonymity and ease of use of many online services simplifies a transnational crime such as trafficking in persons."[34] In these cases there is often evidence not only of human trafficking, but also of organised transnational crime – the latter providing the basis and context for trafficking.

h)   External Causal Factors

While most of the factors discussed above are basically internal and occurs within Member States territories, TIP may also be caused by external factors that include foreign military interventions in AU Member States and unilateral sanctions imposed by external governments. These has an overall impact on security and disruption of livelihoods, including economic impact.

As such, affected populations, especially the youth may decide to leave the country and seek better opportunities within the continent or outside. In this desperate situation, they may end up falling victims to illegal networks of traffickers in persons as well.

The Gendered and Child Sensitive Nature Of Trafficking

a)   The Gender Dimensions of Trafficking in Persons

There is a gender dimension to trafficking in persons in Africa, and while women and girls are not inherently more vulnerable than men or boys, they are at a heightened risk of sexual and gender-based violence, and due to pregnancy or caregiving responsibilities may be in a more vulnerable situation when on the move. Furthermore, there is a critical need to address gender inequalities across the continent, including societal attitudes and perceptions in relation to women and girls on the continent.

There is inherent challenge in many African societies that promote gender inequalities like early or forced marriages for girls, hence rendering them vulnerable for trafficking. Other gender dimensions that has a role in trafficking include the discriminatory restrictions on women's and girls' mobility and migration. The lack of clear administrative policies to promote the procurement of identity documents, including national registration cards ore travel documents make women and girls vulnerable for trafficking.

Available data indicate that women and girls are mostly trafficked for sexual exploitation, forced labour and other forms of exploitation including exploitative begging. On the hand, their men counterpart trafficked for organ removal in addition to the above forms of exploitations. Many African countries should improve the legal protection women and girls may be in need of – in the absence of which they become vulnerable to trafficking. For example, only seven countries have criminalised

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32   UNODC Global Report on Trafficking in Persons (2018) 38-39.
33   AU Draft Report of The Evaluation of the Implementation Status of The African Union's Ouagadougou Action Plan to Combat Trafficking in Human Beings, especially Women and Children (2006) in Africa (2019) 30
34   UNODC Global Report on Trafficking in Persons (2018) 38-39.

forced marriage and early marriages; only 15 countries have provided access to primary education. Some progress has been made with women empowerment programmes[35]. In fact, the close association between forced and child marriages, on the one hand, and trafficking in persons, on the other hand, requires a proper understanding of the gendered nature of these phenomena and the need to adopt appropriate interventions. Earlier, this Policy alluded to the high number of forced and child marriages, and its interplay at times with armed conflict. It is estimated that there are 4.8 victims of forced child marriages for every thousand people on the continent – the highest globally.

There is no doubt that forced and child marriages in

labour market opportunities, and restricted opportunities for personal development[36]. Further, gender inequality and disempowerment, linked to gender-based social and cultural practices, values and perceptions also contribute to forms of human trafficking. Sexual exploitation and child marriages, involving in particular girls, are closely associated with human trafficking not only on the continent, but involving and affecting African females in countries of transit and destination[37].

The above exposition confirms that abuse and exploitation of women and girls in the context of trafficking in persons is indeed prevalent and serious. Yet, an exclusive focus on the plight of women and girls may cause the exposure of men and boys to

Fig 1: Child marriage prevalence by sub-region 2005-2013
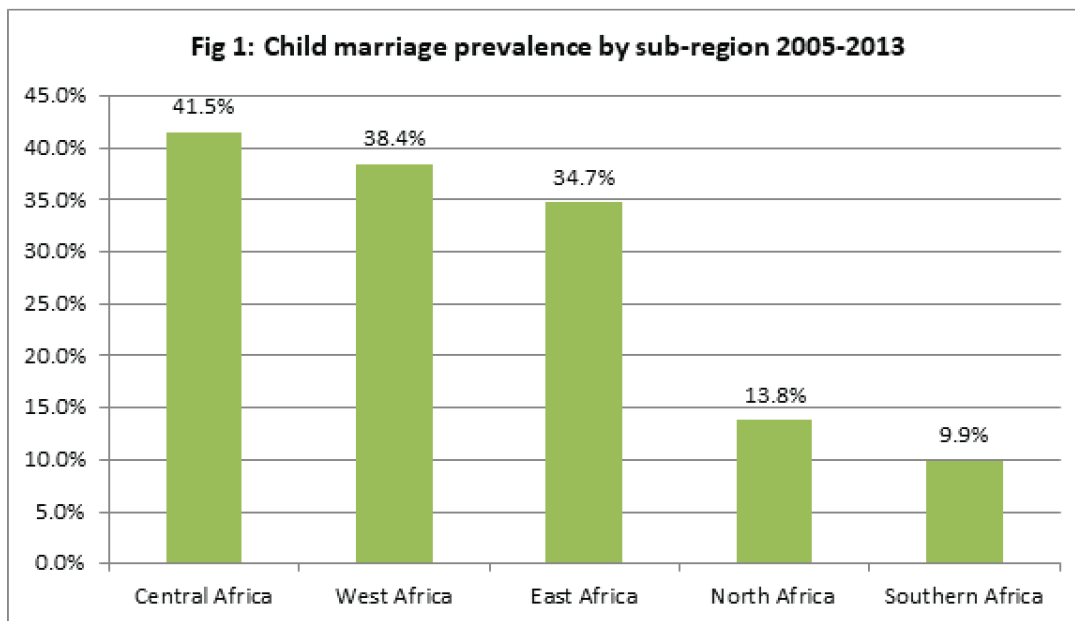
its association with human trafficking resemble the epitome of gender inequality and disempowerment. Young girls running away from forced marriages become vulnerable to trafficking in persons organized crime networks. In addition, the severe physical, mental, intellectual and emotional impacts on women and girls have been well documented. Among these also include life-threatening health risks, limited access to educational and therefore

trafficking, for purposes not only of forced labour but also sexual trafficking to be neglected – evident among others from the fact that victim support services, including rehabilitation centres, are rarely focused on accommodating male victims. In fact, as remarked in the Ouagadougou Plan of Action Evaluation Report, "male trafficking victims are emerging as the least understood group of trafficked persons with less specific provisions for responses

35   Walk Free Foundation The Global Slavery Index 2018: Africa Region Report (2018) 5.
36   Walk Free Foundation The Global Slavery Index 2018: Africa Region Report (2018) 18-19.
37   Walk Free Foundation The Global Slavery Index 2018: Africa Region Report (2018) 5.

tailored to their care and recovery", and "… that while estimates of women who are victims are easily accessible, the male victims especially caught in labour trafficking remain poorly accounted for." This is of particular concern as an increasing share of men has been found to make up a significant proportion of victims in Africa, a tendency which is likely to become more pronounced as the demand for male trafficking for cheap labour increases[38]. As such, taking a gender-responsive approach to trafficking in persons, ensures adequate attention is paid to the gender dimensions of this human rights violation on all persons irrespective of gender, highlighting the continued urgency for the collection and analysis of comprehensive Sex-disaggregated data on trafficking continues to be critical.

b)   Children's Vulnerability

As earlier noted, there is a high prevalence of child trafficking in Africa, that is fuelled by a range of factors, including the active involvement of children in armed conflict (child soldiering). A recent report by the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) cites figures indicating about 300,000 children below the age of 18 are actively engaged in armed forces and groups worldwide, including many in several countries in Africa[39].

Sexual abuse and sexual exploitation of children can take multiple forms and they can occur both online (e.g. forcing a child to engage in sexual activities via live streaming or exchanging child sexual abuse material online) and offline (e.g. engaging in sexual activities with a child or causing a child to participate in child prostitution)[40]. When the abuse is also recorded and shared online, the harm is perpetuated. Victims have to live with the knowledge that images and videos of the crimes showing the worst moments of their lives are being circulated and anyone, including their friends or relatives, may see them.

Additionally, child trafficking for the purpose of radicalization is a reality on the continent, often under the guise of religious activity. In fact, certain faith-based institutions in Africa, including certain informal Islamic schools and rehabilitation centres, have been found to have abused and kept men, women and children against their will. At times, their release is made subject to payment by family members[41]. Furthermore, children sent to certain faith-based institutions, in particular in West Africa, have commonly been exploited and abused by their teachers, and forced to beg in the streets[42]. The reality is that traffickers may take advantage of religious beliefs to coerce victims into servitude. It is important that governments engage with, seek assistance from, and offer support to cultural and religious leaders in addressing human trafficking under these circumstances[43].

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38   AU Draft Report of The Evaluation of the Implementation Status of The African Union's Ouagadougou Action Plan to Combat Trafficking in Human Beings, especially Women and Children (2006) in Africa (2019) 29-30. See also US Department of State Trafficking in Persons Report 2019 (2019).
39   African Committee of Experts on the Rights and Welfare of the Child (ACERWC) Continental Study on the Impact of Conflict and Crises on Children in Africa (2016) 1. Walk Free Foundation The Global Slavery Index 2018: Africa Region Report (2018) 5.
40   This strategy refers to child sexual abuse for simplicity but it should be understood as covering also child sexual exploitation and child sexual abuse material (referred to in legislation as "child pornography")
41   https://www.news24.com/Africa/News/nigerian-police-free-259-people-from-islamic-institution-20191105 ("Nigerian police free 259 people from Islamic institution"); https://www.news24.com/Africa/News/nigerian-president-vows-crackdown-on-abusive-islamic-schools-20191015 ("Nigerian president vows crackdown on abusive Islamic schools").
42   Walk Free Foundation The Global Slavery Index 2018: Africa Region Report (2018) 22.
43   US Department of State Trafficking in Persons Report 2019 (2019) 10.

CHAPTER 4:
Strategic Framework of Combating and Prevention of Trafficking in Person (TIP) in Africa

It is evident that Member States and RECs on the continent need to develop comprehensive and forward-looking strategies to combat and prevent Trafficking in Persons in Africa. These strategies should be forward looking, progressive and sustainable in terms of taking advantage of the existing efforts in combating the crime. The new strategies should also be cognizant of the ever-changing TIP landscape due to advancement of technology and the cunning of perpetrators among other issues.

As such, the following 12 strategies are recommended for implementation by AU Member States and RECs. These strategies take note on the need for Member States and RECs to enhance the 4Ps approach in combating TIP namely Protection, Prevention, Prosecution and Partnership. These strategies are also linked and contributed to the UN SDGs Agenda, the Global Compact on Migration, specifically Objective 10 and other AU Continental policy documents on Child Protection, the Migration Policy Framework for Africa among others. It also identifies the need to build the capacity building of relevant institutions dealing with the prevention of TIP at all levels, to ensure that they have the right capacity and capability to undertake their core mandates.

Specifically, the following strategies are recommended to Member States and RECs to combat TIP in Africa:

I.   Enhance the law enforcement, legislators, prosecution and Intelligence Sharing framework to prevent TIP on the continent.

II.   Facilitate gender -responsive victim protection, compensation and assistance

III.   Develop and Implement Comprehensive Legal and Policy Frameworks on Combating TIP

IV.   Promote Research, collection and utilization of verifiable and sex and age disaggregated Data on TIP; as a basis of evidence-based policy development and implementation.

V.   Build and enhance the capacity of relevant Institutions to combat TIP on the continent.

VI.   Manage borders in an integrated, secure human rights based, and coordinated manner

VII.   Streamline the management of the cross border and international labour migration; including its recruitment and other labour Practices

VIII.   Develop and enhance the use of Technology and Information systems to detect and prevent TIP and Online Child Exploitation

IX.   Address the root causes of Irregular Migration and TIP in Africa

X.   Develop and implement awareness creation and sensitization strategies on the prevention of

TIP in Africa.

XI.   Undertake sustainable solutions for the Victims of TIP, including but not limited to sustainable and safe Return, Readmission and Reintegration (RRR).

XII.   Promote collaboration, partnership and cooperation at all levels in combating TIP in the continent.

I.   Strengthen the Law Enforcement, Prosecution and Intelligence Sharing Framework to Prevent TIP in the Continent.

For effective prevention and combating of TIP in Africa, there is need for Member States and RECs to strengthen the rule of law, particularly the law enforcement, prosecution and intelligence sharing institutional and operational frameworks at national, regional and continental levels. The Police and other law enforcement agencies at national levels should be well equipped with necessary skills and capacity to detect and dismantle criminal networks undertaking TIP activities at all levels and be able to ensure that they face justice as per the laws of the countries. There should also be a coordination and collaboration framework among security and law enforcement actors at all levels to enhance information sharing among them.

Specifically, the following actions are recommended to realise the above strategy:

a.   Establish and promote a national, regional and continental Law Enforcement, prosecution and intelligence dialogue and coordination committees and or working groups on TIP, similar to the one of the AU Horn of Africa Law Enforcement Working Group and other law enforcement frameworks, including the Association of Prosecutors in Africa, with clear Terms of Reference; to provide a forum for information sharing, best practices and collaboration among the relevant actors.

b.   Conduct training needs assessments of law enforcement, prosecution, judicial and intelligence officials in order to strengthen their capacity to respond to and address TIP caseloads at all levels.

c.   Mainstream gender responsive TIP curricula in national and regional law enforcement, prosecution and intelligence training and career development institutions to promote awareness creation and skills acquisition of relevant staff.

d.   Develop a one stop publicly accessible web portal on TIP with comprehensive information and updates on relevant information on combating TIP at national, regional and continental levels; to act as point of reference and use by law enforcement, prosecution and intelligence community.

e.   Strengthen the capacities of relevant law enforcement, prosecution and intelligence institutions at national, regional and continental levels; including allocation of necessary financial and human resources; to enable them respond to and support the fight and prevention of TIP at all levels.

f. Develop a robust collaboration and cooperation framework with different stakeholders, including the general public, media, non-state actors, workers' union, business communities among others to enhance intelligence and information sharing on TIP.

g. Promote and improve systematic bilateral, regional and continental intelligence and information sharing among relevant institutions on TIP emerging trends and patterns, including through joint databases, online platforms, training centres and liaison networks at all levels, while upholding the right to privacy and protecting personal data.

h. Develop and where necessary, ratify and implement necessary national, regional and international legal and policy frameworks that promote as far as possible human rights and protection, especially for the vulnerable groups, such as women, girls, children and persons with disability and victims of TIP during the investigation, prosecution and adjudication process of TIP caseloads.

i. Create and operationalise special units, within existing law enforcement, judiciary and prosecution structures, with a specific mandate to fast track and effectively undertake necessary actions to combat trafficking in persons.

j. Identify and dismantle criminal networks perpetuating TIP activities at national, regional, continental and international levels; by disrupting their demand and supply chain at all levels, including their financial systems and other collaborators and enabling factors.

k. Promote as far possible joint operations and investigations to enhance mutual trust, resource optimization and experience sharing at all levels.

l. Establish a proactive financial investigation framework at national, regional and international levels to identify possible use of existing financial systems to promote TIP.

m. Take a number of measures, including developing a code of conduct to guide and enhance accountability and reward mechanism among law enforcement, prosecution and intelligence officers to deter collusion between them and trafficking network.

II. Facilitate Gender Responsive Victim Protection, Compensation and Assistance

Victims and survivors of TIP suffer abuses in the hands of traffickers and their accomplices. They undergo exploitation of various forms which may affect them physically and psychologically, including disrupting their livelihoods. As such, Member States and RECs should develop measures to support these victims and survivors to recover from their experiences, by providing them with sustainable / durable solutions at their earliest possible time. This may also include   ensuring their protection as witnesses while they undergo and support the State in the prosecution and judicial process of the perpetuators.

Specifically, Member States and RECS of the African Union may undertake the following actionable commitments in promoting victim protection and assistance:

a.   Establish and operationalise referral mechanism at all levels in collaboration with relevant actors to ensure victims of TIP access any support and information needed in a timely manner.

b.   Establish and operationalise a children-sensitive rescue centres and safe houses; and further take all necessary measures to trace and reunite children with parents or relatives as soon as possible;

c.   Provide alternative family care for an unaccompanied child and in appropriate cases, allow child victims to remain in the country where human trafficking was detected in line with Best Interests Procedure in line with national laws and regulations.

d.   Provide psychosocial support to vulnerable groups like children and women survivors of trafficking; especially those who have undergone sexual exploitation and provide them with an environment where they can speak out about their experiences without fear, lack of trust or shame.

e.   Provide community based alternatives to migrant detention for victims and survivors of trafficking including safe spaces for those who are vulnerable, elderly, people living with disability and children;

f.   Make available emergency assistance, longer-terms care and reintegration support, and facilitate the reporting of human trafficking, concerns the use of specialised human trafficking reporting hotlines. Such hotlines can take any one or combination of forms of communication, including toll-free telephone calls with easy-to-remember numbers, e-mail accounts, SMS text lines, mobile applications, online chat functions, website forms, and social media accounts. These should take cognisance of safety and security of personal data and privacy based on applicable national laws.

g.   Establish a victim and witness protection legal and policy frameworks, during but also where necessary, before and after court proceedings and take special measures to extend protection to children in criminal proceedings.

h.   Build the capacity of relevant government officers and other stakeholders to identify and respond to victims and survivors of trafficking, for regulatory and non-regulatory first responders, such as immigration officials, doctors and teachers, as well as those in law enforcement, and officials involved in victim intake and support services.

i.   iFacilitate all victims of TIP, regardless of sex and age, to access assistance; including medical and psychological assistance, and rehabilitation services, and irrespective of cooperation with law enforcement agencies;

j. Adopt specific measures to avoid criminalisation of victims of trafficking, as well as stigmatisation and the risk of re-victimisation.

k. Consider adopting legislative or other appropriate policy measures that will provide sustainable / durable solutions to victims and survivors of trafficking of trafficking in persons.

l. Ensure that services are provided on a consensual and informed basis, taking special attention to vulnerable groups especially women, and children and their rights of accommodation, education and appropriate health care.

m. Build the capacity of relevant officers working in the prevention of TIP at all levels; to enable them identify and help victims of TIP, especially children and other vulnerable groups, taking into consideration their special situations and needs.

III.   Develop and Implement a Comprehensive Legal and Policy Frameworks on Combating TIP at All Levels

For a sustainable efforts of combating TIP at national, regional and continental levels, there is a need for AU Member States and RECs to develop, ratify, sign and adopt international, continental and regional legal framework; to provide a harmonised approach in the fight against Trafficking in persons in Africa. The existence of legal and policy framework at all levels will provide a basis for states to collaborate and conform to international best practices through peer review, benchmarking and a harmonised approach in victim protection, law enforcement, judicial process and intelligence sharing; among others.

Specifically, Member States are encouraged to undertake the following measures to enhance a harmonised Legal and Policy Frameworks in combating TIP in the Continent:

a. Expedite the ratification of, accession to and implementation of the international legal instruments on TIP including but not limited to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

b. Consider the Development and promote the ratification and accession of a continental protocol on Combating Trafficking in Persons in Africa to compliment this policy by providing a harmonised legal response to the continent's specificities in the prevention of TIP in Africa, especially on Women, children and other vulnerable groups.

c. Expedite the implementation of the 5 Year Plan of Action of this Policy on Prevention of Trafficking in Persons in Africa to ensure a harmonised policy approach at national, regional and continental levels.

d. Consider developing National and Regional Action Plans in line with the continental action Plan putting into considerations national and regional specificities.

e. Develop and where appropriate review and implement national legislations that provides

for the non-criminalization of victims, unconditional access to protection of victims of TIP, responsive information sharing, legal proceedings including victim witness protection programmes among other issues as provided by this policy.

f.   Ensure that the above national legislations and administrative guidelines on TIP provide information to victims about the status of relevant criminal and other legal proceedings, and that the status of these proceedings are considered prior to any return of the victim.

g.   Adopt national legislations and or administrative guidelines on TIP provides an opportunity for the victims of trafficking to testify in the investigation and prosecution of cases of trafficking in persons by giving due consideration to the safety and security of victims and witnesses at all stages of legal proceedings, in particular with regard to children.

h.   Adopt a national legislation and or administrative guidelines on TIP that ensures assistance to a victim is not made conditional on his or her willingness to act as a witness.

i.   Ensure that trafficking in persons is included in the poverty reduction strategies at all levels, including local authorities; and allocate the necessary budget for combating this crime.

IV.   Promote Research, Collection and Utilization of Verifiable and Disintegrated Data on TIP; as a Basis of Evidence-Based Policy Development and Implementation.

For the continent to effectively address the TIP crime, there is need to invest in the promotion of research and the use of verifiable data as a basis for evidence-based policy and legal development and implementation at national, regional and continental levels. There is need for AU Member States and RECs to enhance continental evidence base on TIP, by investing in the collection, analysis and dissemination of accurate, reliable and comparable data on TIP; with the aim of guiding coherence and a harmonised approach in the prevention of TIP at all levels in the continent.

Specifically, AU Member States and RECs are encouraged to undertake the following measures to achieve the above objective:

a.   Support the operationalization of national, regional and continental observatories and research and data collection centres; including the Mali, Morocco and Sudan migration centres; and ensure their collaboration among them and other relevant existing ones in research and data collection on TIP.

b.   Undertake the harmonization of statistical terms on TIP and methodologies for data collection; and strengthening analysis and dissemination of TIP related data and indicators.

c.   Strengthen the collection of CRVS data and issuances of social security, national identity.

d.   Develop and operationalise a TIP database and depository at national, regional and continental levels with a full capacity to complement each other and further collaborate with other partner led regional or global TIP databases and portals like the IOM's Counter-Trafficking Data Collaborative (CTDC) and the UNODC's Human Trafficking Knowledge

Portal among others.

e.   Mainstream TIP surveys in national census to ensure the utilization of relevant data in national planning and in the development of poverty reduction strategies.

f.   Enhance the capacity of national, regional and continental Migration statistics offices to effectively conduct research and data collection in a timely manner through the provision of relevant and adequate human and financial resources.

g.   Promote collaboration and cooperation among different migration statistical offices dealing with TIP at all levels, research institutions, academic institutions and think tanks to enhance information sharing, complementarity and effective use of resources to undertake research and data collection on TIP.

h.   Establish and operationalise a dialogue and cooperation framework, including Migration Statistics Working Group at national, regional and continental levels to promote collaboration and cooperation on migration statistics initiatives, including that of TIP at all levels in the continent.

i.   Develop, launch and publicize a centralized publicly accessible TIP portal to provide relevant information on TIP data at national, regional and continental.

V.   Build and Enhance the Capacity of Relevant Institutions to Combat TIP in the Continent.

There is need for strengthening relevant institutions dealing with trafficking in persons to ensure they deliver in their mandate. This could be through provision of adequate human and financial resources or providing them with necessary policy and legal framework to effectively undertake their mandates. Strong institutions will enhance prevention and prosecution of TIP cases through timely prosecution and determination for the cases.

Specifically, AU Member States and RECs are encouraged to undertake the following measures to enhance the capacity of their institutions to combat TIP in the Continent:

a.   Establish and build the capacity of the AU Commission and all RECs Secretariats with relevant technical and financial support to provide technical support and coordination of relevant TIP responses at the continental and at regional levels.

b.   Allocate adequate financial and human resources to all relevant institutions dealing and working on TIP in all its forms; at national, regional and continental levels. This will enhance their capacity to effectively undertake their mandate in dealing with TIP caseloads; especially in the research, prevention, protection and prosecution initiatives.

c.   Develop and implement necessary policy and legal framework to provide a conducive working environment in which relevant institutions can fully undertake their mandates, including gender responsiveness as per international best practices.

d. Provide opportunities for relevant staff to enhance their knowledge in TIP through provision of career development and learning opportunities.

e. Establish a collaboration and cooperation framework among relevant institutions dealing with TIP at national, regional and continental levels; to address duplicity in mandates, enhance information, experience and sharing of best practices among them.

f. Ensure that the representatives of these institutions are involved in major decision-making process and other appropriate coordination frameworks and or forums/initiatives of the prevention of TIP at all levels in the continent; to enhance information sharing and best practices.

VI. Manage Borders in an Integrated, Secure and Coordinated Manner

Effective management of national borders is important to combat TIP in the continent. Border managers and actors need to take a keen eye on mobility of people and goods across the borders since they contribute to the proliferation of trafficking in persons' activities. Effective management of the borders may also help in early detection and prevention of TIP cases, refer detected victims to assistance, arrest and prosecution of perpetrators of this crime and further dismantle their networks before they can execute their activities across the border. It is imperative therefore for AU Member States to integrate effective border management in the larger strategy in combating TIP at national, regional and continental levels.

The following strategies are recommended to be undertaken by AU Members and RECs to enhance border management in the prevention of Trafficking in Persons in the Continent:

a. Invest and operationalise a harmonised national and regional border information management system, including biometric machines and integrated border management systems; to promote information and intelligence sharing on TIP activities and trends; while at the same time support the identification of criminal networks using our borders and protecting victims of trafficking.

b. Develop a harmonised travel document system for both national citizens and asylum and refugees; as per the ICAO Standards; with a complete accessible database to address fraud in travel documents among Member States.

c. Expedite the ratification of, accession to and implementation of the AU Convention on Cross Border Cooperation by Member States and RECs and any other international cross border regional and international policy and legal instruments; to enhance a harmonized approach in border management.

d. Develop and implement a protection sensitive reception and assistance facilities at border points for victims of TIP while putting into consideration their vulnerability situation.

e. Develop and implement an awareness and sensitization strategy to all border management officials and stakeholders to help in detection, information sharing and intelligence

gathering of TIP cases at the border points.

f. Mainstream TIP curriculum in all relevant training institutions for border management officers, including at the Cadet and promotional levels; to build their capacity in the prevention of TIP in the continent.

g. Develop a harmonised strategy to manage cross border trade to address vulnerability, especially in women, that may lead into them falling into the hands of criminal networks of trafficking in persons at border points.

h. Develop a harmonised approach and collaboration framework with cross border and international transport system, both sea, land and air; but specifically, airlines and long-distance vehicles crossing different borders, to ensure they are not used by TIP criminal networks to promote their activities.

i. Strengthen cross border cooperation and intelligence sharing among law enforcement agencies, administrative and other critical actors at national, regional and continental levels to enhance proper coordination, sharing of information and best practices.

j. Develop and implement a strict code of ethics on management of borders at all levels and ensure strict compliance of all officers and actors working at the border management to tame complacency by these officers and stakeholders with TIP criminal networks.

k. Establish appropriate structures and mechanisms for effective integrated border management; by ensuring comprehensive and efficient border crossing procedures, including through pre-screening of arriving persons, pre-reporting by carriers of passengers, and use of information and communications technology, while upholding the principle of non-discrimination, respecting the right to privacy and protecting personal data to detect and prevent TIP cases.

l. Review and revise relevant national and regional standard operational procedures for border screening, individual assessment and interview processes to ensure due process at international borders to detect any cases of TIP; and ensure these procedures are harmonised across the region.

m. Enhance international, regional and cross-regional border management cooperation among AU Member States, RECs and other stakeholder at national regional and continental levels; by establishing collaboration and dialogue framework, to enhance information sharing and promotion of best practises in border management.

n. Allocate necessary and sufficient resources both human capital and financial to enable effective service delivery of relevant border management national and regional departments and agencies.

o. Develop and adopt a national and regional legal and policy framework, including cooperation agreements that will enhance collaboration among AU member States, RECs

and other stakeholders, while taking into account the protection of vulnerable groups, especially women and children.

p.   Promote and invest in research and collection of verifiable disintegrated data on border management at national, regional and continental levels, to enhance and contribute to effective evidence-based policy formulation and implementation.

VII.   Streamline the Management of Cross Border and International Labour Migration; Including its Recruitment and Other Labour Practices

While Labour mobility across the borders and regions account for the greatest percentage of migrants in the continent, unregulated labour migration has also contributed significantly to the TIP situation in Africa, especially at the supply end. African Union Member States and RECs therefore needs to come up with innovative strategies to streamline the management of labour migration at national, regional and international levels to ensure that it is safe, orderly and regular. These efforts will prevent TIP criminal networks from exploiting and luring potential workers into their traps. These strategies may include institutional capacity building, awareness creation, enhancing coordination among different stakeholders, among others.

Specifically, AU Member States and RECs are encouraged to undertake the following measures to address the contribution of labour migration in promoting TIP in the Continent:

a.   Fast track the Implementation of the 10 Year Action Plan on the Eradication of Child Labour, Forced Labour, Human Trafficking and Modern Slavery in Africa (2020-2030): Agenda 2063, SDG Target 8.7 to ensure harmonization of policies at national, regional and continental levels on labour and employment sector.

b.   Fast track the ratification of, accession to and implementation of the UN Convections, including the ILO International Labour Standards on human and labour rights' protection of migrant workers and other international legal instruments on child labour, forced labour, human trafficking and modern slavery.

c.   Support the implementation of AU-ILO-IOM Joint Labour Migration Program to enhance collaboration on labour migration issues in the continent.

d.   Invest in skills development and facilitating mutual recognition of skills, qualification and competencies mechanisms at the national, regional and continental levels through the validation of the African Continental Qualification Framework (ACQF). This will prevent exploitation of workers and ensure matching of skills with the right workers to avoid their exploitation and eventual being lured into trafficking networks.

e.   Strengthen the Labour Market Information System capacities at national, regional and continental levels for enhanced labour market forecasts and skills need anticipation systems to help in providing useful information in the prevention of TIP in labour migration.

f. Develop and implement regular pathway migration schemes to foster decent job opportunities in foreign job markets, through bilateral and multilateral Labour Agreements (BLAs), MoUs and Fair Recruitment schemes, particularly into the agricultural, domestic sector and construction sectors, to prevent exploitation by trafficking networks.

g. Facilitate adequate provision of labour attachés (and other consular services) in AU Member States regional and international foreign missions to enable AU labour migrants and victims of trafficking abroad to access necessary support and assistance; including documentations, return and reintegration back to their countries of origin.

h. Establish and promote collaboration, coordination and dialogue frameworks among different stakeholders including relevant government departments and agencies on labour migration; and other stakeholders such as civil society at national, regional and continental levels to enhance information, experience sharing and best practices.

i. Build the capacity of relevant labour migration institutions at national and regional levels; by providing relevant resources and staff with necessary skills on issues of TIP to support in the management of labour migration and TIP issues at all levels.

j. Review relevant existing labour laws and work conditions to identify and effectively address workplace-related vulnerabilities and abuses of migrant workers at all skills levels, including domestic workers, and those working in the informal economy, in cooperation with relevant stakeholders, particularly the private sector that can contribute to trafficking situation in the continent.

k. Improve regulations on public and private recruitment agencies in order to align them with international guidelines and best practices, and prohibit recruiters and employers from charging or shifting recruitment fees or related costs to migrant workers in order to prevent debt bondage, exploitation and forced labour and trafficking of persons, including by establishing mandatory, enforceable mechanisms for effective regulation and monitoring of the recruitment industry.

l. Strengthen the enforcement of fair and ethical recruitment and decent work norms and policies by enhancing the abilities of labour inspectors and other authorities to better monitor recruiters, employers and service providers in all sectors, ensuring that international human rights, labour and social security laws are observed to prevent all forms of exploitation, trafficking in persons, slavery, servitude and forced, compulsory or child labour.

m. Undertake measures that prohibit the confiscation or non-consensual retention of work contracts and travel or identity documents from migrants, in order to prevent abuse, all forms of exploitation, trafficking in persons, forced, compulsory and child labour, extortion and other situations of dependency, and to allow labour migrants to fully exercise their human rights;

VIII. Develop and Enhance the use of Technology and Information Systems to prevent TIP and Online Child Exploitation

Technological advancement including the introduction of high-speed internet, social media platforms among others have provided a huge challenge in the prevention of TIP in the continent. Trafficking networks use them to lure their unsuspecting victims, including children into their networks for exploitation and abuse. As technology advances, it also provides a rapid shift to the forms through which trafficking networks and online child exploiters use to lure their victims into their networks. There has been an increase in greater circulation in child sexual base materials, through peer to peer (P2P) sharing platforms and encrypted software technologies like the darknets. Others include the use of cloud-based services, internet enabled-mobile services, and the use of virtual based currency including bit coins as means to purchase and promote online sex materials and payment systems.

Member States and RECs should take note and appreciate that advancement of technology is a real threat in promoting trafficking in persons and online child exploitation. Measures should therefore be taken to tap on the benefits of technology advancement to combat trafficking in persons and online child exploitation; while at the same time minimise its impact in promoting the vice.

The following measures are encouraged to be undertaken by AU Member States and RECs to achieve the above strategy:

a. Establish a collaboration framework with all relevant state and non-state actors and players in the technology and information industry, including private mobile telephone companies, internet solutions providers, civil societies, among others, to provide a regular platform to share information, best practices and seek their participation in addressing TIP in technology and information systems industry.

b. Develop necessary policy and legal frameworks at all levels in the continent outlawing the use of technology and information system to promote TIP and online child exploitation and abuse.

c. Build the capacity of relevant national agencies in technology and information system with necessary equipment and technical skills to identify and apprehend the use of technology and information system in promoting TIP and online child exploitation and abuse.

d. Develop a comprehensive awareness and sensitization program, involving all actors, to sensitize the public, particularly the vulnerable groups in the society, on role of technology and information system in promoting TIP and online child exploitation and abuse.

IX. Address the Root Causes of Irregular Migration and TIP in Africa

There is an urgent need for AU Member States and RECs to address all compelling reasons that make people to move irregularly out of their habitual residence. This may include political, environmental and economic reasons that account to the main reasons why most African citizens move out of their countries to other destinations. These reasons also provide the supply side of the trafficking in persons and is more

often or not exploited by trafficking networks to identify and attract their victims.

AU Member States and RECs are encouraged to undertake the following measures to address the root causes of migration and TIP in the Continent:

a. Strengthen and implement necessary mechanisms towards preventing conflict, enhancing national and regional security while enhancing early warning systems and emergency responses to prevent people from being forced out of their habitual residences and eventually falling prey to trafficking networks.

b. Discourage any political interference, military engagements and interventions at national and regional levels by external actors that have resulted into a protracted conflict situation thereby triggering migration crisis in the continent and further contributed to TIP situation in the continent.

c. Review and implement international, national and regional laws and policy regimes to enhance reception and asylum assistance and protection of all refugees, asylum seekers, and other forced migrants; while at the same time promoting durable solutions to ensure these categories of migrants do not embark to secondary movements out of their countries of asylum due to frustrations to unknown destinations; and eventually ending up into the trafficking networks for exploitations.

d. Expedite the implementation of AU Agenda 2063, the UN 2030 Agenda for Sustainable Development, the 2013 Addis Ababa Declaration on Population and Development (AADPD), including the Addis Ababa Action Agenda to promote sustainable developments at national and regional levels; including through industrialization and diversification of national and regional economies hence creating more employment opportunities and address poverty alleviation.

e. Support the Improvement/enhancement of the capacity of relevant national institutions that deal with labour migration by enabling them to deal effectively on labour related issues and formulate sound national and regional labour related policy to promote sustainable development and poverty.

f. Promote intra and inter regional cooperation between the sending and the receiving countries to not only enhance protection of migrants in the receiving countries but also ensure smooth return and reintegration of migrants back at in their home countries.

g. Strengthen joint analysis and sharing of information at national, regional and continental levels; to better map, understand, predict and address migration movements, such as those that may result from sudden-onset and slow onset natural disasters, the adverse effects of climate change, environmental degradation, as well as other precarious situations, while ensuring the effective respect, protection and fulfilment of the human rights of all migrants.

h. Develop adaptation and resilience strategies to sudden-onset and slow-onset natural disasters, the adverse effects of climate change, and environmental degradation, such

as desertification, land degradation, drought and sea level rise, taking into account the potential implications on migration and TIP in the continent, while recognizing that adaptation in the country of origin is a priority.

i. Integrate displacement considerations into disaster preparedness strategies and promote cooperation among Member States, RECs and other partners; to prepare for early warning, contingency planning, stockpiling, coordination mechanisms, evacuation planning, reception and assistance arrangements, and public information.

j. Recognize the acute protection needs and vulnerabilities affecting migrants along the routes and ensure that counter trafficking responses do not contribute to increasing those needs and vulnerabilities or to exposing migrants to violations of their human rights and fundamental freedoms, including their protection against cruel, inhuman or degrading treatment and punishment. Special attention should also be given to the protection of victims of trafficking, survivors of torture and sexual violence, unaccompanied children and persons with particular health needs, including mental health.

k. Harmonize and develop approaches and mechanisms at national, regional and continental levels; to address the vulnerabilities of persons affected by sudden-onset and slow-onset natural disasters, by ensuring they have access to humanitarian assistance that meets their essential needs with full respect for their rights wherever they are, and by promoting sustainable outcomes that increase resilience and self-reliance.

l. Establish or strengthen mechanisms to monitor and anticipate the development of risks and threats that might trigger or affect migration movements, strengthen early warning systems, develop emergency procedures and toolkits, launch emergency operations, and support post-emergency recovery, in collaboration with all actors at national, regional and continental levels.

m. Invest in sustainable development at local and national levels; through the full implementation of the African Union Roadmap on Harnessing the Demographic Dividend through Investments in Youth (Employment and Entrepreneurship; Education and Skills Development; Health and Wellbeing; and Rights, Governance and Youth Empowerment); allowing all African citizens to improve their lives and meet their aspirations, by fostering sustained, inclusive and sustainable economic growth, including through private and foreign direct investment and trade preferences, to create conducive conditions that allow communities and individuals to take advantage of opportunities in their own countries and drive sustainable development.

n. Expedite the ratification of, accession to and implementation of the Protocol to the treaty establishing the African Economic community relating to Free movement of persons, right of residence and right of establishment; the Protocol Establishing the treaty on the African Continental Free Trade Agreement (AfCFTA); and other relevant AU legal and policy framework that can promote free movement of people, expansion of access of business

and other livelihood opportunities and decent work to all Africans without considering their borders.

o.   Promote regional integration and free movement regimes in all RECs, as exhibited in the East African Community and ECOWAS, to access and expand business and other livelihood opportunities and decent work by citizens of these RECs.

X.   Develop and Implement Awareness Creation and Sensitization Strategies on the Prevention of TIP in Africa

One of the main reasons why there is a prevalent in the trafficking in persons in Africa is lack of information and awareness among potential victims, law enforcements agencies, among other stakeholders. When there is adequate awareness and sensitization of the dangers of TIP in the community, it will help in identification of cases, intelligence gathering to identify potential trafficking networks in the community before they commit their crime and also provision of necessary support to victims of TIP as well.

AU Member States should therefore invest heavily in awareness creation to ensure that the masses are well informed of this crime at all levels; while those in charge of prevention undertake their work diligently with full knowledge.

The following measures are recommended for Member States and RECs to achieve the above strategy:

a.   Establish a coordinated continental, regional and national campaign on prevention of TIP to sensitize all stakeholders, including the general public, government officials, and business community, among others; on the impact of TIP in the society and compliment it with other existing campaigns at all levels.

b.   Revive and strengthen the AU. COMMIT sensitization platform by providing adequate resources to coordinate regional and national campaigns on the prevention of TIP in the continent.

c.   Identify and involve prominent personalities in the society in different fields, including but not limited to sports, business, film and fashion industry; among others as goodwill ambassadors on the prevention of TIP at national, regional and continental levels; to help advocate against this vice among the youth.

d.   Involve the media in disseminating targeted information to promote the prevention of TIP through sponsored regular and predictable public announcements and adverts on TIP, with clear messages.

e.   Undertake to utilize major sporting activities at national, regional and continental levels, to develop targeted messages against TIP in the continent; especially during live coverage.

f.   Organise regular national, regional and continental sensitization forums involving all stakeholders to share information on trends and development of TIP at all levels. These forums can also be on different media channels, town hall meetings; among others.

g.   Partner with airlines and national recruitment agencies to develop targeted messaging at all levels of recruitment and travel of all migrants; at national borders, check in counters; among other areas to ensure that they are well informed during their travel process on the prevention of TIP.

h.   Develop targeted messages against TIP at all national border, both entry and exit either at sea, land or air; to promote the prevention of TIP along the borders.

i.   Develop and disseminate specific sector tool kits on the prevention of TIP at national, regional and continental levels for use by different stakeholders; including transport, education, airlines, among others.

j.   Undertake community outreach activities, involving all stakeholders and ensure targeted training of all relevant officials at grassroots levels to develop their capacity in prevention of TIP at national levels.

k.   Mainstream the prevention of TIP into school curriculum at all levels to create awareness among school going children, out of school and the youth since they are the main target by illegal TIP network.

l.   Launch and publicize a centralized and publicly accessible national, regional and continental website on TIP to make relevant information available for any person to access on issues of TIP and how to prevent it.

XI.   Undertake Sustainable solutions for the Victims of TIP, Including but not limited to their Return, Readmission and Reintegration (RRR).

There is need for States to consider providing sustainable solutions for victims of TIP to return to their countries of origin when rescued from illegal networks either in third countries or in transit countries. These sustainable solutions should be protection sensitive, designed to alleviate the pain in which the victims have gone through and provide them with an opportunity to rebuild their lives. The return should be one of the protection measures and not the only one and based on risk assessment and management plan informing the decision on sustainable option. The return and reintegration process should therefore be seamless, observes human rights and gives a new lease of life to these victims to rebuild their lives once again in their countries of origin.

The following actions are recommended for AU Member States and RECs to implement the above strategy:

a.   Develop an awareness strategy for returning victims to create awareness during their return process on available government assistance and support opportunities, referral mechanism at national levels, available service providers including non-state actors, among other information to enable them be aware and be supported accordingly during the return and reintegration process.

b.   Establish reception centres at each border point with information desks accessible to all returning victims to enable them get the necessary support once they have arrived in the

countries of origin.

c. Enhance and mandate the provision of necessary identification documents including social security, national identity cards, school certificates, birth certificates, travel documents among others to all returning migrants to ensure they can easily reintegrate back to their communities and access all necessary services provided by their national authorities and or government.

d. Provide necessary awareness creation to all government officers involved in their return and reintegration process, including other stakeholders like the civil society to ensure they are sensitive to the needs of these returning victims of TIP and provide protection sensitive assistance and support during the reintegration process.

e. Provide opportunities for livelihood including employment in the formal sector or informal sector and where need be provide opportunities for credential certifications to the returning victims for them to get employment opportunities that need skills certifications.

f. In partnership with other stakeholders, including the media and civil society, develop and undertake campaigns against stigmatization of returning victims in the society that may lead to discrimination in the host community and other areas in the society.

g. Develop a data and research framework to track the progress and make follow up on the progress of returning migrants specifically on how they are reintegrating in their society to inform policy development and implementation.

h. Integrate return and reintegration within the national development framework and ensure allocation of necessary resources to support the returning victims of TIP.

i. Establish and operationalise a collaboration and coordination framework at national and to the lowest level of the society, involving all the actors, including local authorities, business community, civil societies, media, and the local community among others, to share information, identify challenges of returning victims and develop measures to support them.

j. Establish or strengthen national monitoring mechanisms on return, in partnership with relevant stakeholders, that provide independent recommendations on ways and means to strengthen accountability, in order to guarantee the safety, dignity, and human rights of all returning migrants

k. Ensure that return processes involving children involved in TIP are carried out only after a determination of the best interests of the child, taking into account the right to family life, family unity, and that a parent, legal guardian or specialized official accompanies the child throughout the return process, ensuring that appropriate reception, care and reintegration arrangements for children are in place in the country of origin upon return.

XI. Promote Collaboration, Partnership and Cooperation at all levels in Combating TIP in the Continent.

In order to win the war against TIP in Africa, there is need for AU Member States and RECs to work and collaborate with all stakeholders at national, regional and continental levels. These stakeholders include all relevant government agencies and departments with mandate on TIP, multilateral institutions including AU and UN Migration Network, Interpol and AfriPol, non-state actors including civil societies, human rights commissions, media, business communities, transport sector, employers and workers union, among others. The main purpose of this collaboration is to ensure there is synergy among all stakeholders, avoid duplication of efforts, pull resources and tap from relevant expertise; to inform information sharing, share best practices and enhance operational and policy prescriptions.

This collaboration and partnership should be anchored and supported by all relevant decision-making process at all levels, to ensure a structured engagement. The decisions made in this framework should be implemented at all levels and supported by relevant political institutions.

The following measures are recommended for Member States and RECs to promote collaboration, partnership and cooperation in combating and responding to TIP challenges in the Continent:

a. Establish and operationalise national, regional and continental Working Groups on the Prevention of TIP; bringing together all relevant stakeholders to promote coordination, collaboration and cooperation among different actors. These Working Groups should strengthen, contribute and complement the existing interstates dialogue frameworks including National Migration Coordination frameworks, Regional Consultative Processes (RCPs) and the Pan African Forum on Migration (PAFOM).

b. Identify and appoint relevant focal persons with relevant expertise to support coordination and collaboration efforts at all levels; to enhance information sharing, collect, analyse and distribute information and co-ordinate efforts in the prevention of trafficking in persons.

c. Promote as far as possible cross border collaboration and cooperation among relevant stakeholders at national borders, by establishing regular and predictable consultative forums and information sharing platforms.

d. Encourage the development of harmonised regional and national Action Plans based on the continental one, with shared priorities and responsibilities among all actors and stakeholders; taking into account the need for international, continental, regional and bilateral co-operation in addressing the transnational dimensions of trafficking in persons; their unique expertise and contribution synergy and collaboration in fighting trafficking in persons in the continent.

e. Promote and mainstream issues of prevention of TIP in Africa, taking into account the need for international, continental, regional and bilateral co-operation in addressing the transnational dimensions of trafficking in persons at all international cooperation

framework; including the AU-EU Continent to Continent Dialogue on Migration, the EU-ACP Collaboration framework, bilateral and regional cooperation and agreements at all levels. ☐

CHAPTER 5:
Implementation, Follow-up, Reporting and Review of this Policy

For this effective prevention of TIP in the continent, there is need for AU Member States, RECs and other stakeholder, to commit to implement this policy. The commitment should also be supported at all levels including at the highest political levels at national, regional and continental decision-making levels. Adequate resources should also be put in place, with clear Action Plans at national and regional levels, based on the continental one, to ensure a harmonised approach.

I.   Implementation Framework of the Policy

As stated above, for effective implementation of this policy, there is need for a concerted effort of all stakeholders, including States and RECs, to support with relevant resources, political goodwill and necessary capacity building and coordination at all levels. The implementation should also take into account national and regional realities and as much as possible seek to in cooperate all relevant stakeholders with clear responsibilities in its implementation.

It is recommended that AU Member States and RECs undertake the following measures to ensure effective implementation of this Policy:

a.   Expedite the submission of the national and regional policy, as guided by the continental one; to relevant national and regional decision making processes, including national legislative assemblies, where applicable and as per national laws; to ensure acceptability and ownership at all levels.

b.   Develop National and Regional Action Plans as guided by the continental one, based on national and regional priorities and realities; with clear follow, up and reporting mechanism.

c.   Mainstream the implementation of this policy with existing national and regional policies on migration; while building upon existing regional and international dialogue frameworks on TIP including the AU Horn of Africa Initiatives (AUHOAI), the Khartoum Process, among others; to enhance complementarity.

d.   Consider allocation of necessary adequate resources at all levels , based on available capacities to support Member States RECs and the AU Commission to effectively to implement this policy. This funding will support the following, among other areas, in the implementation of this policy:

i.   Supporting the coordination and advocacy framework of the implementation of this policy at national and regional levels.

ii.   Providing predictable and available funds for emergency response on TIP situations, including rescue and support of the victims in distress.

iii.   Providing support to the readmission, return and reintegration of TIP victims back to their countries of origin

iv.   Supporting capacity building by providing technical and financial support to relevant coordination institutions at national and regional levels.

v.   Supporting the organisation of relevant dialogue forums, including sessions of TIP Working Groups at all levels; to promote experience sharing.

vi.   Supporting research and data collection on TIP at all levels to inform policy formulation and development.

vii.   Supporting research and acquisition of relevant verifiable data in collaboration with relevant institutions at national and regional levels to enhance evidence based programming and policy development and implementation.

e.   Member States and RECs to Identify focal persons or ministries with relevant expertise to support coordination and collaboration efforts at all levels; to enhance information sharing, collect, analyse and distribute information and co-ordinate efforts in the prevention of trafficking in persons.

II.   Follow Up, Reporting and Review of the Policy

For effective implementation of this policy, Member States and RECs, including all relevant stakeholders and partners, should develop an effective follow up, reporting and review mechanism of this policy at national, regional and continental levels. This will ensure identification of any challenges in the implementation process, provide necessary learning opportunities and enhance participation of all relevant stakeholders in the implementation process.

For effective follow up, reporting and review of this policy, Member States and RECs shall undertake the following measures:

a.   Develop and implement predictable   implementation, review and reporting framework; and host a high level review conference every 4 Years of the implementation of this policy at the highest political level, including the AU Assembly to review the implementation of this Policy.

b.   Develop a harmonised reporting framework at all levels, with clear performance measurement framework (PMF) to support reporting of the implementation at national, regional and continental levels.

c.   Establish a clear coordination framework, with clear responsibilities of all relevant actors at all levels, guided by the Action Plans to ensure coordination and coherence in the implementation and reporting process.

GLOSSARY

Border control:

A State's regulation of the entry and departure of persons to and from its territory, in exercise of its sovereignty, whether this is conducted at the physical border or outside of the territory in an embassy or consulate.

Child labor:

Any work performed by a child which deprives him or her of his or her childhood, potential, and dignity, is detrimental to his or her health, education, physical, mental, spiritual, moral or social development.

Child trafficking:

The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation, even if this does not involve threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person. (Art. 3(c), UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime, 2000).

Country of destination:

The country that is a destination for migratory flows (regular or irregular).

Country of origin:

The country that is a source of migratory movement.

Country of transit:

The country through which migratory movement (regular or irregular) move towards their final destination.

Exploitation:

The act of taking advantage of something or someone, in particular the act of taking unjust advantage of another for one's own benefit (e.g. sexual exploitation, forced labor or services, slavery or practices similar toslavery, servitude or the removal of organs).

Forced or compulsory labor:

All work or service which is exacted from any person under the menace of penalty and for which the said person has not offered himself/herself voluntarily.

Forced migration:

A migratory movement in which an element of coercion exists, including threats to life and livelihood, whether arising from natural or manmade causes.

Forced Labor:

Forced labor refers to situations in which a person is coerced to work involuntarily. Coercion can take different forms, for example the use of violence or intimidation or more subtle means such as manipulated debt, retention of identity papers or threats of denunciation to immigration authorities. Forms of forced labor include debt bondage, human trafficking, vestiges of slavery or slavery-like practices, and other types of modern slavery

Immigration:

A process by which non-nationals move into a country for the purpose of settlement.

Internal migration :

A movement of people from one area of a country to another area of the same country for the purpose or with the effect of establishing a new residence. This migration may be temporary or permanent. Internal migrants move but remain within their country of origin.

Internally displaced persons :

Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situation of generalized violence, violations of human rights or natural or manmade disasters, and who have not crossed an internationally recognized border.

Irregular migration:

Movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit or destination. There is no clear or universally accepted definition of irregular migration.

Labor migration:

Movement of persons from one state to another, or within their own country of residence, for the purpose of employment.

Mixed migration:

A movement in which a number of people are travelling together, generally in an irregular manner, using the same routes and means of transport, but for different reasons. People travelling as part of mixed movements have varying needs and profiles and may include asylum seekers, refugees, trafficked persons, unaccompanied/ separated children, and migrants in an irregular situation,

Modern slavery:

Covers situations of exploitation which a person cannot leave or refuse because of threats, violence, coercion, deception or abuse of power, including forced labor, debt bondage, human trafficking, forced marriage, slavery and other slavery-like practices

Refugee:

The 1951 Refugee Convention defines a refugee as "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion."

Servitude:

State of a person deprived of liberty and subservient to another person.

Trafficker (human):

Any person who commits or attempts to commit the crime of trafficking in persons or any person who participates as an accomplice, organizes, or directs other persons to commit the crime of trafficking in persons.

Trafficking in persons or Human Trafficking :

The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

ANNEXES

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