

ECONOMIC COMMUNITY OF WEST AFRICAN STATES

**Twenty-Fifth Ordinary Session of Authority of Heads of State
and Government
Dakar, 20 – 21 December 2001**

**DECLARATION A/DC12/12/01 ON THE FIGHT AGAINST
TRAFFICKING IN PERSONS**

We, the Heads of States and Government of the Economic Community of West African States (ECOWAS) solemnly declare as follows:

Deeply concerned over the suffering caused by the growing incidence of trafficking in persons within the West African Sub-region and from our Member States to other parts of the world;

Asserting that it is fully unacceptable that human beings are traded, bought, sold, placed, or abducted thus being denied their most fundamental human rights;

Condemning trafficking in persons, especially women and children, as a violation of fundamental human rights, and as a criminal act;

Disturbed by the extensive and growing role in trafficking in persons by transnational organized criminal networks, whereby our Member States are used as countries of origin, transit and destination;

Recognizing that poverty, lack of education and lack of equal opportunity make persons, especially women and children, vulnerable to becoming victims of trafficking;

Deeply concerned that perpetrators of trafficking in persons, using coercion, abduction, fraud, or deception are taking advantage of the social or economic vulnerabilities of men, women, and children, in order to exploit them;

Acknowledging that children who become victims of trafficking are particularly vulnerable and need special measures of protection for their development and well being;

Recalling the Universal Declaration of Human Rights¹, particularly Article 4, which states that “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms”;

Recalling further the 1989 United Nations Convention on the Rights of the Child², the 1999 International Labour Organization Convention 182 on the Worst Forms of Child Labour, and the 1999 African Charter on the Rights and Welfare of the Child, particularly Article 15 (Child Labour); Article 16 (Protection Against Child Abuse and Torture); and Article 29 (Sale, Trafficking and Abduction);

¹Resolution 217 A (III) of the General Assembly

²Resolution 14.25. Annex of the General Assembly

Recalling the ECOWAS Protocol on the Mechanism Relating to Conflict Prevention, Management, Resolution, Peacekeeping and Security of 10th December 1999 and its provisions on the control of transborder crimes;

Recalling the ECOWAS Convention A/PI/7/92 on Mutual Assistance in Criminal Matters and ECOWAS Convention A/PI/8/94 on Extradition as well as the fact that a number of bilateral and multilateral instruments on trafficking in persons and related matters have been adopted by ECOWAS Member States;

Recalling also the United Nations General Assembly Resolution 55/25 of 15 November 2000, which adopted the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, constituting effective tools for international cooperation in combating such criminal activities and providing an international agreed-upon definition of “trafficking in persons”³;

Aware that the crime of trafficking in persons as defined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, addresses the transnational and trans-regional dimension of this type of crime, but that similar acts can also occur within States;

Recognizing that effective cooperation, intelligence gathering, information sharing, and training are essential to the prevention and eradication of trafficking in persons;

Acknowledging the importance of enhanced regional and international cooperation in the struggle against trafficking in human beings;

Declaring that effective action to prevent and combat trafficking in persons requires a comprehensive international approach in the countries of origin, transit, and destination that includes measures to prevent trafficking, to punish traffickers, and to protect victims of such trafficking, as well as protecting their internationally recognized human rights;

Noting the initiatives taken by the international community in support of sub-regional initiatives on specific aspects of trafficking in persons, in particular by United Nations International Children’s Fund (UNICEF), International Labour Organization (ILO) and International Organization on Migration (ICM);

³Trafficking in persons means “the recruitment, transportation, transfer harbouring or receipt of persons by means of the threat or use of force or when forms of coercion, of abduction, of fraud, or deception, of the abuse of power or if a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” (Article: Paragraph1) of the Protocol on the Prevention, Suppression and Punishment of

Trafficking in Persons, Especially Women and Children, supplementary in the United Nations Convention on Organized trans-border crimes. (Resolution 55.25. Annex of the General Assembly).

Considering the resolution of the meeting of Ministers Foreign Affairs held in Dakar on 17th December 2001;

Expressing our gratitude to the Government of Japan and the United Nations Office for Drug Control and Crime Prevention Centre for International Crime Prevention (ODCCP/CICP), for their support;

Expressing our appreciation to the Government of Ghana for hosting the ECOWAS-ODCCP/CICP Meeting of Experts on Trafficking in Human Beings;

Expressing further our appreciation to the Governments of the Republic of Benin for having initiated action on the matter under consideration and the Togolese Republic for its pro-active role in our search for practical measures that will address the problem of human trafficking;

Hereby proclaim our strong commitment to the eradication of the trafficking in persons, especially women and children, and we:

1. **Call upon** our Member States who have not yet done so, to ratify forthwith the ECOWAS Convention A/P1/7/92 on Mutual Assistance in Criminal Matters and ECOWAS Convention A/P1/8/94 on Extradition, and the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security;
2. **Call upon** our Member States who have not yet done so, to take all necessary steps to sign, ratify and fully implement the African Charter on the Rights and Welfare of the Child;
3. **Commend** those Member States which have signed and ratifies the United Nations Convention against Transnational Organized Crime⁴ and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children⁵, and **recommend** that those countries who have not yet done so, to sign or ratify these instruments at the earliest possible time;
4. **Call upon** our Member States to adopt a Code of the Child, taking into consideration the provisions of the Convention on the Rights of the Child⁶, and the African Charter on the Rights and Welfare of the Child;

⁴Resolution 55.25 Annex I of the General Assembly

⁵Resolution 55.25 Annex II of the General Assembly

⁶Resolution 44.25 Annex of the General Assembly

We further commit ourselves to:

5. **Adopt**, as quickly as possible, such legislative and other measures as that are necessary to establish as criminal offences the trafficking in persons within, between, or from, their territory; to organize, direct, or participate as an accomplice, in this trafficking;
6. **Take measures**, in close consultation with the countries of origin, transit and destination and with the victims themselves, for the care and repatriation of any of our citizens who have been victims of trafficking whether within the territory of Member States, or outside the ECOWAS sub-region;
7. **Implement** measures to provide for the protection and physical, psychological and social recovery of victims of trafficking through affording them the full protection of their physical safety, privacy and human rights;
8. **Establish** comprehensive policies, programmes, and other measures to prevent and combat trafficking in persons, and to protect victims of trafficking from further victimization;
9. **Use** of all forms of state and public media to mount public awareness campaigns to educate potential victims of trafficking, their families, and the general population;
10. **Provide** and strengthen sensitization and training for government officials, particularly law enforcement personnel, customs and immigration officials, prosecutors and judges, and other relevant officials on the prevention on trafficking in persons and on the investigation and prosecution of related crimes;
11. **Create** specialized anti-trafficking units within law enforcement agencies and within the prosecutorial services, with a special view to fight the involvement of organized criminal groups;
12. **Strengthen** border controls, without prejudice to our Protocols and other international commitments to the free movement of people, as may be necessary to prevent and control trafficking in persons;
13. **Undertake** to initiate or expand efforts to gather and analyze data on the situation, magnitude, nature, and economics of trafficking in persons, particularly of women and children, and on the means and methods used in the trafficking of persons;

14. **Exchange such** information among law enforcement and other agencies of our Member States, as well as with other countries of origin, transit and destination, and with the United Nations, and other relevant international organizations;
15. **Support** and cooperate with national institutions, including local communities, civil society and relevant non-governmental organizations in their activities against trafficking in persons;
16. **Strengthen** preventative measures, including educational and social measures within each Member State to discourage the demand in trafficked persons, especially women and children, and to assist countries of destination in the development and implementation of similar measures;
17. **Call upon** those States where persons, particularly women and children, have been trafficked from the ECOWAS sub-region, to make efforts to reduce the demand in their countries for such persons;
18. **Direct** the ECOWAS Secretariat to forge close links with the Member States' task forces on trafficking in persons, in order to achieve better coordination of the control of trafficking in persons in the sub-region, and for that purpose to **establish** an ECOWAS unit for the coordination of the efforts to combat trafficking in persons;
19. **Direct** the ECOWAS Secretariat to take appropriate action for the preparation of a sub-regional convention against trafficking, with special focus on trafficking in children and women;
20. **Invite** States and funding agencies, as well as relevant intergovernmental organizations and non-governmental organizations, and those international industrial and commercial organizations who use the human and natural resources of our States, to provide financial and material assistance, including the provision of expertise, to support ECOWAS States in their anti-trafficking efforts;

Therefore:

21. **Adopt** the ECOWAS Initial Plan of Action against Trafficking in Persons 2002 – 2003 annexed to this Declaration;
22. **Declare** that we will undertake all necessary efforts to fully implement the ECOWAS Initial Plan of Action against Trafficking in Persons 2002 – 2003;
23. **Direct** the ECOWAS Secretariat to monitor and report to the Ordinary Summits of Heads of State in 2002 and 2003 respectively, on the progress made in the implementation of this Declaration and the Initial Plan of Action.

**IN FAITH WHEREOF WE, THE HEADS OF STATE AND GOVERNMENT OF
THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES HAVE SIGNED
THIS DECLARATION.**

.....
S.E. Mathieu Kerekou
President de la Republique du BENIN

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S.E. Blaise Compaore
President du FASO
President du Conseil des Ministres

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S.E. Jose Maria Pereira NEVES
Premier Ministre, Chef du Gouvernement
de la Republique de CAP VERT

.....
S.E. Abou Drahamane Sangare
Ministre d'Etat,
Ministre des Affaires Etrangeres
Pour et par orare President de a
Republique de COTE D'IVOIRE

.....
S.E. Yahya A.J.J. JAMMEH
President de la Republique de la GAMSIE

.....
S.E. John Agyekum Kufour
President de la Republique de GHANA

.....
S.E. Lamine SIDIME
Premier Ministre de la Repulique
de GUINEE

.....
**S.E. Koumba Yala Kobde
NHANCA**
President de la Republique de
GUINEE BISSAU

.....
S.E. Monie R. Cptan
Ministre des Affaires Etrangeres
Pour et par ordre du President de la
Republique du LIBERIA

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S.E. Alpha Oumar KONARE
President de la Republique du MALI

.....
S.E. MINDAQUDOU Aichatou (Mme)
Ministre des Affaires Etrangeres
Pour et par Ordre du President de la
Republique du NIGER

.....
S.E. Olasegun OBASANJO
President et Commandant en Chef des
Forces Armees de la Republique
Federate du NIGERIA

.....
S.E. Abdoulaye WADE
President de la Republique du
SENEGAL

.....
**S.E. Alhaji Dr Ahmad Tejan
KABBAH**
President de la Republique de
SIERRA LEONE

.....
S.E. Gnassingbe EYADEMA
President de la Republique TOGOLAISE