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***Human Trafficking: Moral Panic, Culture, and
Collective Action***

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Working Paper of the Program on Human Rights

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The **Program on Human Rights** seeks to understand how human rights can best be deployed to advance social justice, freedom, equality, development and the rule of law. Founded in 2009, the Program on Human Rights (PHR) is a unique intersection of the social sciences and public-policy formation and implementation. The Program on Human Rights is housed at Stanford's Center for Democracy, Development, and the Rule of Law (CDDRL), and is the focus of human rights research and related activities at Stanford providing a forum for the dozens of Stanford faculty who work in disciplines that engage or border on human rights (including law, philosophy, political science, education, human biology, public health, history and religious studies) and more than 30 student-initiated human rights groups on campus.

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Introduction

In winter quarter 2012, the Program on Human Rights hosted the Sanela Diana Jenkins *International Human Rights Speaker Series*, a weekly series featuring presentations by leading scholars and activists working on the global issue of human trafficking. High profile local, national and international experts, academics and activists who have made significant contributions to combating human trafficking, offered their analysis from their own perspective. In spring quarter 2012, a group of Stanford faculty experts discussed the ideas raised by the speakers. The papers in this first tranche offer academic and policy perspectives on human trafficking represents contributions from a wide range of perspectives: international academic experts on human trafficking; those working in national and international policy on trafficking; and also those working at the service level of assisting victims of human trafficking. As our own Stanford-based trafficking research continues, the results will be posed on this Working Paper series.

There is consensus that even while human trafficking is increasingly the subject of international, national and local attention by treaty making bodies, legislatures and law enforcement agencies, the results of these formal mechanisms have been patchy at best and meager at worst. There is less consensus on how to tackle the push/pull dynamics of trafficking, and even less agreement on the best ways to intervene in the deep structural determinants of poverty, patriarchy, and poor or apathetic governance. We need to better identify the particularities of vulnerability of different populations beyond simple or formulaic generalizations about poverty and power asymmetries. It is with this idea of deeper understanding of the particularities of the human trafficking that I want today to focus on several features that frame the phenomena of human trafficking.

I caution that national political debates can place trafficking into an unhelpfully moralizing framework. This risks distracting policy-makers (and the public) from a sustained focus on the causes of, and best responses to, trafficking. I also observe how the causes and consequences of trafficking reflect the cultural particularities of place. As some of my recent work has been in South Africa, the examples of local practices and customary practices I describe are also drawn from there. But these examples are simply proxis for my broader point that the best anti-trafficking policy and legislation will come from research that first understands and describes the particularities of local context and conditions. National policy responses need to clearly delineate how legal responses intersect with their own national customary practices. Finally, I describe regional collective action approaches to anti-human trafficking measures that hold promise, focusing particularly on the sub-regional ECOWAS institutions in West Africa. ECOWAS has avoided some of the problems of the EU system, offering an institutional model that could be adopted elsewhere.

First though, it is important to understand the state of international anti-trafficking measures. Like the EU system, the ECOWAS systems (and a now-extensive network of regional and sub-regional systems) sit under the umbrella international treaty system, so I will initially sketch this.

The International Anti-Trafficking System

The United Nations ratified the Palermo Accord in 2000, which also coincided with the US Congress' first anti-trafficking legislation, the Trafficking Victims Prevention Act. The United States' Trafficking in Persons Report of 2010 marks the 10th anniversary of the Palermo Accord, or the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially

Women and Children. The Palermo Protocol prescribed the “3P Paradigm” of Prevention, Criminal Prosecution, and Victim Protection.

The Protocol specifically mandated criminalization of trafficking, prosecution and punishment of traffickers, and provision of shelter to victims. Despite the passage of the Palermo Protocol, 62 countries have yet to convict a trafficker under laws in compliance with the Protocol. Similarly, 104 countries remain without laws, policies, or regulations to protect victims’ deportation. In the 2011 Trafficking Report, the U.S. State Department indicated that only 32 nations had fully complied with the Protocol. Twenty-three nations rounded out the “worst offenders list,” up from 13 in 2000.

Critics of the international approach argue that the Protocol’s focus on the criminalization of trafficking did not go hand-in-hand with victim identification and protection services. Konrad and Marques, for example, point out that the “3P’s” have remained separate battles. They call for a more holistic and cooperative approach rather than each national government of the EU taking a narrow “national interest” approach.

As is often the case in U.S. foreign policy, the United States finds it easier to point out the shortcomings of others than to account for its own. In the 2011 TIP Report, the U.S. Department of State categorizes the nations of the world into three tiers according to their compliance with the U.S. TVPA legislation. The self-bias of the U.S. is in using its own legislation as the metric for other nations’ analysis, the ratification of which alone essentially guarantees the U.S.’ status as a Tier I nation, completely overlooks both local contexts and alternative forms of substantive anti-trafficking measures. While I do not focus in this paper on U.S. anti-trafficking measures, those working at the service-delivery level in the U.S., such as Liou and Fukushima, also criticize the failure of the “3P’s” approach, advocating that “partnership” be added as the “4thP”: partnership between governments, partnerships between inter-governmental agencies, and partnerships between government and non-government organizations.

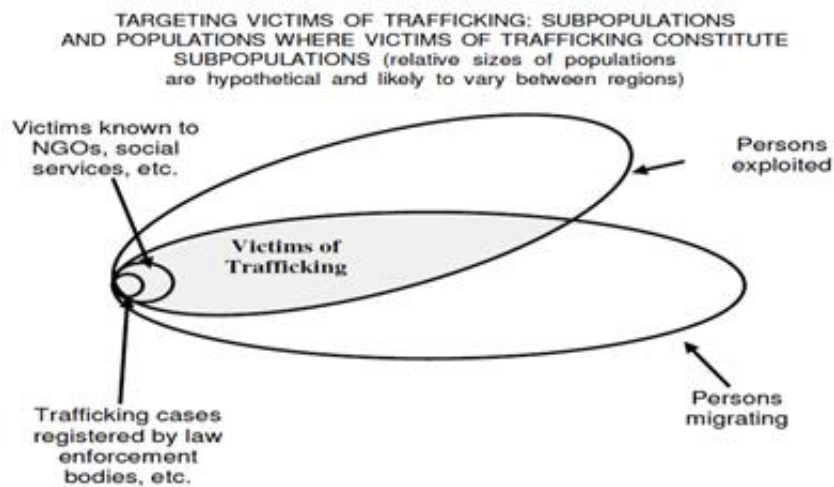
The urgings of Konrad & Marques, Jolluck, and Liou and Fukushima for a more inter-connected and co-operative approach are appropriate. Estimates about the prevalence of trafficking vary widely, and the too-scattered approach thus far guarantees that statistics on trafficking remain difficult to attain.¹ The nature of human trafficking means that reliable data are scarce for several reasons. Trafficking often transcends borders and relates to migration figures. The most reliable data comes from those who report the crime to the police or other authorities -- a tiny subset that massively under-represents the population of trafficked persons. Underreporting of crimes is amplified in the face of corrupt and poorly trained police and judicial officials. The capacity of the stakeholders, such as police and judicial officials, differs from one nation state to another and even between districts within the same state. On the other hand, more inclusive data sets that contain information about trafficked victims known to NGOs and other organizations are also unrepresentative. These data are

¹ Jolluck notes: “We still have no reliable figures of the number of women who are trafficked. The International Labor Organization (ILO) has conservatively estimated that, globally, there are a minimum of 2.4 million trafficked individuals at any given time. Of these, 43% were trafficked for sexual exploitation, and another 25% for a combination of forced sex and labor. Most of the individuals trafficked for sexual exploitation—98%—are female. International Labor Organization, “ILO Action Against Trafficking in Human Beings,” (Geneva, 2008), at 1, 3.

influenced by the presence of NGOs in certain areas, the number of NGOs, where they have outreach, their target groups, and the size of their staff.

Even more vexing, the line between those that have been trafficked and those who migrated by choice and ended up in slavery or prostitution is hard to ascertain simply through observation. It is also difficult to classify individuals by their stage in the trafficking process, be it as persons at risk of being trafficked, current victims of trafficking, or former victims of trafficking.

The difficulties in getting solid statistics on trafficking is vividly illustrated by the graphic produced in The Asia Foundation's 2010 report *Human Trafficking in India: Dynamics, Current Efforts, and Intervention Opportunities*:



The mismanagement of data collection is one of the main critiques of speakers in The Program on Human Rights hosted the Sanela Diana Jenkins *International Human Rights Speaker Series*: Helga Konrad (OSCE), Bradley Myles (Polaris, U.S.), and Justin Dillon (California-based musician and film-maker). They argue that to counter trafficking, there must be much better data about the scope of the problem.

Moral Panic About Gender

Gender politics are complex. In the United States, on both the left and right wing of politics, there are tremendous differences on the role of women and girls in both the private sphere of home and also the public sphere. Discussion about human trafficking in the United States is inextricable from a wider moralistic and gender-based debate about prostitution, abortion, sexual practices and women's rights. The efforts to criminalize prostitution in almost all of the 50 states have emerged from this moralizing agenda and the taboo on talking about sexual issues. The recent Republican primary campaigns have re-focused and re-ignited these morality-tinged debates in the United States with the Republican Party's perceived "war on women."^{2,3} This almost prurient focus on prostitution exists in both public discussion and among many in the law enforcement community, where the additional factor of migration makes the trafficking in some eyes synonymous with illegal immigration.

² <http://nymag.com/daily/intel/2012/02/rick-santorum-contraception-birth-control-sex.html>

³ <http://www.nytimes.com/2012/04/04/us/04iht-letter04.html?pagewanted=all>

America's self-image as a welcoming "melting pot" is offset by xenophobia, with Arizona's famous police laws serving as the strongest example of anti-immigration sentiment.⁴ Different versions of these debates are present also in other parts of the world.

Given intense polarization and politicization of gender and immigration, it is unsurprising that the data on prostitution is controversial, and divided. Some studies argue that affluent and educated women with access to resources are choosing to voluntarily enter the "high opportunity" illegal prostitution market, meaning that these women choose to be well-paid escorts or to find clients online.⁵ Equally, there is little agreement about the most practical way to approach street prostitution, which is much more likely to put prostitutes into an abusive power dynamic and thus meet the legal definition of trafficking. Advocates for penalizing the demand-side of prostitution point to research with women working as prostitutes that shows that prostitutes are themselves divided about legalizing the sex industry.⁶ One cross-country study concluded that prostitutes thought legalization creates more risks and harm for women. Others argue against the legalization of prostitution, citing how the legalization of prostitution in the Netherlands has resulted in greater number of child prostitutes,⁷ has led to the proliferation of sex industry in various countries, and is linked to increased trafficking.⁸ When combined with the difficulty of verifiable statistics about the prevalence of trafficking, this complicated gender landscape has led to trafficking being over-representation as prostitution.

In fact, legal definitions of trafficking in the United States, both nationally and at the state level encompass many categories, and elements. In attempting to limit the supply of prostitution, U.S. policy has done little to address the demand that sustains the business and is informed by the contentious debate on sexual (and particularly women's sexual) issues. Even meager efforts since 1995 to establish "John schools" to educate purchasers of prostitution and intervene have lost traction. In a 2009 audit, the programs were lambasted as unsustainable, cost-ineffective and generally ineffective in dissuading "Johns."⁹ In contrast with the U.S. policy of criminalizing the supply side of prostitution (mostly women), the Swedish demand side criminalizes the purchase of sex, a policy that seeks to avoid further marginalization of women involved in the sex trade. According to a 2011 CNN article, the Swedish method has resulted in 50% less street prostitution, in part because organized crime and pimps have come to consider Sweden a "bad market" for the sex business.¹⁰

The over-sensationalization of sex workers exists in other countries where conservative politics seize on trafficking issues. More generally, the prurient focus in the U.S. on sexual issues has played into new efforts in Africa to criminalize homosexuality, with U.S. evangelicals acting as the conduit with

⁴http://www.thepoliticalguide.com/Profiles/Senate/Pennsylvania/Rick_Santorum/Views/Immigration/

⁵ <http://newswire.uark.edu/article.aspx?id=16181>

⁶ <http://action.web.ca/home/catw/attach/Ten%20Reasons%20for%20Not%20Legalizing%20Prostitution.pdf>

⁷ <http://www.humanityinaction.org/knowledgebase/312-the-audacity-of-tolerance-a-critical-analysis-of-legalized-prostitution-in-amsterdams-red-light-district>

⁸ http://www.uri.edu/artsci/wms/hughes/prostitution_spain_july04.pdf

⁹ http://articles.cnn.com/2009-08-27/justice/tennessee.john.school_1_prostitutes-victimless-crime-john-schools?_s=PM:CRIME

¹⁰ <http://thecnnfreedomproject.blogs.cnn.com/2011/03/31/sweden-why-we-criminalized-purchase-of-sexual-services/>

African governments.¹¹ Specifically in relation to trafficking, a South African study investigated the claim by international media that between 40,000 and 100,000 sex workers from all over the world would enter South Africa in anticipation of the 2010 FIFA World Cup in Johannesburg, a prospect further sensationalized by the prevalence of HIV in South Africa. The researchers found such a small increase in the number of sex workers advertising online during and shortly after the FIFA World Cup that it was statistically insignificant. Even more revealing, there was a decrease of the number of non South-African sex workers, belying the sensationalized media reports anticipating an influx of foreign sex workers.¹²

The discussion of trafficking often homes in on the sex industry, but it too often takes sensationalist forms. This is a distraction from both the real harms caused by coercive sex trafficking, and from much needed research on the dynamics of gender in trafficking crimes. It is also a distraction also from other forms of human trafficking that are equally disturbing: those of labor trafficking, organ harvesting, document servitude, and debt bondage.

Culture: South Africa Case Study

Effective anti-trafficking strategies, trafficking policies and enforcement mechanisms must be informed by the sociological factors in which trafficking harms occur. I turn here to a current example of local context in South Africa, that of *Ukuthwala*, or “bride abduction.” But *ukthwala* could be a proxy for abortion politics in the US, or any localized practices in other places. As the U.S and South African example show, conservative values can stand in the way of much-needed research and analysis about the *particular* context where trafficking occurs, whether this be date on source, transit or supply.

The 1996 Constitution of the Republic of South Africa recognizes customary law but again only if the rules are not in conflict with the Constitution. The Recognition of Customary Marriages Act 120 of 1998 was enacted in terms of section 15(3) of the Constitution to recognize customary marriages, and, by implication, polygamy and *uktuhwala*.¹³

Ukuthwala was originally a valuable cultural practice, a form of community expression, and a means of dialogue between families and tribes. It was originally intended for people of the same age cohort who, in the normal course of events, would have been expected to marry each other. Traditionally, a girl would be “abducted” (*thwala*) with her foreknowledge and consent. She would be placed with, supervised, and protected by the women of the group to which she had been taken, and under traditional practice, the young woman could always signal her wish to return to her parents.

¹¹ U.S evangelism has been imported to Africa, where the Association of Evangelicals in Africa (AEA) has 100 million members, making it one of the largest civil society organizations on the continent. U.S. missionaries have worked with parliamentary leaders in Uganda who helped shape the bill criminalizing homosexuality and punishing sodomy by death. U.S. evangelist Rick Warren’s P.E.A.C.E Plan and broader organizations in Africa have been linked to Pastor Martin Ssempe, one of the main anti-gay activists in the Continent. The article strongly criticizes how the evangelical religion has been mixed with African tradition so that many pastors claim to be faith healers, often advocating against modern medicine and anti-AIDS treatment. <http://www.time.com/time/magazine/article/0,9171,1830390-4,00.html>

¹² Marlise Richter et al, *Sex Work during the 2010 FIFA World Cup: Results from a Three-Wave Cross-Sectional Survey*

¹³ Herbst, Marissa and Willemien du Plessis. “Customary Law v. Common Law Marriages: A Hybrid Approach in South Africa.” *Electronic Journal of Comparative Law* (May 2008), vol. 12.1. <http://www.ejcl.org/121/art121-28.pdf>

Yet with the forced removal of racial groups from the 1960s and now with the advent of HIV-Aids, the practice now pairs young girls with older men so the girl's family can receive a dowry. The original version of the practice *ukuwthwala*, like many other customary institutions, has changed radically from the relatively benign practice it once was. Currently, young girls are being forcibly married to older men, relatives of the girl are kidnapping and taking the girls as their own wives, and abductions are not being reported to the traditional authorities.¹⁴

Simply imposing an international human trafficking template will not rectify this problem. Before making conclusions about trafficking, there needs to be a particular, evidence-based view of the facts, ascertained by speaking with the alleged victims and with an understanding of historical evidence. Each *ukuthwala* needs consideration on a case-by-case basis, looking closely at whether the bride-to-be is of age and consenting. Failure to do this detailed analysis will lead to an over-generalization of *ukuthwala* as a detrimental, rights-violating custom. Furthermore, broadly categorizing *ukuthwala* as problem of trafficking inappropriately uses the definition of human trafficking. In some recent cases, the rush to treat such practices as trafficking has confounded trafficking with other crimes and practices. In South Africa, alleged satanic rituals, where affluent white women and men buy victims from Nigeria and sacrifice them, were even considered an important 'trafficking' issue.¹⁵ In such cases, it seems that to call these problems of trafficking does not fully reveal the nuance and foreignness of these traditional and outlying customs.

The issue is how to address the objectionable forms of the practice of *ukuthwala*, for instance, through criminalization or prohibition, without losing the culturally-beneficial aspects of the practice.¹⁶ An institutional, quick fix to the problem with overarching legislation or legal action would violate the cultural rights of these groups. It is critical that anti-trafficking laws do not have the effect of identifying the living customary law and separating it from its distorted version.¹⁷

In the next sections of this paper, I examine the effects of sub-regional collaboration on anti-trafficking measures, and then focus on ECOWAS. While nothing more than a piece of the puzzle of devising effective global anti-trafficking strategies, the ECOWAS approach that I describe shares with the EU approach the virtue of understanding that trafficking is frequently a cross-border approach that necessarily involves two or more governments. Unlike the EU approach, however, ECOWAS is emphasizing a collective approach to anti-trafficking measures. This sub-regional approach could hold promise for other regional and sub-regional groupings as they devise anti-trafficking measures.

Collective Action

I. Regional and Sub-regional Approaches

¹⁴Mwambene, Lea and Julia Sloth-Nielsen. "Benign accommodation? Ukuthwala, 'forced marriage' and the South African Children's Act." *African Human Rights Law Journal*, vol. 11 (2011), page 2.

¹⁵ Gould, Chandré and Marlise Richter and Ingrid Palmery. "Of Nigerians, albinos, Satanists and anecdotes." *SA Crime Quarterly*, vol. 32. June 2010.

¹⁶ Mwambene, Lea and Julia Sloth-Nielsen. Page 7.

¹⁷ "Submissions to the SA Law Commission on Ukuthwala Custom." *Centre for Constitutional Rights*.

International efforts to combat trafficking have given rise to the creation of myriad organizations and institutions to assist in the fight. The report from the UNOHCHR describes the various levels at which the international community engages in the fight against Trafficking in Human Beings.¹⁸

As Konrad & Marques and Jolluck have described, the European Union (EU) has created anti-trafficking measures in conjunction with the 47-member Council of Europe. With much of the activity and focus positioned at the national level, anti-trafficking measures in European countries are not synchronized. In the Americas, the economic community, Mercado Común del Sur (MERCOSUR), adopted the Montevideo Declaration against Trafficking in Persons in 2005. Similarly, the Organization of American States (OAS) has promoted better organizational structures to fight trafficking and both its Secretariat and General Assembly have paid particular attention to gender equality in terms of representation to the organization.

Similar action at the regional and sub-regional levels is also apparent in Asia, where the Association of Southeast Asian Nations (ASEAN) formed the ASEAN Senior Officials Meeting on Transnational Crime as the operational arm to combat trafficking. Many of the ASEAN Member States also participate in the Asia Regional Trafficking in Persons Project funded by the Australian Government Aid Program. The Commonwealth of Independent States in Asia conducts simultaneous Programs of Action to fight trafficking. The Greater Mekong Sub-region, established in 1992, formalized the nations' joint efforts into the Coordinated Mekong Ministerial Initiative against Human Trafficking, setting up task forces to deal with location-specific issues of trafficking, particularly labor migration and sex work. Finally, the South Asian Association for Regional Cooperation is an assembly of eight states that organizes a regional task force guided by its Trafficking Convention.

The Middle East and North Africa Region is divided into the Gulf Cooperation, Council the League of Arab States, and the Organization of the Islamic Conference. Of these three bodies, the fight against trafficking has gained most traction in the League of Arab States, which launched the “Arab Initiative to Combat Trafficking in Persons” with the UNODC in March of 2010.

In addition to the proliferation of regional organizations, more attention is being paid to cross-regional bodies, including the 56-state Organization for Security and Cooperation in Europe (OSCE) that spans from Canada to Ukraine. There are also cross-regional consultative mechanisms like the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime that brings together representatives from the IOM, UNHCR, Africa, Europe, and North America as part of its Steering Group with the intention of strengthening practical cooperation between regional operational agencies.

2. Africa: ECOWAS

In Africa, anti-trafficking strategies have been formulated under the joint African Union-European Union “Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children.” Although the Ouagadougou Plan was formulated by national governments organized into regional bodies, a good deal of authority was delegated to sub-regional institutions, or Regional

¹⁸ Summary of Regional and Sub-Regional Structures and Initiatives to Counter Trafficking in Persons. (December 2010)

Economic Communities (RECs). These RECs work in cooperation with member states' national organizations, the African Union (in particular the Pan African Parliament, civil society actors, migrant associations, research institutions, and other stakeholders in the campaign against trafficking. The fact that RECs rely heavily on adapting anti-trafficking policies to sub-region specific issues has increased the influence of sub-regional bodies, such as the Economic Community of West African States (ECOWAS), the Economic Community for Central African States (ECCAS), and the South African Development Community (SADC). These sub-regional institutions define even more country-specific and focused action plans for particular African nations.

The first in a series of regional workshops on operationalizing the Ouagadougou Action Plan (OAP) was held in Abuja, Nigeria in March 2010, bringing together RECs, member states, and NGOs, in order to foster effective methods for networking, cooperation, and coordination between these various stakeholders. From this meeting, the RECs emerged with an even greater role in combatting trafficking, authorized to:

- Develop action plans for their respective sub-regions.
- Establish the focal points for anti-trafficking efforts in their sub-regions.
- Monitor and oversee evaluation of member states' trafficking programs as well as sub-region-wide programs.
- Formulate bi-annual reports on the implementation and follow-up on the OAP.
- Collaborate with the African Union Commission to oversee continent-wide implementation of the OAP.
- Develop systems to share information and data between the multi-layered stakeholders in the trafficking fight.

3. ECOWAS

ECOWAS is a sub-regional organization of 11 nation-states in West Africa. The ECOWAS Commission has chosen to focus special attention on trafficked children, setting up an anti-trafficking unit within the Commission's legal department to oversee these efforts. In 2010, The ECOWAS Commission elaborated an internal Strategic Plan itemizing priority activities in combating trafficking in persons for the next five years.¹⁹

The track record of legislation in the 11 nation-states in ECOWAS is an achievement, as at least half of the ECOWAS governments had no prior trafficking legislation, and no internal political pressure to implement it. A review of the actions of the ECOWAS member states since the declaration shows:

- Ghana passed the Human Trafficking Act in 2005 and has since made several amendments to keep its trafficking efforts current. Moreover, specialized investigation units were created to better protect victims and prosecute perpetrators.

¹⁹ The priorities identified include: ensuring development of appropriate institutional, policy and legal frameworks for combating trafficking in persons and for child protection, development of methodologies and approaches in measuring and ensuring sustainable progress in combating trafficking and in protecting children, development of linkages between Member States and stake-holding agencies and development of Member States' capacities for effective combat of trafficking and ensuring adequate public sensitization.

- Nigeria is one of two countries considered to be a Tier 1 ranked country according to the State Department. Through the 2003 Trafficking in Persons Law Enforcement and Administration Act the government has successfully prosecuted and convicted 12 individuals.
- Benin passed legislation in 2006 criminalizing child trafficking.
- Burkina Faso prohibits all forms of trafficking through a 2008 law.
- The Gambia passed a Trafficking in Persons Act in 2007, following a 2005 Children’s Act. Both criminalize trafficking and have harsh punishments. For instance, a 2010 amendment to the Trafficking in Persons act prescribed a 50-year minimum sentencing for those convicted of trafficking.
- Guinea-Bissau recently drafted an anti-trafficking law in early 2011, but its legislature has not taken actions to pass it to date.
- Mali’s criminal code outlaws several aspects of trafficking (e.g. kidnapping and slavery) but there is no specific trafficking law to date (currently a draft sitting with the National Assembly).
- Sierra-Leone passed the Anti-Trafficking in Persons Act in 2005; in 2010 Sierra-Leone’s National Trafficking in Persons Task Force drafted another anti-trafficking law to increase the penalties associated with trafficking and source more funding for its efforts.
- Senegal passed the Law to Combat Trafficking in Persons and Related Practices and to Protect Victims in 2005.
- Both Guinea and Togo’s labor and child codes prohibit certain types of trafficking, but there are no dedicated laws pertaining specifically to adult trafficking.
- Cote d’Ivoire passed Law No. 2010-272 Pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labor in 2010. Other forms of trafficking fall under the country’s penal code. While arrests have been made, the political crisis has severely hindered ongoing trafficking efforts.
- Niger only recently passed Order No. 2010-86 on Combating Trafficking in Persons in December 2010; it is comprehensive in nature and follows international standards for battling trafficking.
- Liberia passed the Act to Ban Trafficking in Persons in 2005. The Liberian National Police also have a Women and Children Protection Section that handles trafficking cases.

It seems likely that the role of Africa’s sub-regional institutions will grow. The next phase of the Plan establishes an African Remittances Institute, an organization of regional and sub-regional stakeholders to promote social protection and oversee labor migration. The hope is that these sub-regional institutions will collaborate more and more, learn from one another, and adopt best practices.

<h2>Conclusion</h2>

The challenges of trafficking are huge: poverty, low political will, and misogyny are in large part the drivers of human trafficking, and these features are found in virtually every country, even those with high government capacity. Additional factors, such as growing sensitivity about illegal immigration in times of economic volatility and the immense difficulty in gauging the real levels of prevalence of trafficking, make it even harder to persuade governments to craft, fund and consistently enforce anti-trafficking measures that can stem what seems to be a growing tide. Anti-trafficking measures demonstrate the classic features of international law’s collective action problem. With such immense

political challenges, it is essential that the academic and service-provider community work together so that legislative and policy responses are targeted and appropriate.