

# TOWARDS ENHANCED PARLIAMENTARY ACTION TO COMBAT THE TRAFFICKING OF CHILDREN FOR PURPOSES OF LABOUR EXPLOITATION IN WEST AND CENTRAL AFRICA

Regional Conference organized jointly by the National Assembly of Benin, the Sahel and West Africa Club (SWAC/OECD) and the Inter-Parliamentary Union (IPU)

Cotonou, 26 - 28 May 2010

Palais des Congrès



## COTONOU DECLARATION

### BACKGROUND

The persistence of child trafficking for purposes of labour exploitation in West and Central Africa points to the need to boost efforts and rethink the strategies of the various stakeholders with a view to eliminating this scourge, which seriously jeopardizes the future of the countries suffering from it, tarnishes their image and constitutes a major hindrance to the full achievement of the Millennium Development Goals.

It is in this light that we, parliamentarians of Angola, Benin, Burkina Faso, Cameroon, Democratic Republic of the Congo, Gabon, Mali, Nigeria, Senegal, Togo, the African Parliamentary Union and the ECOWAS Parliament, have participated in the Cotonou Regional Conference on “Towards enhanced parliamentary action to combat the trafficking of children for purposes of labour exploitation in West and Central Africa” in order to pool our experiences with a view to harmonizing our national practices and strengthening regional collaboration.

### PREAMBLE

**Considering** the highest interest of children, their survival, development and the rights that protect them, as enshrined in the main relevant international and regional instruments intended to ensure that they attain self-fulfilment,

**Considering** the critical role of children in the future of a country through their contribution to its socio-economic development,

**Noting** with deep concern the abdication of responsibility by some parents regarding the education of their children, who are thus left to fend for themselves, thereby becoming potential victims of traffickers,

**Considering** that as progenitors, parents should shoulder responsibility for their children and should under no circumstances delegate this role to the State; **noting**, however that States have an obligation to ensure full respect for children’s rights in compliance with the

international and regional standards they have ratified,

**Deploring** the fact that poverty, exacerbated by the financial and economic crisis - plunging populations into destitution and forcing parents to barter their children for material and financial gain - with no regard for moral values and regional and international standards, notably the ILO Declaration on Fundamental Principles and Rights at Work, Convention No. 138 on minimum age for admission to employment, Convention No. 182 on the Worst Forms of Child Labour, the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, all of which prohibit this practice,

**Strongly condemning** the early involvement of children in illicit and hazardous activities that endanger their physical, physiological and psychological development which, moreover, contravene their rights to education and health,

**Expressing** deep concern over the worrying scale of child trafficking for purposes of labour exploitation in spite of the actions and initiatives taken as a result of international mobilization and **regretting** the waning interest, attention and material and financial resources seen over the years to combat this scourge despite its alarming consequences,

**Recalling** that resorting to child labour is a serious human rights violation and can under no circumstances be justified,

**Noting** the low rate of birth registration, which deprives local councillors of valuable data relating to children with a view to combating effectively the illegal displacement of children,

**Reiterating** the mission of parliamentarians who, as lawmakers, have a determining role to play in promoting human rights by domesticating international and regional standards, overseeing government action and passing the budget,

**Recognizing** that one of the difficulties faced by most of the countries concerned is more the enforcement of laws that have already been passed than the need for a stronger legislative framework,

**Recalling** that combating child trafficking for purposes of labour exploitation requires concerted action by all stakeholders through the adoption and harmonization of clearly defined national strategies that are adapted to the constantly changing modus operandi of traffickers, responsible political choices, scaled up awareness-raising campaigns and consolidated partnerships,

## **OPERATIVE PART**

**Renew** our strong commitment to involve ourselves and contribute significantly and vigorously to the fight against child trafficking for purposes of labour exploitation, through a strategy defined in this roadmap, whose implementation will span over the short and medium terms as follows:

I. In the short term:

**Appeal** to the Conference participants, in particular, members of parliament, to organize

sessions to present this roadmap to their colleagues in order to ensure its proper implementation;

**Recommend** to all parliaments involved in the project to take ownership of this roadmap;

**Strongly recommend** that the protection of children be mainstreamed into debates on the laws governing State funds and commit ourselves, to that end, to mobilize the necessary resources to strengthen State and civil society mechanisms to combat trafficking in children, in particular basic social services such as counselling and reintegration and the repatriation of children rescued from traffickers;

**Call for** building the capacity of local government authorities so that they can take effective action to prevent and monitor this scourge through the establishment of bodies such as monitoring committees and other village and neighbourhood development committees and introduce a hotline with a view to monitoring the movements of traffickers and helping to dismantle their networks;

**Appeal** for the establishment of a forum with local councillors to follow up implementation of communal policies;

**Recommend** once a law is passed and promulgated by the government, that enabling legislation be adopted to offset enforcement deadlines, and that parliament adopt mechanisms to follow up enforcement of laws and national policies, in particular those on children;

**Support** the identification of child protection focal points in the competent ministries, the establishment or strengthening of networks among all stakeholders, in particular parliamentarians, involved in the fight against child trafficking and in this respect, welcome and support the existence of the federation of networks of African parliamentarians for the protection of children;

**Underscore** the need to facilitate public debate on this problem in collaboration with pressure groups - teachers, the media and trade unions, including transport trade unions - to encourage decision makers to take urgent and effective measures;

**Recommend** that citizens be sensitized to the provisions in force in terms of civil status, and above all, the declaration and registration of births, and the collection of birth certificates issued since these documents are necessary both for travel authorizations and apprenticeship contracts;

II. In the medium term

**Recommend** the establishment of coherent legal frameworks by adopting or updating specific anti-trafficking laws, making provision for related offences in the Criminal Code in keeping with international instruments, and for sanctions for traffickers, harmonization of the Standing Orders of national parliaments to include the establishment of law subcommittees entrusted with following up enforcement of laws passed, the creation of finance subcommittees mandated to oversee implementation of the Finance Act, based on the model used at the Parliament of Gabon;

**Recommend** that existing laws, decrees and orders dealing with trafficking in children be translated, disseminated and explained in the main national languages of States;

**Recommend** that a special committee composed of members of a cross-section of parliamentary committees be set up that will be mandated to visit at least once a year centres for children in difficulty, work with civil society and all the stakeholders involved in the fight against child trafficking, and lend support to the focal point with a view to implementation of this roadmap;

**Recommend** that discussions be held on the rights of children and the obstacles preventing the enjoyment of those rights during parliamentary sittings and exchanges between parliamentarians and their constituencies with a view to changing mentalities and attitudes about trafficking in children and their work in local government;

**Call for** regular meetings among parliaments to assess the enforcement of national provisions on child trafficking issues through bilateral or multilateral agreements in order to strengthen the regional dimension of the fight against child trafficking based on deeper cooperation between national and regional parliaments;

**Insist** on the need for parliamentary collaboration with all stakeholders, namely international organizations with a view to obtaining greater technical and financial assistance, the judiciary to ensure concerted action to crack down on traffickers, civil society, the private sector, in particular the tourism sector, to sensitize them to the code of conduct for the protection of children from sexual exploitation;

**Call for** a dialogue between parliament and the executive, in particular the ministry of tourism, with a view to adopting measures aimed at preventing sex tourism;

**Recommend** that an important portion of the State budget be allocated to enabling children to access education, developing professional training programmes for out-of-school children, promoting private initiatives through the granting of microcredits for micro projects, and sensitizing the population to family planning;

**Encourage** the adoption and implementation, with the support of international organizations, of national training and sensitization programmes for all stakeholders involved in combating child trafficking and child labour, in particular parliamentarians and local councillors, magistrates, security forces, civil society organizations, social workers, labour inspectors and local government authorities;

**Recommend** mainstreaming the fight against child trafficking into national poverty reduction strategy papers;

**Recommend** that State and other agencies that award public contracts make specific mention in the relevant contracts of the fact that it is prohibited to use child labour on pain of termination of contract or prosecution in accordance with prevailing laws;

**Recommend** monitoring children's access to new information technologies in order to prevent them from contacting traffickers and other sexual predators;

**Recommend** that a committee composed of one member from each of the parliaments involved in this project be established to implement and follow up on this roadmap and carry out a regional mission following the results of the stock-taking exercise that should be conveyed to it by the national committees in order to assess implementation of anti-child trafficking action;

**Encourage** this implementing committee to collaborate with the African Union African Committee of Experts on the Rights and Welfare of the Child, whose experience in this field is enriching;

**Recommend** that the IPU-Sahel and West Africa Club project be expanded to include the trafficking of children in southern and East Africa.

Done in Cotonou on 28 May 2010

The Conference