POVERTY, GENDER AND HUMAN TRAFFICKING IN SUB-SAHARAN AFRICA:

Rethinking Best Practices in Migration Management

By Thanh-Dam Truong



United Nations
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'Any thought, any idea, any theory,
is simply a way of seeing,
a way of viewing an object
from a particular vantage point.
It may be useful,
but that usefulness
is dependent upon particular circumstances –
the time, the place, the conditions
to which it is applied.
If our thoughts are taken to be final,
to include all possibilities,
to be exact representations of reality,
then eventually we run up against conditions
where they become irrelevant.
If we hold on to them
in spite of their irrelevance,
we are forced either to ignore the facts
or to apply some sort of force to make them fit.
In either case,
fragmentation is the result'.

(Bohen Xi)

Preface

by Pierre Sané, Assistant Director-General for Social and Human Sciences Sector

UNESCO's ethical and intellectual mandate and its role in standard setting and policy promotion, places it in a key position to contribute to achieving the first of the United Nations' Millennium Development Goals (MDGs), that of eradicating poverty, especially extreme poverty and hunger.

'*Poverty, Gender and Human Trafficking: Rethinking Best Practices in Migration Management*' is the first publication of the UNESCO Poverty series. This series intends to provide food for thought in understanding poverty as a human rights issue and in proposing paths for action through scientific research on contemporary issues.

Human trafficking, often qualified as the 'modern day slavery', is caused by human rights violations embodied in poverty while it also contributes to increased deprivation. In other words, poverty is one of the main factors leading people, especially women and children to fall preys to the traffickers. In turn, human trafficking locks up the trafficked persons in poverty through exploitation. This vicious circle 'poverty – human trafficking – poverty' denies individuals the basic right to education and information, the right to health, the right to decent work, the right to security and justice.

'*Poverty, Gender and Human Trafficking: Rethinking Best Practices in Migration Management*' tries to unpack the interconnectedness between human trafficking and poverty in Sub-Saharan Africa, based on a critical analysis of migration processes in relation to human rights abuse. I hope that it can be used as a tool for all those who fight against this injustice to re-think the existing interventions and advocate for sustainable change by tackling trafficking at its roots.

Poverty and human trafficking will only cease when they are dequately addressed as two intermingled issues, which nurture each other and plunge vulnerable persons into deep deprivation and exploitation.

Foreword

by Paul de Guchteneire and Saori Terada

As we are commemorating the bicentenary of the official abolition of slavery, millions of men, women and children across the world are still subjected to slave-like living and working conditions. Trafficking in human beings is the fastest growing means by which people are forced into exploitative migration and modern-day slavery.

Despite growing international mobilization, effective policies tackling the scourge at its roots remain scarce. Human trafficking is a sensitive topic, frequently associated with irregular migration, prostitution or child labour. It is consequently often approached in a highly ideological or political way.

By contrast, UNESCO has chosen to develop the concept of Best Practices in the fight against human trafficking, to encourage a more results-oriented approach to this sensitive issue. Best Practices provide a much-needed link between research and policy-making by inspiring decision-makers with successful initiatives and model projects that can make an innovative and sustainable contribution to actually solving problems in society.

In *'Poverty, Gender and Human Trafficking: Rethinking Best Practices in Migration Management',* Thanh Dam Truong analyses how international organizations and NGOs intervene based on their understanding of trafficking and what they view as 'best' ways to fight it.

Indeed, practices in migration management carry a certain value system shaped among other things, by the agenda of those who implement them. There is thus a need for a more holistic approach and cooperative actions among agencies to multiply Best Practices to address human trafficking and its inner complexities.

We hope that this study is a first step in this direction.

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Abstract

Many aspects of human trafficking remain poorly understood even though it is now a priority issue for many governments. Information available about the magnitude of the problem is limited. While the existing body of knowledge about human trafficking serves for raising public consciousness about the issue it is still not rigorous enough to lend support to comprehensive programmes for action which addresses the different dimensions of the problem. Knowledge about the intersection between migration and trafficking has not yet brought about any consensus on the underlying forces and their implications for the wellbeing of children and women. The diversity of forms of human mobility in the contemporary context of global linkages requires an analytical approach which can explain why the needs of the constituents of social structures (gender, class, generation and ethnicity) and human agency have converged to produce what is known as human trafficking. Without adequate explanation policy tends to shift stance and direction. A gender critique of Structural Adjustment Programmes (SAPs) is given to show how the absence of consensus on the relation between economic growth and poverty renders choices in collective action more vulnerable to error. The obliteration of the care domain is one main error that has exacerbated pressure on livelihood systems – including the pressure to migrate – and the transmission of its negative effects on the weak members of households.

The Report points out how practices of migration management can benefit from a more holistic approach – one which addresses a broad set of overlapping livelihood systems. A selected number of practices by organisations participating in this research is presented – giving their profiles, strengths and weaknesses, the way they understand trafficking, and the replicability of their practices. Practitioners share awareness about the significance of bridging and synchronizing the three levels of intervention: prevention, prosecution and protection. Preventive measures can benefit from research on migration management that connects issues of human mobility with capital mobility in a sector-specific analytical approach. A re-orientation of capital mobility towards social ends may possibly contribute to stability and well-considered migration policy frameworks.

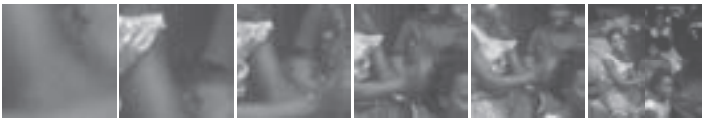
Collective action for the protection of human rights must rely on a consortium of experts who cooperate with each other to maintain a working level of effectiveness. A plurality of foci of authoritative knowledge offers diverse and potentially richer interpretation as well as fuller representation; and cross-cultural learning can improve the chance of finding innovative practices which reflect the acceptance of pluralism and diversity.

Acronyms

AI:	Amnesty International
APDF:	Association pour le Progrès et la Défense des Droits des Femmes Maliennes
ASI:	Anti-Slavery International
AWEG:	African Women Empowerment Guild
BP:	Best Practice(s)
CATW:	Coalition Against Trafficking in Women
CEDAW:	Convention on the Elimination of All Forms of Discrimination Against Women
DNA:	Deoxyribonucleic acid strand
ECOSOC:	Economic and Social Council
ECOWAS:	Economic Community of West African States
ECPAT:	End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes
FDI:	Foreign Direct Investment
GAATW:	Global Alliance Against Trafficking in Women
GPAT:	Global Programme Against Trafficking in Human Beings
GATS:	General Agreement on Trade in Services
GPI:	Girls Power Initiative
HIV/AIDS:	Human Immune-Deficiency Virus/Acquired Immune Deficiency Syndrome
HRW:	Human Rights Watch
IFIs:	International Financial Institutions
IGA:	Income-generation Activity
ILO:	International Labour Organization
IOM:	International Organisation for Migration
IPEC:	International Programme on the Elimination of Child Labour
ITGA:	International Tobacco Growers Association
IUF:	International Union of Food, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association

MRC:	Migrant Rights Convention also known as International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
NGO:	Non-governmental Organization
OHCHR:	Office of the Human Commissioner for Human Rights
ONG-ESAM:	Enfants Solidaires d'Afrique et du Monde
OSCE:	Organization for Security and Cooperation in Europe
RAPCAN:	Resources Aimed at the Prevention of Child Abuse and Neglect
SSA:	Sub-Saharan Africa
SAP:	Structural Adjustment Programme
TDH:	Terre des Hommes-Germany
Trafficking Protocol:	Abbreviation for the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children
UAE:	United Arab Emirates
UN:	United Nations
UN CHS:	United Nations Centre for Human Settlements
UNCRC:	United Nations Convention of the Rights of the Child
UNDP:	United Nations Development Programme
UNESCO:	United Nations Educational, Scientific, and Cultural Organization
UNHCR:	United Nations High Commission for Refugees
UNICEF:	United Nations Children's Fund
UNICRI:	United Nations Interregional Crime and Justice Research Institute
UNIFEM:	United Nations Fund for Women
UNODC:	United Nations Office on Drugs and Crime
USAID:	United States Agency for International Development
WAO-Afrique:	World Association for Orphans
WOCON:	Women's Consortium of Nigeria

Chapter 1



Cross-Border Migration an HumanTrafficking: An Introduction to Policy Issues

This study contributes to the current debate on international migration and the Best Practices (BP) for countering the illicit movement of, and trade in people. The study focuses on women and children in Sub-Saharan Africa (SSA) and examines the conditions under which cross-border migration there – as an element historically embedded in livelihoods systems – becomes intersected with practices formally defined as human smuggling and trafficking. We begin with acknowledging an extant hierarchy of regimes of migration – mediated by formal and informal rules regarding entitlements to protection and meanings of mobility. We note that in SSA, as elsewhere, diverse social processes have formed migration regimes. They bring together different elements which then evolve into relatively stable forms of social organisation. Evidence suggests that such regimes are socially differentiated. The differentiation may be shaped by an interaction between government rules and norms and the practices of the facilitating social networks that may circumvent them in various ways. Depending on the highly contextual distinction between legality and illegality of migration, social networks can be active at different nodal points of the migratory process: providing information to influence decision-making at entry point, transferring and harbouring and placing migrants at work.[1] A migration regime shaped by what may be called

1. For example, in the case of Canada, Bear (1999) illustrates seven distinct categories of migrants based on their entry status and long-term status, being: 1) legal-legal (legal entry and legal immigration); 2) illegal-legal (illegal entry under false or undocumented methods with the goal to change status after arrival); 3) legal-illegal (legal entry with time-specific visas and overstay); 4) illegal-illegal (by independent means such as own-account or through friends); 5) illegal-illegal (by indentured means such as through the service of organised crime networks who prepay migration costs to be repaid after successful entry -- sometimes even when entry is unsuccessful); 6) legal-legal (through similar indentured means as under 5, but with a legal status); 7) internal migration (mobility within the same national jurisdiction during intermediary status prior to integration).

'distress entry' in combination with false or partial information is more likely to evolve into human smuggling and trafficking – regimes known for their hazard, lack of accountability and human rights abuse.[2]

The study approaches the interface between migration and human trafficking in SSA from the angles of governance and poverty. Poverty as vulnerability – an outcome of changing livelihood systems – is one factor at this interface that can result in a variety of forms of human trafficking for labour exploitation. We adopt a broad definition of governance: being the active norms by which a community is ruled. Our notion of a community is equally broad and covers domestic units, such as: kinship-based organisations and households[3]; market and non-market-based social organisations as well as the state. The governance of migration is viewed as consisting of overlapping sets of normative rules which may include: those embedded in domestic units of livelihood systems regarding resources, duties and eligibility for migration; the formal and informal contractual practices adopted by facilitating social networks; state regulation, and practices of immigration control. Each set of rules may have its internal logic and ethical substance. Under particular conditions an interaction between these different sets of rules may transform each other's internal logic and produce patterns of mobility with different consequences, conflicting interests and concerns. This research is basically exploratory, but we hope that by approaching the subject matter through the angle of governance it will be possible to synthesize an array of different analytical positions in order to more clearly discern issues of consequence, thereby assisting future searches for practices which more adequately address human rights abuse in migration processes.

1.1 Knowledge on Human Trafficking: Challenges to Policy

Many aspects of human trafficking remain poorly understood even though it is now a priority issue for many governments. Information available about the magnitude of the problem is limited. Laczko and Gramegna (2003) note the growing consensus on the existing difficulty in measuring and monitoring trafficking given the wide range of actions and outcomes covered by the term (including recruitment, transportation, harbouring,

2. 'Distress entry' is the term given to migration caused by a combination of factors of absolute and relative deprivation (material, social, cultural and symbolic).
3. Moser (1999) makes an important distinction between the family as a social unit based on kinship, marriage and parenthood, and the household as a unit based on co-residence for such purposes as production, reproduction, consumption and socialisation which may or may not acquire the social features of the family.

transfer and receipt).[4] While the existing body of knowledge about human trafficking serves for raising public consciousness about the issue, it is still not rigorous enough to lend support to comprehensive action programmes addressing the different dimensions of the problem.

The struggle against human trafficking requires a different approach from that of trafficked goods – such as drugs and small arms – despite the similar aspects of illicitness. Common to the trafficking of goods and the trafficking of human beings are some key factors such as: degrees of weakness in the state apparatus of countries which send, serve as transit, and receive; large tax-free profits; the use of violence and threat to deter denouncement and prosecution. Unlike with illicit goods, human trafficking involves a process of exploitation – from debt dependency to enslavement – to ensure continued income from the same trafficked persons.[5] Traffickers objectify persons under their control, put them at work without payment, subject them to repeated sale, and may force them to take deadly options to destroy evidence – or murder them (Truong, 1998, 2003a). Governments and those civic organisations, which seek to free trafficked persons from enslavement or servitude, and to prosecute traffickers, must deal with people who have been placed in such difficult situations that their perception may have been transformed, and their survival mechanisms manipulated in ways that strengthen rather than reduce dependency.

Current efforts to counteract human trafficking fall into three categories: (a) prevention and deterrence, (b) law enforcement and prosecution of traffickers, (c) protection of trafficked persons, 'rehabilitation'[6] and assistance in social reintegration. Unfortunately these official procedures face many problems of circumvention such as fragmented evidence, judicial

4. Article 3 of the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children includes all these actions and outcomes in the definition of trafficking. It also includes 'exploitation' particularly 'exploitation of the prostitution of others', sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude and the removal of organs.
5. Throughout this report we refer to those trafficked as 'trafficked persons', 'trafficked children' or 'trafficked women' rather than 'victims' or 'victims of trafficking.' Wood (1985) forcefully argues that the labels used for certain 'categories of persons' reflect the power relations between the namer and the named. We have therefore chosen a less disempowering term in this report and, even though the majority of the literature still uses it, we avoid the use of the term 'victim' except in direct quotes or official titles and statements.
6. We use the term 'rehabilitation' here to refer to medical and psychological assistance for trafficked persons' recovery from abuse and related illnesses. It does not carry any moral connotation; that is an issue still subject to inconclusive debates (Truong, 2003b).

disharmony within and between national legislative systems and weak social institutions with logistic problems and inadequate professional capability to lend adequate support to trafficked persons. Such circumvention serves to boost the impunity of perpetrators and thus maintain the opportunity for re-trafficking. A proliferation of funds and resources now exists for raising public awareness, for legal reforms and for the development of new practices to protect human rights in a transnational context of migration and human trafficking.

The diversity of forms of trafficking – particularly those with transnational links – tends to defy the authority of current theories pertaining to migration and their affiliated analytical tools (Castles and Miller, 1998). Where theory is in the making rather than ready made, engaged organisations tend to turn to social learning to develop their practices. Social learning emphasises the merit of hands-on experiments, of direct trial-and-error, and of the power of examples of successful intervention. The preference for immediate action shaped by learning from actions taken in practice is driven by the concern for efficient use of time, money, and other resources. A classification of practices and projects that are perceived to deliver the desired outcome is part of the process of a codification of new norms of intervention.

1.2 Research Goals and Methodology

Our interest in this research into practices which counter human trafficking stems from our long-standing practical and theoretical engagement with issues that were previously marginal but which in the last decade have become the epicentre of a global social crisis.[7] Considering the complexity of the problem and the context of our research – being without the benefit of field research and observation of practices in action – it is both impossible and unethical to make qualifying pronouncements on the impact of a particular line of intervention.[8] Our emphasis is on an understanding of the cognitive functioning of particular epistemic communities[9] engaged in

7. The crisis includes the concern for refugees, internally displaced persons, migrant workers, commercial sex workers and mail-order brides.
8. Communication and data collection was limited to questionnaires sent by email and occasional contact with the respondents by telephone.
9. The term 'epistemic' is used to refer to something that concerns knowledge. The report uses Peter Haas' concept of 'epistemic community' defined as a network or group of knowledge-based specialists with an authoritative claim to policy-relevant knowledge in the domain of their expertise. Members of such a community hold a common set of beliefs on problem causation, validation of means of intervention and evaluation, as well as a common policy endeavour (Haas, 1992a).

the struggle against human trafficking, in order to appreciate the specific choices made (for action) in their context. The challenge in examining effective ways to address human trafficking lies in removing the padding around the social and political worlds in which particular practices defined as 'best' or 'successful' are embedded; and in so doing contribute to a resolution of tension, and create bridges between different communities of actors in the policy field.

Given the current status of knowledge on human trafficking and the risk of erroneous claims, our aim is to direct the reader toward the need for public dialogues on diversity to be undertaken in the spirit of what can be called 'epistemic egalitarianism'.[10] In the field of human trafficking epistemic egalitarianism should foster dialogues – between policy-making bodies, engaged grassroots organisations and scholars – that effectively address the congruence of forces behind the shortfalls in human rights protection. This means having trafficked persons, returnees and their families take part as 'knowing subjects' in dialogues on how best to protect their rights.[11] Such dialogues can be built on experiences of inclusion already taking place in several countries, notably the participation by returnees in the formulation of intervention at micro level.[12] Their narratives and insights should be channelled into the policy field and scholarly interpretative works. This may help to foster a shared understanding of the problem and a collective support that does not take for granted some standardised definition of human trafficking but is capable of responding to the diverse needs and 'situated' rights of trafficked persons and their families.

10. By 'epistemic egalitarianism' we mean the application of democratic principles in the process of knowledge construction, beginning with the acknowledgement that each perspective has its own merits. Building and sharing knowledge should be a democratic endeavour generated and continually regenerated through what Sandra Harding calls 'fruitful coalition and respectful dialogues' between different perspectives (Harding, 2000: 257).
11. Lessons on participation can be drawn from the struggle against HIV/AIDS. For example, in the combat against the HIV/AIDS pandemic the Thai Government has adopted a participatory approach which includes persons living with the disease as active members of policy panels. Such persons can share their knowledge about their needs, and how particular social treatment of carriers of the virus and their families can contribute either to the reduction or to the spread of the disease.
12. For example, in the last decade civic organisations in the Philippines working with entertainers who returned from Japan with their children have managed to build a platform of dialogue with municipalities in both the Philippines and in Japan to build support systems to prevent re-trafficking. Through these dialogues, dignity, a sense of belonging and the ability to secure a sustainable livelihood for the future of the children have emerged as the key issues at micro-level intervention. Some returnees have emerged as leading advocates against exploitative migration (Truong's field notes from interview with returnees in Manila in 2003, facilitated by Carmelita Nuqui, Director of Development Action for Women Network).

Aware of the complexity of issues underlying the constellation of actions framed as human trafficking, we see the merit in bringing to the fore the standpoint of those whose daily lives are most affected by policy choices. We view policy as a deployment of different fields of social energy (guided by a variety of knowledge frameworks and interests). These are capable of cooperation, or of competition or of conflict. Affected persons unrepresented by the guiding frameworks tend to carry the social burdens of errors in decision-making without having an avenue for criticising the beliefs upheld by policy-makers, nor for exacting a response to their requests for change.

Extant avenues to assert alternative beliefs such as the World Bank's 'Voices of the Poor' or the World Social Forum are difficult to access by some of those stranded in different frameworks of legislation without effective citizenship – as are trafficked persons. We therefore see our main task as contributing to an avenue through which the rights and dignity of trafficked persons can be addressed from the standpoint of their location, so as to give socially grounded meaning to human rights protection as a policy objective. We concur with Kardam (2004) that emerging global regimes of rights and social equality need new methods of scrutiny at the point of application. We regard the transformation of governance – from the control and discipline of the social body to a process of dignity enhancement for those stripped of their rights – as a key objective in this scrutiny.

Lack of resource deprived us of opportunity to observe first-hand the application of practices in the anti-human trafficking campaign in SSA. We have relied on the diversity of routes of knowledge on the Internet and databases of various organisations. Aware of the fact that the diffusion of information also means the spread of misinformation, we supplement the knowledge provided on websites with a thorough review of publications and reports of meetings that offer additional insights on organisations in Africa engaged in the anti-human trafficking campaign.

Our research focus has sharpened through the data-gathering process. The attempt to create a framework for the analysis of what is labelled as 'Best Practices' in policy circles was vexed by major questions regarding norms and values, leading to the decision to provide an analytical lens through a social learning approach. Voices from the field permeated the returned questionnaires and helped alert us to the multi-dimensional nature of poverty and most importantly the significance of the global/local dynamics of deprivation. Poverty and deprivation may be a cause behind the adoption of migration as a temporal strategy to sustain livelihood systems. But poverty and deprivation can enhance risks in decision-

making due to the absence of means to verify the information available (which may be partial or false). The messages behind these voices have led us to revisit the process of learning – about poverty – as it takes place within academia and policy circles, and to reveal the social and political worlds in which concepts of poverty and recommended practices for its reduction are embedded.

1.3 Trafficking of Women and Children: The Burdens of Structural Adjustment Policies – Problematique and Report Structure

Radhika Coomaraswamy – the United Nations Special Rapporteur on Violence Against Women – explains the predominance of women as victims of human trafficking as follows:

> '… the lack of rights afforded to women serves as the primary causative factor at the root of both women's migration and trafficking in women. The failure of existing economic, political and social structures to provide equal and just opportunities for women to work has contributed to the feminisation of poverty, which in turn has led to the feminisation of migration, as women leave their homes in search of viable economic options. Further, political instability, militarism, civil unrest, internal armed conflict and natural disasters also exacerbate women's vulnerabilities and may result in an increase in trafficking'.[13]

She states also that the phenomenon of trafficking in children needs child-specific remedies which must take into account gender-specific features. Dottridge (2004:19) endorses this view and further proposes that child-focused action should try to minimise their specific vulnerabilities, enhance their capacity to assess risk and articulate worries, and pay attention to gender and age differentials. Sub-articles (c)[14] and (d)[15] under Article 3 in the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children – which supplements the Convention against Transnational Organised Crime (also abbreviated as the Trafficking Protocol) – give specific attention to the trafficking of

13. The quote is taken from page 4 of the report. The complete report of the UN Special Rapporteur can be accessed from the website of the UN Economic and Social Council (ECOSOC) at http://www.unhchr.ch/huridocda/huridoca.nsf/%28Symbol%29/E.CN.4.2000.68.En?Opendocument.
14. Sub article (c) says "The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article".
15. Sub article (d) says "'Child' shall mean any person under eighteen years of age."

children. The article places special onus on parents not to abuse their position of authority or the vulnerability of children in their care.

As an element in the broader contexts of changing livelihood systems, migration has perhaps been more prominent in Sub-Saharan African (SSA) than elsewhere due to ecological dynamics specific to the region and the legacy of colonial spatial policies. In the last two decades the population in this diverse region has experienced adverse social changes with serious implications for the institutional and cultural structures that have shaped the security of their livelihood for decades, if not centuries. The worst drought in modern times has now lasted nearly half a century. The eruption of social conflicts into militarized violence has involved one in four of the countries in the region (Luckham *et al* 2001), and the HIV/AIDS pandemic is taking a disproportionate toll there: 26 countries among the 28 worst affected in the world (Whiteside, 2002). SSA has over 10 percent of the world's population but HIV/AIDS affects 6 per cent of its total population – roughly 24.5 million people. It was estimated that by 2004 some 2.3 million people in the region would have died of AIDS (UNAIDS, 2005).

Poverty, conflict, environmental and health problems become mutually exacerbating. Pressures of the Structural Adjustment Programmes (SAPs) implemented by the greater majority of countries in the region since the 1980s have further aggravated different internal crisis tendencies. In many respects the 1980s and 1990s could be referred to as the decades of 'lost growth' and 'lost human development' for SSA – the gender and age dimensions of which are only beginning to emerge.

In Chapter 2 Coomaraswamy's views – on the lack of rights and the feminization of poverty as causative factors of violence against women (including trafficking) – are extended to explore the deeper dynamics of poverty and its intersection with migration and the affect also on young men and boys.[16] We locate the main reasons as seated in the economic marginalisation of SSA, affected per pro[17] the process of global integration. We found some significance in the gender logic embedded in the social and political world of the SAPs. This logic is built on a male-centred vision of economy and society, according to which the domain of care – being the non-monetarised daily maintenance activities of persons and institutions that make production possible – is by and large never accounted in the calculus of growth and redistribution. The outcome is a multi-layered process of transmission: a shifting of burdens derived from shortfalls in

16. The feminization of poverty is defined as the increasing numerical proportion of women among the poor.
17. i.e.: through and by way of.

crisis management at state level down to the level of households and farms and every one of their members. The gender-based burdens carried by women are seen to be increasing through disputes over land rights – which tend to favour men; through the intensification of women's labour-time in paid and unpaid farm and non-farm work, and under the pressure to accommodate other needs which derive from male-centred sexual norms.

Where it is possible we identify how these burdens are transferred to children within the context of an extended family-based livelihood system. We argue that the emergence of autonomous migration over long distances by young people and children (male and female) – to get work, or to find care, or to provide care for sick adults – are clear signals of distress. The obliteration of the significance of care systems – traditionally upheld by women – in policy visions, discourses and practices over two decades of structural reforms is now resulting in an unwanted by-product: the strained elasticity of household and kinship relations. These relations now span many locales across a vast geographical space. We note a furtherance of this process in the erosion of norms of entitlements to protection embedded in the 'moral economy' or 'economy of affection' (Hyden, 1983:82) due to a weakened structure of accountability.[18] In some cases this elasticity can transform the economy of affection into an economy of violence.[19] The rise of migration by children and young people within and beyond traditional practices may thus signify more than a temporary means to make ends meet. It could even be putting at risk the long-term path out of stagnation and future recovery of this region. The mechanisms of intergenerational transmission of poverty constitute a key area for research to find ways to reverse current trends.

Chapter 3 offers analysis of the political, legal, social and cultural aspects of migration and human trafficking in SSA. It reveals the tensions between international regulatory frameworks and the diversity of practices of mobility in the region. It would appear that regulatory frameworks have not adequately addressed the paradox between the liberalisation of economies on a global scale and the non-liberalisation of labour mobility.

18. Hyden introduces the term 'economy of affection' in his theory of an African peasant mode of production, based on his work on African agrarian societies, and defines it as 'a network of support groups, communications and interaction among structurally defined groups connected by blood, kin, community or other activities for example religion. It links together in a systematic fashion a variety of discrete economic and social units which in other regards may be autonomous.' (Hyden, 1983:82)

19. For example children from 'fluid', 'split' and double-rooted households may be sexually abused by their stepparents, and forced into prostitution possibly to sustain the livelihood of these fractured entities (Moser, 1999: 9).

Where borders are traditionally 'porous' due to the long history of human movement in which free movement was the norm – as in the case of West Africa – border control during post-independence nation-building can trigger social anxiety and lead to conflict at different levels of society, particularly in times of economic uncertainty (Pécoud and de Guchteneire, 2005: 20-21). The current regulatory frameworks are torn between different objectives with limited prospect for resolution: 1) *laisser-faire* (tolerating undocumented workers, without formal acknowledgement of their presence, so long as they contribute to the economy, remain invisible and pose no real challenges to human rights protection); 2) *punitive* (crackdown on undocumented migrants and criminalization of activities in their life-worlds); 3) *instrumental* (recognizing the value of their contribution both to the host society through their labour and to the society of origins through their remittances, and ensuring the protection of their rights by a variety of means).[20] In the context of SSA there seems to be no clear policy direction, owing perhaps to the weakness of states already pressured by problems of growth and redistribution, civil conflicts and other crises.

The limited success in inter-governmental negotiations for a resolution on international migration as trade in services – currently covering skilled personnel in the context of foreign investment as a primary group – has left an ambiguous zone within which illicit cross-border migration occurs. Migrants who are searching for opportunities available in the low-skilled or ill-defined sectors and who move in this zone become subject to unscrupulous practices of recruiters, facilitators and also border controllers. It is most necessary to separate the strands of interaction between the changes in the macro environment as affecting particular economic sectors and the concomitant social responses at all levels: individual, household, labour markets, firms and farms. Such responses may have contributed to the shaping of migration patterns by which individual and collective strategies – of coping with the pressures of exploitative migration practices (including trafficking) – have served to institutionalize it. Although the paucity of data does not permit firm conclusions, evidence does suggest the merit of a sector-specific approach that is capable of discerning the dynamics motivating both the illicit transfer of labour (from one locality, region or country to another) as well as the different actors involved.

In Chapter 4 we introduce Haas' concept of epistemic community in an attempt to locate the position of different actors engaged in

20. Worldwide migrant remittances – defined as the monies earned or acquired by non-nationals that are transferred back to their country of origins (IOM, 2004) – have become one of the most significant financial flows, in some years exceeding Official Development Assistance (ODA), (Ratha, 2003).

countering human trafficking, and in the search for Best Practices of migration management. We show how a given conception flows directly from the particular framework of knowledge, values and norms that a community adopts. Contending epistemological dispositions on human trafficking are closely linked with how international migration is explained in the contemporary context of globalisation. Despite a shared ethic on human rights protection that underlies anti-trafficking policy there exist operational differences regarding how this goal may be achieved. The concept of Best Practice may serve as a heuristic device to question the relationship between dominant forms of social knowledge on international migration and trafficking, the visibility or invisibility of causative factors, and the structure of power and authority in decision-making.

A selected number of practices by participating organisations in this research is presented in Chapter 5. The chapter discusses their profiles, strengths and weaknesses, the way they understand what brings about trafficking and the replicability of their practices. Their own narratives serve to accentuate the key areas requiring further reflection. We note that communities of practitioners in SSA share an awareness about the significance of bridging and synchronizing the three levels of intervention (prevention, prosecution and protection), but this awareness at times remains detached from actual action owing to the lack of resources and institutional capabilities.

Chapter 6 – The Way Forward – points out how practices of migration management can benefit from a more holistic approach – one which addresses a broad set of overlapping livelihood systems. Rather than treating each practice as a separate entity, our evolving understanding of the situation in SSA has shaped our belief that each one may best be treated as part of a broader process of transformations within a web of social relationships. These relationships vary in strength according to the context that activates trafficking processes. Discussions on human rights protection must therefore be grounded in the specific setting of social transformation and any dialogue on the different possible directions guided by the principle of inclusion and justice for all. In the context of international migration for work, resolving the paradox between the liberalisation of economies and the non-liberalisation of labour mobility appears most urgent in order to minimize risks in cross-border migration and to eliminate the social conditions that have allowed slave-like practices to flourish.

Chapter 2

Poverty and Migration in Sub-Saharan Africa: Exploring the Links

Migration has always been a component of the systems of livelihood in Sub-Saharan Africa (SSA) but in the last decades it has burgeoned and also altered in ways which reflect specific characteristics of crises at sub-regional levels (Black et al, 2004; Francis, 2002; Ansell and van Blerk, 2004; Luckham et al 2001). In some studies changes have been observed, regarding institutional norms of mobility and livelihood, by which for some young people migration has acquired the status of a *rite de passage* to adulthood and membership in the new mobile class (Hampshire, 2002; Castle and Diarra, 2003). Analysis of the complex background to this recent transformation of migration requires an approach capable of combining socio-economic issues with both the cultural and subjective dimensions of identity construction. Overgeneralization can hide important nuances in continuity and change. We have concentrated on the links between poverty and migration, and the conditions under which the latter becomes trafficking. Issues of identity construction are covered by placing them in the context of the entitlement rules as part of everyday living.[21] This analytical choice has been made for its potential policy-relevance and because research could not be done by interacting 'in the field'.

We first provide a conceptual discussion on poverty and the methods of its assessment. This is followed by a discussion on gender and poverty under Structural Adjustment Programmes (SAPs), showing how the interaction of a neo-liberal policy environment with local structures of power allows for hidden transfer of onerous aspects of adjustment onto women and children. The existing body of literature on migration is utilised to

21. For example, the identity of a child migrant as a domestic servant may imply a three-dimensional deprivation of entitlements and rights: as a migrant (without citizenship rights), as a child entitled to food and basic protection (both of which can be removed) and as a worker (whose labour is not recognized).

delineate the main areas of social dynamics that can enhance women and children's vulnerability and make them more susceptible to the inherent risks of trafficking. Using UNICEF data set (State of the World's Children, 2005) and other databases we obtain a general picture of child poverty and deprivation in SSA and illustrate how the outcome of two decades of economic stagnation is reflected in social indicators. The chapter concludes with a proposal for policy debates and action.

2.1 Conceptualizing Poverty: Poverty Line, Capabilities and Voices of the Poor

Progress made in the analysis of poverty during the last two decades is a result of close monitoring of the impact of Structural Adjustment Programmes on the poor. SAPs consist of a complex bundle of instruments with differing goals although the main aim is to stimulate national economic growth by restoring balance between (1) government revenues and spending, (2) savings and investments, (3) export and import of goods and services, (4) the flow of foreign capital. More than 150 countries have implemented such programmes since the early 1980s. The basic overall goal has been to create a level playing field for different economic actors in the process of global economic integration. The World Bank is the main architect of SAPs. It is supported by institutions such as the International Monetary Fund whose main role is to assist with the design of adjustment policies to achieve a viable balance of payment and price stability, and to provide finance to these programmes. The main assumption behind a SAP is that a period of economic austerity is necessary for achieving long-term gains from trade, rising income levels and poverty reduction. Debates on SAPs have consistently raised many questions about the conflation of means and ends. Is growth a means to some higher social goal – such as a world free of poverty – or is it an end in itself?

One major breakthrough achieved by the critique of adjustment policies regards their quantitative approach which uses the monetary measures of income and purchasing power as criteria for drawing what are called 'poverty lines' – by which to assess the correlation between economic growth and the level of persistent poverty. Two key aspects have been brought into questions. The first point is that this approach fails to capture the multi-dimensional character of poverty as a lived reality. Chambers (1989, 1995) was among the first to stress this multi-dimensionality and how it can encompass a wide spectrum of deprivation and disadvantage – ranging from the absence of a social base for dignity and self respect, through isolation, physical weakness and seasonal vulnerability to shock, stress and lack of means to cope with damaging loss. The second is that

Box 1 Stabilization and Structural Adjustment Policy Instruments

A. *Stabilisation policy: short-term policies to restore financial balance*

- Fiscal policy
- Monetary policy
- Devaluation of currency

B. *Adjustment policies: medium-term and long-term policies to induce economic growth*

- Reallocation of public sector spending (reduction of the social sector)
- Market liberalisation (current account, goods, capital, domestic finance, factor production)
- Removal of qualitative restrictions (e.g. tariff barriers)
- Promotion of private sector operation (including foreign direct investment especially for export-oriented activities in industry, agriculture and services)
- Reduction of government activities (especially through the privatisation of stated-owned or managed enterprises)

Source: L.D. Smith and N.J. Spooner (1992) in van Dijck (1998: 17-55)

its conceptual proximity to money and markets raises doubt about its ability to take into account the significance of non-monetary resources used by the poor in response to stress. These resources may include a variety of support networks – such as clan and kinship, civic organisations, community and state – which have all helped cushion adjustment burdens (Elson, 1991; Beneria and Fieldman, 1992). A weakening or disbandment of any of these networks can trigger a downward spiral from relative to chronic poverty.

Mahbub ul Haq (1994), Amartya Sen and Martha Nussbaum (1993)[22] made significant contributions towards shifting the refocus on poverty and wellbeing away from the possession of commodities. Their common point of departure is the treatment of human development as an end in itself rather than a means to some other goals. Central to their framework – better known as the capabilities approach – is the proposition that the absence of entitlements and rights puts a limit on action taken to achieve a meaningful life. They bring to the fore issues of democracy and point to a causal link between a lack of openings for people's capabilities – resulting from an unjust social system – and the prevalence of poverty among particular social groups. The emphasis on capabilities provides the scope by which to analyze poverty beyond the level income and to cover

22. For the difference between Sen's and Nussbaum's approach see John Alexander, 2004.

its social and political dimensions – including the structural determinants for individual and collective functioning and achievement. By placing measures of human development in the matrix representing issues of governance, the capabilities approach allows quantification of poverty conditions of specific social groups. It also gives more credence to the rules of entitlements and rights that affect women, children, the elderly and any marginalized ethnic groups. The factors behind government accountability for widespread poverty become visible, point that has been obscured in the ascendancy of neo-liberalism.

White *et al* (2003:380) note that the current development literature on poverty emphasizes its multidimensional character and stresses the significance of access to basic services. At the macro-level the aggregate outcome of positive child development contributes to a country's present and future overall development. The growing body of literature on child poverty also emphasizes the capabilities of families and societies to nurture, guide and protect children – which is a basic thread in the social fabric and relies on 'a network of family and community relationships and support systems that underpins livelihoods and human welfare' (Harper and Marcus, 2000: 66). An adequate understanding of the mechanisms of intergenerational poverty transfer is much needed to address its long-term entrenchment in society.

Since 1990, the UNDP through its *Human Development Reports* has promoted a concept of poverty that encompasses 'security' in daily life and 'empowerment' as human agency – concepts predicated on the notion of control over one's destiny through voice and political choice. Since the *World Development Report* of 2000–2001 the World Bank has also embraced the notion of empowerment by introducing a participatory approach to poverty assessment. Because individual and community responses to crisis are mixed, the various ways in which local institutions are or are not able to support individuals and communities in handling and managing external shocks have become an important area of inquiry for comparison and learning (Christiaensen *et al* 2003).

The extension of poverty analysis beyond the monetary measures of income and purchasing power – with its focus on the factors leading to action taken by poor communities and poor individuals – reveals a cause-and-effect relationship between those policy environments which enable worthy human choice and economic performance leading to poverty reduction. Creating an enabling policy environment, in this view, implies the strengthening of local institutions and the capabilities of the poor to organize themselves, articulate their needs, and state their claims through which an upward-moving spiral out of poverty may be stimulated.

From an ethical perspective the participatory approach to poverty assessment implicitly endorses the view that the ability to speak out with dignity about individual and collective experiences of poverty is one element in a broad process of empowerment, particularly the psychological benefit of giving a voice and being heard. Booth *et al* (1998) pointed out that the round of country Poverty Assessments – undertaken at the instigation of the World Bank – did lead to the widespread adoption of the participatory principle. Poverty assessment works better when it draws on the resources of a range of stakeholders and adopts a given investigative style. The voices of the poor are helpful in broadening the awareness of decision makers, because in aggregate analyses local factors that help explain poverty are often omitted. According to information given on the IMF website, the objectives of the Fund's concessional loans were broadened in 1999 to include an explicit focus on poverty reduction in the context of a growth-oriented strategy. 'The IMF will support, along with the World Bank, strategies elaborated by the borrowing countries in a Poverty Reduction Strategy Paper (PRSP)'.[23]

There are reservations about the benign political vision of this strategy and the reliability of its techniques. The emphasis on 'coping strategies' by communities, households and individuals is an analytical choice which does seek to give more prominence to the 'agency' of the poor;[24] but the resulting analysis is not always convincing to those who closely monitor changes among the most vulnerable groups. It is also the case that the poor mostly have no part in the action taken following the assessment of their situation.

In the context of HIV/AIDS-related poverty, Ansell and van Blerk (2004) pointed out that 'coping does not imply that such actions are invariably successful or carry no costs... and strategy does not imply the implementation of a carefully prepared plan'. The manner of coping may be another way of conveying the message of 'desperate poverty, social exclusion and marginalisation' (Whiteside, 2002). Where migration is a strategy to diversify household income and enhance personal wellbeing, it can lead to a downward spiral of destitution, particularly where there is a serious lack of options (De Haan et al 2002). Destitution can also be an outcome of risks – taken at the point of decision-making to migrate – which are not then assessable. The incomplete and often inaccurate information offered by facilitating networks about the migratory process and labour conditions in the recipient countries often fosters a symbiotic

23. Http://www.imf.org/external/np/exr/facts/prgf.htm.

24. By 'agency of the poor' is meant their ability to take action.

relationship between the facilitator and the migrant – particularly in instances of trafficking. For the migrant such a relationship often means a choice between street destitution and captivity (Truong, 2003). The analytical treatment of 'coping strategies' must therefore not sidestep structural impediments; on the contrary it must locate these strategies precisely in their specific context and (re) assess their success or failure in the light of broader matrices of accountabilities.

The progress in poverty analysis has provided three different ways to apprehend poverty and deprivation: income and purchasing power; capabilities and entitlements; and assessment of the agency of the poor. Each applies to different dimensions and serves a different purpose. These approaches do have shortcomings.[25] When used in combination, and with sensitivity to methodological flaws which mask power embedded in the claims of knowledge,[26] they could be the means to create adjunct – rather than alternative – perspectives that can be woven together to provide full comprehension of poverty, migration and human agency.

2.2 Gender and Poverty in SSA: Hidden Burdens

In the history of development it is striking to note that thirty years ago the average income in SSA was twice that of both East Asia and South Asia where 60 percent of the population in the developing world live (The Commission for Africa, 2005: 96). Despite twenty years of Structural Adjustment Programmes (SAPs) aiming at the revitalisation of SSA economies to prepare them for global integration, the region is experiencing a serious crisis of poverty where the number of people living in chronic poverty is growing and life expectancy is diminishing. The region's relationship with the world economy – trade and exchange – remains marginal at a time of rapid global integration.[27]

25. See Chant (2003) for a useful and comprehensive critique of Poverty Assessment methodology.

26. Truong (1997) points out that the conceptual proximity of the capability approach to theories of production tend to consign reproduction and care back into the natural domain and avoid addressing sexuality as being a domain of power which shapes gender identities with implications for rights and entitlements. Critique of participatory methods also notes the power-laden context and remains sceptical about the validity of the opinions expressed (Christoplos, 1997).

27. Most countries in the region— with the exception of Botswana, South Africa, Mauritius, Equatorial Guinea and Guinea-Bissau – have experienced a consistent decline of gross national income due to falling primary commodity prices. According to the African Development Bank (2002:2), of the world's 44 primary commodities only 13 slightly increased in value through 2001. Prices of agricultural raw materials such as tropical hardwood, cotton and natural rubber were 40 per cent down on

The participatory poverty assessment process in SSA has led to some consensus on poverty trends and the character of deprivation – particularly its severity in rural areas and pockets of urban centres (African Development Bank, 2002; Oduro and Aryee 2003). Issues of contention mainly concern the role of markets and structures of accountability, and shortcomings in the management of a process of social change which hinges on a complex interaction between external and internal environments. In some sub-regions this interaction has produced new phenomena that cannot be contained in the framework of the nation-state – such as the 'conflict diamonds' in the West and Central-Southern regions (Luckham *et al* 2001), the oil conflict in the Niger Delta and the HIV/AIDS pandemic.

Box 2 Africa end Economic Globalization

- Africa's share of world exports declined from over 3.5% in 1970 to about 1.5% by the end of the 1990s.
- Imports over the same period declined from 4.5% to 1.5% of world imports.
- The decline in Africa's exports over the last three decades represents an income loss of US$ 68 billion annually, equivalent to 21% of regional GDP.
- G7 agricultural subsidies of US$ 350 million per year are 25 times Official Development Assistance (ODA) flows to Africa.
- Debt Service accounted for an average of 18% of export earnings per year between 1997-2002
- Flows of Foreign Direct Investment (FDI) are not spread across a broad range of industries but concentrated on high value resource-based industries like oil and diamonds. In the period 1983-2002 59% of total FDI flowing into SSA went just to three countries: Angola (13%), Nigeria (23%) and South Africa (23%), the greater part into extractive activities.
- ODA flows into SSA measured in US$ have gradually declined from 17.8 in 1995 to 12.7 billion in 2001.
- Remittances by migrant workers during 2002 represent 1.3 % GDP in Sub-Saharan African compared with 2.2 % in the Middle East and North Africa, and 2.5% in South Asia. US dollar values for the 3 regions are 4 billion, 14 billion and 16 billion respectively.

Sources: C. Mark Blackden and R. Sudarshan Canagarajah, World Bank, 2003; ADB 2002; Ratha, 2003: 16.

the 1977 level. Relatively promising signs have been noted since 2004. Africa's real GDP grew by 4.6 per cent – up from 4.3 per cent in 2003 and the highest rate for almost a decade. The growth performance of the best and worst performers has been fairly stable over the last half decade. 14 African countries have been able to sustain their growth at or above 5 per cent since 1999, a rate that puts them closer to meeting the estimated 7 per cent required to achieve the poverty-reduction goal. Obstacles to further growth included falling world cotton prices and the removal of textile quotas by WTO; and the export of African textiles –which recently grew – is expected to be badly hit. http://www.uneca.org/conferenceofministers/2005/documents.htm.

Our concern lies primarily with how national financial burdens – irrespective of their origins which may include debt traps, conflict and war, capital flight – translate into an erosion of entitlements to social goods (health, education, physical infrastructure) and supportive relations at the community and household levels. Different types of intra-household trade-offs can undermine the wellbeing of vulnerable members (women, children, the elderly and the sick) and thereby strain the individual and collective carrying capacity. The advocates of SAPs see adjustment burdens as being short-term. But hidden long-term costs become revealed through the livelihood options for the new generation. We consider these a crucial parameter for bringing the size and character of adjustment burdens into due consideration.[28] Issues of accountability should be best considered as multi-layered, stretching from the design of policy to choice of means for implementation, and through national and local machineries of governance and their relationships with households and individuals as actors.

2.2.1 Gender and Adjustment

One of the key premises of structural adjustment policies is the fundamental role of trade for economic growth, irrespective of the location of a country in the global arena or of the social location of specific economic actors (firms, farms, individuals). The architects of this policy package have consistently emphasized its neutrality; their critique stresses the need to query the extent to which policy proposals take full account of local realities. Robinson (2003: 26) points out that the formulation of poverty reduction strategies in Southern Africa tended to follow a set of policy templates that were constructed by mostly external technical inputs; local expertise was rarely called upon. She notes how the pro-poor growth

28. Fitzgerald (2001) constructed a simple model of labour markets to illustrate the linkages between corporate sector contraction under financial crisis and the income of the urban and rural poor in the informal sector in the aftermath of the financial crisis (1997-2000) experienced by what he calls 'emerging markets' in Asia and Latin America. He traces the connection between financial crisis associated with foreign capital flows and the wellbeing of children in the countries affected. He demonstrates that income derived from employment is the main determinant of poor families' welfare since it determines not only the level of nutrition and housing but also, where public services do not adequately extend to the poor, access to health and education. He argues that 'the longer term consequences of lost growth and fiscal debt on child welfare over a life time have practical implications for the ongoing discussion on the new 'international financial architecture'. If Fitzgerald's insights are applied to SSA and note taken of debt services in as a proportion of aggregate GDPs during the last decade; the consequences on wellbeing in SSA will clearly show.

approach advocated by the International Financial Institutions continues to emphasize trade expansion without sufficient sensitivity to the plans devised by the administrations at national, regional and sector levels.

Christiaensen *et al* (2003) reviewed the trends in poverty in Africa through the 1990s by drawing on the better data on households available from the participatory poverty assessment process. They bring to the fore differences of growth performance between countries and the systematic distribution effects that are hidden beneath regional aggregates. Just as there is variation to be seen in patterns of income differentials and patterns of poverty reduction, there is no uniformity in the redistributional impact of growth. They indicate key determinants of this heterogeneity which can be grouped according to types of individual and societal endowments. Access to land and education are noted as significant individual endowments which help households benefit from liberalization. On the other hand an absence of key societal endowments contributes to the shortfalls in poverty reduction. These include: (a) lack of infrastructure causing fragmentation of markets; (b) absence of macroeconomic balance which, combined with institutional shortcomings, causing volatility of policy, and (c) lack of risk management – in respect of environmental and health – exacerbating social instability.

Conclusions drawn from the above diagnosis might be queried given its treatment of the household as a unit of analysis and its omission of the gender and poverty nexus. Gender analysis of adjustment policy began by tracing the diverse ways in which a household-unit responds to economic shocks, and how intra-household allocation – according to local norms of entitlements based on gender, generation and age – can affect its members in different ways. Gender analysis has challenged the concept of the economy embodied in the policy package, for it limits the arena to measurable activities and the circulation of monetized goods and services. It queries the tendency to disregard the non-monetized domain, where the contributions of women and children to household wellbeing are most substantial, particularly in low-income countries.

Most scholars who have adopted the methods of gender analysis of poverty see the necessity for institutional reforms, but they challenge the inbuilt assumption of neutrality. Elson (1994:33-45) was among the first to point out that the package assumed women's unpaid labour and time to be infinitely elastic. Hence the notion of efficiency embedded in this growth package presumes women as a resource to be freely tapped for making up those shortfalls in social services which arise from budget reductions. The lack of appreciation of differences in contexts and in the social structures that mediate reforms has been a main cause for concern.

In most societies, men, women, boys and girls are still allocated different (culturally defined) positions that affect their entitlements and command over resources. A consensus is emerging on the need to view the economy and the household as co-existing and interdependent; and on how their interaction — mediated through social hierarchies – can cause unjust burdens to fall on particular groups with broad-reaching consequences for a society and its future (Truong, 2000).

Studies have revealed how, throughout the world, cutbacks in state services and subsidies meant a transfer of considerable costs to the private sector, which costs are carried primarily by women. Referring to many studies across the developing world Chant (2003) identifies the main mechanism of transmission of burdens as the rigidity of the gender division of labour in the household according to which domestic provisioning is women's main responsibility. Pressure to diversify sources of household income to meet basic needs further intensifies the demand on women's time and evidence of any corresponding rise in the range and intensity of men's inputs to the household and its survival is mostly either insignificant or totally absent. Chant (2003:4) states: 'A spate of research on the grassroots impacts of structural adjustment programmes in different parts of the world demonstrated unequivocally that the burdens of debt crisis and neo-liberal reform were being shouldered unequally by women and men'. Scholars have noted how this can lead to domestic conflict and violence with serious health consequences (Schubertsmidt, 2001).

Box 3 Examples of Gender-based Time Allocation in SSA

- **Uganda**: the female working day is between 12 to 18 hours per day, compared to the male working day of 8-10 hours.
- **Kenya**: Women work 50 per cent more hours than men on agricultural tasks. They work half as many hours as men when agricultural and non-agricultural tasks are combined: 12.9 hours compared to 8.2 hours.
- **Cameroon**: Men have a weekly labour average of 32 hours; women over 64 hours. Even though much of this disparity results from differences in domestic labour hours – 31 for women and 4 for men – a significant difference was also observed in agricultural labour hours: 26 for women and 12 for men.

Source: Blackden and Canagarajah (2003)

In SSA as elsewhere liberalization policies may have created opportunities for those placed in social and cultural positions that already endow them with greater assets and entitlements. The effects of reforms on those who

do not share the same positions and entitlements, and who are embedded in livelihood systems characterized by precariousness (ecologically or socially determined) are severe. The profundity of chronic poverty is noted as being an outcome of both physical marginalisation – being disconnected from the centres of administration, trade and exchange – and social marginalisation in urban overcrowded enclaves (African Development Bank 2002; Oduro, Abena and Aryee, 2003; Innocenti Digest, Nov. 2002, N. 10). Physical proximity to the centre of power does not necessarily imply social and economic proximity. The key issue is therefore whether the poverty alleviation and growth (measured by income) experienced by some countries should be considered as structural, or whether they are merely the outcome of the temporary affects by some external factor.[29] Optimism on the nexus between poverty and growth in particular countries needs to be reassessed by distinguishing two types of poverty: poverty caused by a reduction or loss of personal income; and poverty caused by a reduction of social income as the result of a weakened state being no longer able to maintain its social infrastructure for the majority and thus leaving market dynamics to demarcate the separate enclaves of wealth and deprivation.

2.2.2 Gender-Based Entitlements and Agrarian Change

In primarily agrarian societies with a weak state-based entitlement system and a fragmented civil society the most significant entitlements to human wellbeing are based on kinship and community. Land management is one of the key areas where gender-based entitlements and poverty intersects. SSA societies are no exception. Despite differences in access to land based on patrilineal and matrilineal practices women in SSA are usually holders of secondary land rights, according to their positions within kinship systems. They experience tenure insecurity in a variety of ways and also have greater difficulties than their male relatives in exercising their claims.[30] Yngstrom (2002:22) suggests women's gender identities

29. For example the recent rising price of oil; also the stabilisation of prices of some agricultural commodities such as tropical wood (owing to increasing demand from China).

30. According to Cotula et al (2004:19) most customary inheritance laws try to ensure that family and clan lands remain within the control of the lineage. The common approach is to prevent passage of land to outside parties. They tell that "the most common inheritance systems in Africa are patrilineal, whereby succession and inheritance of property are determined through the male line, and normally only sons or other males inherit land from the family estate. Daughters are prevented

(as wives, sisters, daughters and also as divorced or widowed heads of households) define their experience of tenure security. She also points out the existence of multiple rights claims of the same parcel of land and warns that the move towards a market-based individualised tenure system has tended to provoke land loss for women. In the codification process, it appears that generally men have been able to manipulate customs in order to exercise greater control over land.

Cotula *et al* (2004) describe how legislative and legal regimes of land across the region contain many tensions between customary practices and the more 'modern' ways of settling land disputes. Where legal pluralism prevails land scarcity and increasing population density combined with market competition has fostered a situation in which 'different actors in different strata of society tend to "shop" for the best institution to represent their own interests'. Since women are usually not represented in decision-making bodies, they have less claims and choices as to which plot of land they may work on (Cotula *et al* 2004: 18-19).

The multi-layered and gender-based control over land has implied that women farmers do face many stumbling blocks to build up sustainable enterprises, for they are also less able than men to make claims on outside resources. Yet they form the backbone of the agricultural sector in this region. A study by Blackden and Bhanu (1999) suggests that on average African women comprise over 70 per cent of all agricultural labour and nearly 90 percent of the labour engaged in food production. A study by the International Food Policy Research Institute (Quisumbing *et al* 1995) showed that women do 90 per cent of the hoeing and weeding, 90 per cent of the work of processing food crops and providing household water and fuel wood, 80 per cent of the work of food storage and transport from farm to village, and 60 per cent of the work of harvesting and marketing. A recent study by the Food and Agricultural Organisation makes the point

from inheriting family land. This is explained by the fact that, on marriage, young women go to live in the house of their husband and become part of another family. If her children were allowed to inherit land from her natal family it is argued that there is a risk that the strong community links with the land would become fragmented and weakened. Islamic law does, where applicable, recognise a woman's right of inheritance although her share is usually smaller than that of a male relative". Based on recorded women's life stories Dondeyne et al (2003) show how matrilineal customs, which ensure women's access to land through their mother's line, are being eroded due to the practice of patrifocal marriage. Patrifocal marriage is a practice by which the wife moves to live in the home (or village) of her husband. Women who have inherited land from maternal relationships but who marry under patrifocal rules tend to loose control over their land, especially if their home village is too far away to continue the cultivation of it. Their relatives take over the custody of such fields (Dondeyne, 2003: 19).

that this burden is bound to increase due to men's out-migration for paid employment to towns and cities in their own countries or abroad (FAO, 2005). Women now head approximately one in three rural households in Sub-Saharan Africa. With the shortage of labour, land and capital, female heads of household are often forced to make adjustments to cropping patterns and farming systems. These adjustments have resulted in decreases in production and shifts towards less nutritious crops (FAO, 2005).

Furthermore, under the forces of liberalisation and global competition considerable emphasis has been placed on agriculture; therefore land use has become subject to priorities defined according to trade and growth parameters. Such priorities have often bypassed the complexity of the gender bias in land tenure systems and subsequently have not involved women as autonomous farmers. Blackden and Bhanu (1999) found that women still receive less than 10 per cent of all credit reaching small farmers and only 1 per cent of the total credit reaching the agricultural sector. They noted that when women do have access the average loan sizes are smaller than those obtained by men. Oduro and Aryee (2003) confirm the marginalisation of women farmers in West Africa, noting that they are disadvantaged in terms of access to information about innovations because extension agents tend not to target them as beneficiaries. Poor farmers are also constrained by inadequate equipment and inadequate storage facilities, and difficult access to markets and credit (Oduro and Aryee, 2003:36). Given the fact that women make substantial contributions to export crops, Blackden and Canagarajah (2003) suggest that their marginalisation is less a reflection of the gender division of labour than that of gender differences in ownership and control. [31]

Ownership and control affect the command over labour leading to intra-household trade-offs of time allocation and tasks. Women and children's interests – particularly girls' – are often undermined by the arrangements made. A study on the export-oriented tobacco-growing sector in Southern Africa notes that on smallholdings child labour is closely linked to female labour and to peaks of seasonal demands. Women seem less able to demand the help of their male children than they are of their female children – often at the expense of schooling (Eldring *et al* 2000:38). On large estates the forms of child labour are more diverse. Children of farm workers live with their families and provide the 'adjustable labour' during periods of intense

31. For example, Kumar (1994) show that in Zambia women contribute 44 per cent of total family labour to hybrid maize and 33.8 per cent to cotton and sunflowers (in: Blackden and Canagarajah 2003).

activity, and at such times the children become a 'captive labour group'. In other words, men recruit women to increase output and women bring in their children (Eldring *et al* 2000: 87-88). Apart from family labour, child labour also exists in other forms such as forced, bonded and voluntary.[32]

Rural livelihoods in SSA have mostly been exposed to the fluctuations of world prices of agricultural commodities, dependency on rain-fed cultivation and unpredictable benefits from seasonal migration.[33] The diversification of sources of livelihood is one of the ways such households have adopted to respond to seasonal and cyclical shocks. When successful, rural commodity production as a means of diversification has provided an opportunity for women to gain control over their income. Yet it can break up the household particularly when unemployed men have appropriated the earnings of their wives (Francis, 2002). Marriage can become an unattractive option for these women. Francis suggests that the prevalence of women-centred households is more common among the poor – stressing multigenerational share of resources and domestic labour, and residential instability.[34]

There is evidence of women's gains from export crops such as cashew nuts in Mozambique (Kanji, 2004), shea butter in Ghana and Burkina Faso (Harsh, 2001) and from horticulture in Kenya, Gambia and Mozambique (Schroeder, 1996; Dolan, 1999; Goheen, 1996). However, studies also

32. Forced labour involves children who are taken away from their families and made to work in exchange for food and clothing; it can also involve children who are looked upon as the property of an estate owner and must work for the owner's personal benefit. Bonded labour is when parents' contracts are transferred to the children – whether in working off accrued debt to the estate owner or when they themselves are unable to perform their responsibilities on the estates. The most frequent form of child labour however is voluntary labour where children enter into arrangements with estate owners in order to earn a direct wage as a means in assisting their own families (Eldring et al, 2000: 40-41). See Figure 4 in Annex 1 for an average percentage of children 5-14 years old in child labour, by sex (1999-2003).

33. De Haan (2002) points out that during the 1930s falling cotton prices, extremely poor harvests and locus plagues led to high out-migration from Sikasso in Mali. In the 1960s and 1970s low cereal prices and stagnating production contributed to out-migration. The Sahelian drought of the 1970s and 1980s had a strong affect on migration patterns. 1962-1984 was a golden period for migration due to the relative over-valuation of the currency in Côte dÐIvoire and because migrants were welcome there.

34. Francis' findings resonate with Chant's observation on power and agency within poverty evaluation, i.e. individuals may make tactical choices between different material, psychological and symbolic aspects of poverty, and that women who split with their spouses may resist men's support because this may compromise their autonomy (Chant, 2003). In a gender order ruled by male-centred norms, women's choice for autonomy is often correlated with their poverty.

show that such crops are traded through commodity chains in which women are involved as producers and factory workers as well as traders (Carr *et al* 2000; Carr, 2004). Gains and losses may not be spread fairly along the chains – particularly when market information is lacking and trade facilitation services (administration, warehouse space, the organisation of economic groupings) are not in place to ensure fair exchange. Given the aspects of intra-gender differentiation and inter-generational transfer of burdens a careful reading is required to provide a balanced assessment of women's gains from trade.

2.2.3 Gender in the Informal Sector

Gender dynamics behind agrarian change appear closely linked with the formation of an informal sector of commodity production in urban and peripheral-urban areas. In the face of liquidity constraints, diminishing returns, land constraints and falling remittances, households have then to choose from a variety of livelihood strategies depending on local market conditions and household assets (Barrett *et al*, 2001). For many women home-based work or work in adjacent premises allows them to combine unpaid domestic tasks with paid work. Loosely defined by policy-makers as non-farm activities, it is also classed as 'informal work' (meaning casual labour). The informal sector has become increasingly female-led in several countries of SSA (Lanjouw and Feder, 2000). Blackden and Canagarajah (2003) also note that in the year 2000 in SSA at least 84 per cent of women non-agricultural workers were informally employed compared with a figure of 63 per cent for men. They predominate in street vending (90 per cent), home-based work (80 per cent) and home work (80 percent).[35]

A study by Dipak Mazumdar (2000) shows variations in the growth rate of formal employment – particularly in Botswana, Mauritius, Kenya and Zimbabwe – and concludes that the expansion of the informal sector and growth of non-formal employment is also an effect of the rate of urbanization – in the order of 4.5% per annum 1980-1993 – and not exclusively to the general contraction of the formal sector. Mazumdar (2000: 45) asserts the declining trends of real wage for a majority of SSA countries during the last two decades to be consistent. It would seem that urban livelihoods based on the growth of the informal sector in SSA has been subject to a wide-ranging set of dynamics which certainly include

35. The authors define home-based work as market work carried out from the home or the immediate premises; and home work as work done in the home for an outside business on a piece rate system (subcontract work).

those of gender, agrarian instability, urbanization and contraction in formal employment.

Women's growing involvement in paid work and the informalisation of work in urban and peripheral-urban areas enhance the conflicting demands between domestic provisioning and their work in commodity production – particularly in an environment in which they cannot easily rely on the extended family to alleviate their burdens. Their reallocation of resources and responsibilities at the household level appears to have intensified the practice of child fostering. Child fostering, in West Africa for example, is traditionally a part of the moral economy between urban and rural households in the same lineage (Ainsworth 1992). Each party (*fostering in and fostering out*) has a claim on resources in bad times. Ainsworth emphasizes its prevalence, citing that in 1985 one in five non-orphaned children age 7-14 in Côte d'Ivoire was living away from their natural parents. She notes that throughout the region, fostering children is in fact a short-term strategy linked with the protection and enhancement of household livelihood in the long-term.

Child fostering can take many forms depending on the particular context. In the context of childcare, Ainsworth (1992) notes a growing tendency for urban working mothers to *foster out* their young children (under 6) to grandmothers and other relatives in rural areas for care because it is a more secure and less costly option. Bledsoe and Isiugo-Albanibe (1989: 21, in Ainsworth 1992) record that in Sierra Leone grandmothers actually compete for the care of their grandchildren because of the support benefit involved. By contrast *fostering in* is for home production and usually involves older children – particularly girls – to help out with chores in the host household in return for all their upkeep, possibly including school expenses; though Ainsworth notes that fostered girl children are substituting for domestic work inputs of working mothers and possibly for that of the host household's own children.

Examples of child fostering in the sub-region of Southern Africa reveal that 'widespread fostering can be seen as a conscious strategy to pool the burden of child care more effectively in terms of the availability of resources, shelter, the presence of adults, food and clothing' (Moser, 1999: 13).[36] Evidence of changing norms of fostering where economic pressures take hold is also emerging (Dottridge, 2004; Human Rights Watch, 2003). As noted by Andvig *et al* (2001: 5) 'the high propensity of African children who move away from their original household is an important

36. Moser (1999: 14) quotes a 1995 study which estimates that 20 per cent of South African children were not living with their parents.

behavioural code developed in a family-based economy. It may generate quite different and often undesirable outcomes when followed in a market-based economy'.

Box 4 Market-based Economy and Child Fostering in Mali and Zimbabwe: Perspectives of the Fosterer and the Fostered

'In a village in Mali, where Oumo, the first wife of the head of the household runs a restaurant Oumo says that her foster daughters are indispensable for the running of the restaurant and that without their help she would have to hire external labourers. She explains that when her current foster daughters reach marriage age, she will have to look for other relatives to foster'.

Source: Riisoen *et al* (2004: 22).

In the words of a Zimbabwean girl:

'We want to go to school but I must help uncle in the fields. He said: "you are not my child so I cannot send you to school"'.

Harpus and Marcus (2000:67).

2.2.4 The HIV/AIDS Pandemic: Sexual Entitlements, Health Entitlements and the Burden of Care

Community practices under the conditions of shortfalls in the public health system can place extra burdens on women and children as being both at risk and care providers. Data from Southern Africa – the area worst hit by the HIV/AIDS pandemic – highlights pressure on women on two fronts (1) male sexual demands and (2) care (for the self and affected relatives). Originally contracted through sexual contact HIV/AIDS infection has acquired causal dimensions of a social and economic nature. Male sexual demands derived from their privileged cultural position have enhanced the risks of infection for women and children. Studies have shown that women's health risks stem primarily from the inability to refuse sex or ensure safe sex due to non-negotiable norms about men's entitlements to satisfaction, both in the context of intimacy and commercial sex (Varga, 1997, Weiss *et al* 2000). With the spread of HIV/AIDS the fear of infection has led men to impose sexual demands on young children – believed to be 'pure' (UNICEF, 2003:8). The 'downside' of men's sexual entitlements combined with state failure to respond in a timely manner to the spread of the virus is now known to have allowed the multiple means of transmission further to develop (breast-feeding, blood transfusion and intra-venal drug use) and thus broadened the battle against the disease on many fronts.

Rau points out in his study on child labour and HIV/AIDS in SSA (2002a: 2) that 'girls in particular – whether they are in school, working as domestic servants, trying to earn cash by hawking, or working in overt prostitution – are subject to sexual coercion, manipulation and harassment by men'. In the three countries involved in his study (Zambia, South Africa and Tanzania) there is an acknowledgement that poverty is forcing children to leave school and to take up work under conditions which render them more vulnerable to HIV/AIDS. The stigma of the disease is also identified as an important impediment against action. In another study, Rau (2002b) identifies four key clusters of factors influencing children's vulnerability to both HIV infection and child labour. These are: (1) socio-economic inequalities, (2) poverty-induced labour migration and sex work, (3) reduced social cohesion in and across communities, and (4) shocks of failed development. Socio-economic inequality based on gender is reflected in the much higher risks of HIV infection for girls than for boys and men, particularly among low-income groups. Rau emphasizes that poverty and gender are inextricably intertwined and poor women – especially between 12 and 20 years old – are the most susceptible to HIV infection. Poverty also contributes to situations in which people who migrate for work and are away from home face higher risks of HIV infection when searching for sexual comfort through multiple relationships. HIV infection becomes a major drain on the finances and assets of households, communities, businesses and nations; leading in turn to increased poverty. Poverty-induced migration and HIV/AIDS is thus bi-directional. A society's susceptibility to HIV infection and its vulnerability to the impact of HIV/AIDS are determined by the degree of social cohesion *and* by income level. The HIV/AIDS pandemic has come on top of a series of 'shocks' which these countries have received – felt especially by the lower income groups – over the past three decades. For many young people who cannot cope with economic shocks the sale of sex is one way to survive in the difficult circumstances.

Rau's main aim in documenting well-founded evidence for the link between HIV/AIDS infection and child labour in particular socio-economic environments was to stimulate more focussed and effective policy responses. Whiteside (2002) also traces a causal chain between the disease and poverty, showing how it runs from macro-factors (weak health infrastructure due to fiscal discipline) through communities to households being overstretched by the burden of care as well as the reduction of income (arising from adult labour deficit). An individual's immune system eroded by the disease is further weakened by poor nutrition – which may partly be due to a shift of expenditure from food items to medical care

and funerals. Households affected by the disease can experience a rapid transition from relative wealth to relative poverty. In some cases this can mean an average fall of the monthly disposable income by 80 per cent in five years, as shown in a five-year retrospective study of 232 urban and 101 rural AIDS-affected persons in Zambia (Whiteside 2002: 322). Whiteside's findings concur with Rau's on the mutual cause-effect between poverty and HIV/AIDS:[37] poverty causes the disease to spread; the disease deepens the poverty of affected households. He warns that whereas the first two decades have seen the burden of HIV/AIDS shifted to the household and community level, in the future the disease will likely shrink national economies, thus reducing the resource base to address the pandemic. Poku (2002: 538) points out that SAPs have weakened a government's ability to act. 'At a time when up to 70 per cent of adults in some hospitals are suffering from AIDS-related illnesses – placing extreme pressure on health services – many African countries have had to cut their health expenditures in order to satisfy the conditions imposed by the International Monetary Fund (IMF) and the World Bank (WB)'.

Faced with what Simms *et al* (2001) have called 'the collapse' of health care, households and communities have handled the pressure of the disease in ways that distort the norms of the 'economy of affection'. Young and Ansell (2003) illustrate how HIV/AIDS-affected households often opt for migration with a differentiated logic between adult and child migration. Adult migration is a common response to the need to increase income for stressed households; but child migration from HIV/AIDS-affected households to non-affected relatives is often a coping strategy to cover the children's material needs given the severe reduction of resources (time, labour, finance). Child migration from non-affected households can also be connected with (care) demands by relatives affected by the disease, in which case they go to help to provide care and cover labour deficit. Ansell and Blerk (2004) show how in Lesotho and Malawi children commonly move over long distances and between urban and rural areas and are generally not consulted or informed about the migration decision, which affects them directly. Difficulty with integration in the host families can sever the ties and children who have opted out of such situations have ended up in institutions or on the street. Eldring *et al* (2000: 54) have documented how in South Africa factors related to poverty, HIV/AIDS-related deaths and lack of access to education have forced children to

37. Citing Botswana with the highest per capita income in Africa and with the highest level of infection Whiteside (2000) points to the high level of income inequality and the spread of HIV/AIDS among low-income households. Lack of income redistribution is an important contributing factor.

seek employment on agricultural estates. In Malawi HIV/AIDS orphans sometimes are bonded to estates' owners because their parents have used their labour as collateral for access to a loan or to pay back a debt. The death of a parent can force these orphans to stay on the estates in order to support themselves and their household (Eldring *et al* 2000: 41).

To recapitulate: the omission and/or inadequate attention to gender relations across a wide spectrum of institutions that mediate the implementation of Structural Adjustment Programmes has led to a number of social outcomes with particular economic implications for women and children. Overburdened low-income families have resorted to the common practice of 'child fostering' as a temporary coping mechanism. The practice is thus acquiring structural features, affiliated with debts and crisis, which include movement through greater distances – particularly when households have exhausted current livelihood options. Under such circumstances children have to shoulder the burdens of adults – be it *in situ* or through their mobility between different locations.

2.3 Child Development Outcomes[38]

Chigunta (2002) makes the point that in SSA during the early years of independence (1960s and 1970s) issues of child development and youth were not of great concern to policy makers. Rising problems related to the situation of children and young people have emerged in the context of protracted and profound economic crisis. Those who were born and have been growing up during the crisis period have been particularly affected. Increased child poverty and youth instability are particular outcomes of economic decline and social disintegration; these have generated negative trends. Social marginalisation is one – apparent in the formation of street sub-cultures, youth gangs and youth involvement in militarized conflict (Chigunta, 2002). A web of poverty and violence seems to have been formed, requiring new methods of analysis, assessment and structural support to reverse the situation.

Compared with the rest of the world issues facing children and youth in SSA are of a greater order of magnitude when assessed by population size,

38. For data on child development, and as a bench mark for planning, a child is defined as a person under the age of 18. Sociological notions of childhood are multifarious and depend on economic and cultural contexts in which adulthood, youth and childhood are defined by factors other than years of age.
Source for basic data: UNICEF (2005) The State of the World Children. Complied by Elizabeth Johanna Brezovich. See Annex 1.

indicators of deprivation and government financial capability to redress the situation. With an overwhelmingly large population of young people whose life expectancy is currently little more than 45 years[39] there is a high dependency ratio.[40] Given that militarized conflicts and the HIV/AIDS pandemic are taking high tolls, children and young people are likely to become the ones shouldering future change.

Figure 1.1 shows that SSA – taken as a whole – has the world's highest percentage of population under age 18: slightly over 50 percent compared with the world average of about 36 percent.

Figure 1.1 Percentage of population under age 18 in 2003 (World Regions)

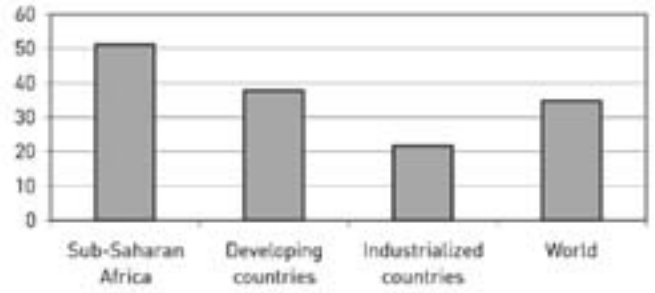
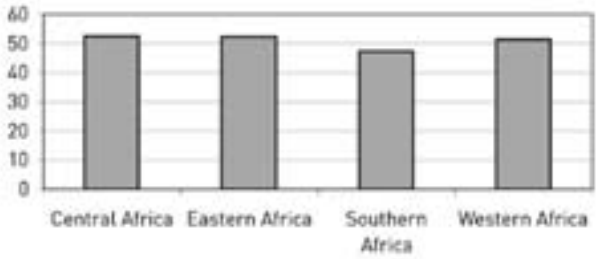


Figure 1.2 gives percentages of the population under age 18 by sub-region. Southern Africa can be seen as having the lowest proportion of persons under 18 and the one sub-region where they comprise less than 50 percent of the overall population.

Figure 1.2 Percentage of population under age 18 in 2003 (SSA)



39. Defined by UNICEF as "The number of years newborn children would live if subject to the mortality risks prevailing for the cross-section of population at the time of their birth".

40. 'Dependency ratio' is that of economically-active household members to those who are economically dependant.

With regard to children under five, SSA is also highest with 17 per cent as against the world average of 10 per cent and about 11 per cent for all developing countries taken together (See Figures 1.3 and 1.4[41]).

Figure 1.3 Percentage of population under age 5 in 2003 (World Regions)

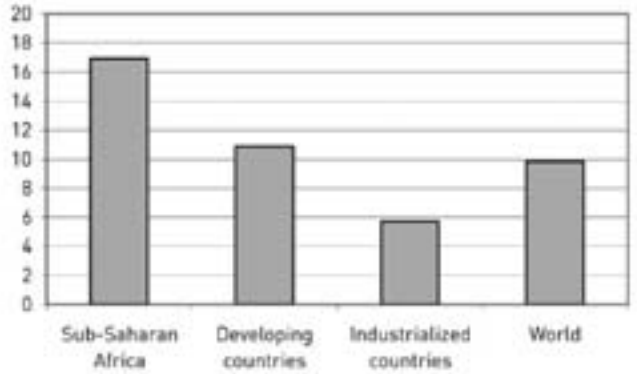
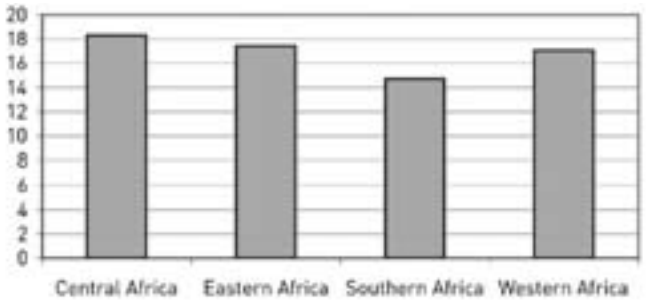


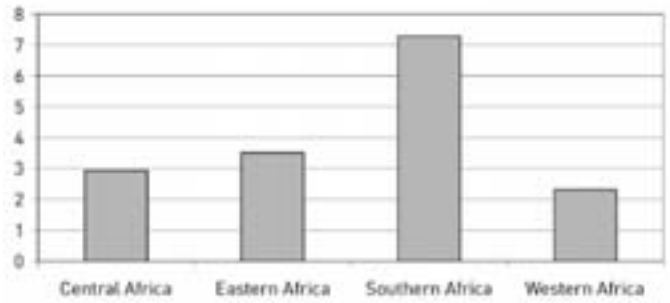
Figure 1.4 Percentage of population under age 5 in 2003 (SSA)



The HIV/AIDS pandemic has hit the Southern African region the hardest: estimates give a figure of more than 7 percent of persons age 0-17 having lost either one or both parents. The figures for Eastern Africa, Central Africa and West Africa – being roughly 3.5, 3 and 2.5 respectively – emphasize Southern Africa's predicament (State of World Children 2005: 121).

41. Idem.

Estimated Percentage of Children 0-17 who were orphans due to AIDS in 2003



Note: A child orphaned by AIDS is defined as one who has lost one or both parents to AIDS.

Economic crisis and austerity have resulted in drastic cuts in social expenditures worldwide. In SSA the real growth rate in social spending per capita was negative for the period 1980-1993. Data show that in 1980 – prior to adjustment – SSA already had a *negative* rate of about 1 percent. During the period of adjustment this *negative* rate increased to 3.8 per cent and in 1993 plunged to more than 8 per cent (Simms *et al* 2001). The impacts of a protracted squeeze on social spending are revealed in the state of health and education of the young.

Gordon *et al* (2003) produced an assessment of child poverty and deprivation in the developing world using seven indicators: food, water, sanitation, information, education, health and shelter. This showed SSA to have the highest rate of deprivation with respect to four of the seven indicators: water, education, health, shelter. Rural children are more likely to belong to the most deprived groups although urban children in overcrowded areas may face similar problems expressed in different forms. The study found a consistency of gender discrepancies in education in the disfavour of female children; deprivation in health and food shows a mixed picture of gender inequalities.

Compared with the rest of the world SSA made the least progress in cutting the mortality rate of under-fives; and absolute mortality of both the under-fives and infants was twice as high as the world average in 2003 (See Figure 2.1 to 2.5 in Annex 1). Slow progress in cutting the mortality of under-fives in SSA may be the best indicator for the acute situation of child deprivation that results from budget cuts in social expenditures. UNICEF considers the under-five mortality rate as one of the most sensitive indicators of the overall development of a society. The probability of a child dying during its first five years is influenced by the levels of parents' education and literacy, by income and by access to basic social services – general factors of safety apart. All these aspects reflect the level of wealth and social cohesion.

The relationship between the privatisation of health care, poverty and child wellbeing is illustrated in a study on a mission facility in rural Tanzania (the Mukumi health centre). The study shows how the introduction of user fees has acted as a deterrent to health care, raising barriers against care for many poor and vulnerable groups. According to a study by Save the Children (Simms *et al* 2001) one particularly important observation made by several service-providers was the extent to which user fees dissuaded mothers, particularly among the poorest, from seeking what could have been timely treatment for their children. 'Children are arriving at Mukumi in an extremely weakened condition, with very low haemoglobin levels and more than half are dying within 48 hours' (Simms *et al* 2001). The undermined access to health care services has increased the spread of diseases and the vulnerability to infection and death. This is reflected to some extent by the apparent stagnation of the under-five mortality rate.

With respect to education, the Sub-Saharan 'gender gap' in enrolment is greater than for all developing countries, let alone the world average. In Southern Africa the gender gap is the smallest. At primary level the greatest difference is to be noted in Western Africa. The problem worsens at secondary school level with Central Africa the worst performer in this regard. This is in particular stark contrast to the industrialized countries where females are actually enrolled for secondary school at a greater rate than males (see figures 3.1 and 3.2 in Annex 1). Attendance can in fact offer a better measure of educational achievement than enrolment figures. A recent study by UNESCO (2003) provides some reasons for low female enrolment and attendance. At the most basic level intra-household allocations of resources and division of labour have affected girls' entitlements to an education. The costs of education (school fees, books, school uniform, transport) assessed against the limited gains due to gender inequality in the labour markets often discourage parents to release female children for schooling. Furthermore, as described in previous sections, an intensification of women's work in paid and unpaid forms has led to the transfer of burdens onto girls primarily because the women have less command over the labour of their male children.

The HIV/AIDS pandemic further curtails access to education. It has been pointed out that in SSA women constitute 58 percent of those living with the pandemic; and in Southern Africa girls aged between 15 and 19 are infected at rates four to seven times higher than boys – a disparity which is linked to widespread exploitation, sexual abuse and discriminatory practices inside as well as outside the schools (UNESCO, 2003:13).

Armed conflicts also destroy physical and social infrastructures, creating a swelling population of refugees, children with disabilities and child soldiers. According to the same source approximately 100, 000 girls

have directly participated in conflicts in at least thirty countries in the 1990's – as fighters, cooks, porters, spies, servants or sex slaves (UNESCO, 2003:14). School attendance by children with disabilities is generally low. Little attention has so far been given to the gendered experience of being impaired, displaced or in conflict situations and how this may affect children's school attendance in post-conflict situations.

It would seem clear that child development outcomes in SSA after two decades of structural reforms do convey important policy messages of 'lost youth', 'lost human development' and 'lost growth'. Countries in West and Central Africa emerge as the main losers; the HIV/AIDS pandemic may well place Southern Africa on the same track in decades to come. Current data show that deprivation among children and young persons in Western and Central Africa is severe; these data provide an important empirical source for reflection and debates on migration and human trafficking in the region. The tendency to reduce explanations to 'tradition' and 'culture' may well omit important material forces that have spurred trafficking and the proliferation of human rights abuse.

2.4 Conclusion

This chapter places the links between poverty and migration against the background of different crisis tendencies in SSA, and shows how economic stagnation and the failure of the adjustment policies have amplified migration as a component of traditional livelihood systems. A balanced account of the nexus between growth and poverty (reduction) cannot bypass an analysis of social relations – to which gender relations are central – for it is these that mediate between market forces and household resources. Local gender norms of entitlements have played a central role in transmitting the burdens of adjustment to women and children. Evidence on the gains from trade through export crops and the expansion of informal production should be reassessed from the perspective of the intensification of female and child labour and the corresponding rewards or lack thereof.

We note that as liberalisation takes hold in a context where a state-based entitlement system is non-existent or dysfunctional for the majority of the people, considerable pressure has been placed on the moral economy and its norms have been altered as a result. A decay of traditional norms is occurring along with the development of new ones under a different logic but based on the same social relations. But the (re) formed norms of entitlements are tending to leave women and children vulnerable to economic exploitation, particularly when they migrate or are temporarily mobile. Constant movement even when hosted by kin can

dilute structures of accountability, particularly under economic pressures. Maltreatment by extended kin and clan members may not be recognized since it occurs within the same framework of 'traditional' practices. The intensified use of the system of child fostering to address labour deficit in domestic provisioning, home-based production and farm production gives a measure of limits to the resilience of the household – a factor for policy consideration. The consequences of what are now referred to as 'split', 'double-rooted', 'fluid' households and elastic household boundaries predicate a dissolution of social cohesion that has implications for poverty transmission from one generation to the next; and this should be taken into serious consideration in poverty reduction strategies.[42]

SSA societies may well benefit from international cooperation that involves indigenous scholars contributing to a culturally sensitive reading of the gender and poverty nexus and its implications for future generations. A focus on local entitlement rules and their transformation by market forces may help to shed more light on the ways of 'coping' adopted by individuals and groups and how these can entail a transfer of burden further down the line. A possible entry point to a policy dialogue on local entitlement rules, their transformation and their implications for burden sharing, may be found in the policy agenda of 'good governance' and participatory planning. Under such an agenda gender issues in local development should be a sub-theme of decentralisation – a key area being increasingly subject to greater scrutiny.

The aim of decentralisation is to create more responsible local government and ensure more effective service delivery with improved quality and coverage. The outcome so far is varied. Culturally sensitive analysis of structures where gender distinctions and hierarchies have served as a basis of legitimacy for a variety of social arrangements is helpful to explain gender-based entitlement rules (and the associated social dynamics) and thence to consider policy for transformation of them. Rather than framing gender as an issue of 'culture and tradition' or a 'residual' element, efforts to promote social justice must foster constructive dialogues on the relations between a culture and an economy in which gender has a role. To effect change in local regimes of gender power – especially at their interface with global changes – the assumptions about 'gender' embedded in policy and participatory frameworks must be challenged.

42. In the case of South Africa, Moser (1999) points out, 'split', 'double-rooted', 'fluid' households and elastic household boundaries are the legacy of apartheid rule seeking to prevent black migratory workers from bringing their families to cities. This legacy continues to affect racialised forms of violence and poverty in South Africa.

Chapter 3

Human Mobility and Human Trafficking in Africa: Diversity in Practice and Tension in Regulatory Frameworks

The contemporary regulation of human mobility has two opposing aspects. One is prohibitive, addressing human trafficking; the other allows for the principle of free movement. Both aspects are strongly related to issues of identity, social membership and citizenship, and neither has been able to address the grey area between free and forced movement. This inability may result from some institutions not accepting that the trafficking of people – and its embedded violence – is part of a process of globalisation which contains a central contradiction: the standards guiding economic transformation are at odds with those guiding social protection. The liberalisation of economies to facilitate the mobility of capital, goods and services has not been matched by a corresponding degree of freedom of movement for people.

This contradiction has created three distinct classes of mobile persons, governed by differentiated rules: (a) highly-skilled professionals – associated with capital and technology, (b) low or semi-skilled contract labourers, and (c) undocumented workers, refugees and asylum seekers. Conflicting rules have created an enabling environment for the emergence of networks specialised in facilitating movement. In some instances such networks have created a new ethos by which the lack of security experienced by one person or group becomes a market opportunity for another. Thus, although the intersection between migration and human trafficking is context-specific, it is possible to discern particular corridors of movement beyond the purview of the state and where profit is derived from human vulnerability.

Control over human mobility through identity control is a fairly recent phenomenon in Sub-Saharan Africa (SSA), affiliated with colonialism and the creation of the modern state. In previous times borders – such as they existed at all – were fluid and permeable. Recent concern about human trafficking in the region and attempts to produce a precise definition of

human trafficking as an emerging form of human mobility – often labelled as the 'New Slavery' – have provoked much controversy owing to the diversity of perspectives from which the subject may be viewed (Save the Children-Sweden, 2003:14), and there is tension between two key sets of concerns: the sovereignty and interests of nation-states as discrete units in international relations; and the violations of the human rights of persons in a particular process of migration labelled 'human trafficking'. When there is insufficient grasp of the reasons for the phenomenon of human trafficking, policy tends to lurch inconsistently in different directions – often suppressing the voices of those affected.

There are currently six perspectives on sex trafficking and related actions:

- A moral problem that leads to intervention for the abolition or prohibition of prostitution or commercial sex;
- A problem of organised crime that leads to legislative reforms, policing and the penalising of criminal networks;
- A migration problem that leads to border controls (passport and identification papers);
- A public order problem that leads to awareness campaigns, publicity about risks, and changing cultural practices;
- A labour problem that leads to intervention such as improving working conditions and labour monitoring systems, and abolishing child labour;
- A human rights problem and a gender issue that lead to intervention to address violence against women and children (Wijers and Lap Chew, 1997).

This chapter illustrates how different concerns and priorities for combating human trafficking in SSA – particularly involving women and children – have yet to become harmonized.

3.1 Trends and Patterns of Human Trafficking in Sub-Saharan Africa

The manifestation of human trafficking became visible to policy makers in the 1990s. Its deeper roots are becoming apparent through the process of intervention to counter the problem. Intervention measures share the following objectives:

- To define the different forms of abuse faced by women and children in the process of trafficking for labour exploitation,
- To locate the corresponding perpetrators or complicit agents,

- To devise specific policy instruments to counteract the problem,
- To establish new forms of cooperation between different agencies involved in this area.

According to UNICEF (2003: 9-10) trafficking is recognized as a problem in the greater majority of West African countries and as a severe problem in a third of them. In Eastern and Southern Africa it is also identified as a problem in roughly one in three of the countries. The fact that trafficking is a very sensitive issue may contribute to public reluctance to acknowledge its prevalence and this itself can be an obstacle to research and data analysis. The body of literature extant does nonetheless contribute to an understanding of the scope and depth of the problem, and to some extent clarifies its dimensions. More research is required before firm conclusions can be drawn.

One analytical perspective on the intersection between migration and trafficking may be offered by combining insights derived from studies on migration which use the livelihood framework, with those gained from investigations into trafficking. De Haan *et al* (2003) offer a perspective on migration in the Sahelian region tracing the behaviour of two kinds of institutions which have a strong impact on migration and in turn are structured by the migration experience. These are (a) networks through which migrants obtain access to resources and (b) the structure of the household and its management. They point out that the decision-making process to enter migration networks in order to improve livelihood (or to prevent its erosion) is based on a careful assessment of household resources. Calculations are made of assets, gains and losses within a particular livelihood system and temporal frame. The growing body of literature on human trafficking singles out the lack of access to reliable information channels regarding labour markets and living conditions as an important factor which fosters a symbiotic relationship between the trafficker and the trafficked. Control over information – or the provision of false information – by third parties can render a (potential) migrant's careful assessment of gains totally unrealistic and enhance their susceptibility to dependency on crime networks. In addition to this, both the regulation of particular segments of the labour markets and the extant structure of opportunity in a recipient country can result in migrants being switched between a variety of occupations controlled by the same networks, and this may affect their coping strategies. This process of switching constitutes another junction where migration and trafficking intersect. At each junction in the migration process vulnerability is enhanced due to migrants being constantly on the move and thus less able to consolidate social ties.

3.1.1 West and Central Africa

In West and Central Africa the different perceptions of human trafficking combined with different socio-economic and political situations in the various countries have created a mixture of policy responses (UNICEF, 2002: 7). Guided by knowledge derived from action-oriented research initiated by a number of international governmental and non-governmental organisations,[43] responses have included a variety of measures. These are directed at: raising awareness among families, communities, local chiefs, government ministers and law enforcers; attempting legislative changes to protect trafficked persons and prosecute traffickers; providing training for border patrol police and social workers, and providing direct support to trafficked persons and their families. Direct support has covered interception, rescue and socio-economic reintegration often using micro-credit as the means for an alternative livelihood with economic self-sufficiency.

The implementing of anti-trafficking practices has brought to light the degree to which a given social and cultural setting is conducive to human trafficking and re-trafficking; and the subject of the latter requires analytical attention. Evidence gathered so far reveals that the links between migration and trafficking are visible at different junctions of some broader social process that either disrupts livelihood systems (such as militarized conflict) or gradually erodes their sustainability (such as unsuccessful institutional reforms). Gender and age appear significant in determining who participates in what type of regime of migration, or at what juncture migration gets involved with practices of trafficking and for which types of work.

Veil (1999 in Adepoju, 2005: 77) identifies six different processes that can be involved and may become trafficking. Poor parents sell their children for money –having also received promises that they will be treated well. There is 'placement' for a specified period in return for a token sum or gift items. 'Bonded placement' of children is the reimbursement for a debt the parents accrued. There is enrolment with an agent for domestic work – the parents paying the agent a fee. Fees are also paid agents who purport to enrol the children in some course of schooling or training in a trade but who put them out to domestic work. And there is straightforward abduction.

43. International organisations such as UNICEF, ILO-IPEC, UNODC; inter-governmental organizations such as IOM; and non-governmental organizations such as Anti-Slavery International (ASI), Terre des Hommes (TDH), Save the Children.

The trafficking of adult women – involving the payment of a fee to an agent –from West Africa to Western Europe which became visible in the 1980s and continued through the 1990s was often explained as an outcome of pressures to provide additional income to support their families and the children's education (Truong, 1998). But that has been followed by a cross-continental trafficking flow of minors of both sexes, to Western Europe from other sub-regions of SSA (IOM, 2002). It appears that the trafficking of women and children is closely related to an erosion of social protection, which has pushed them to find other options elsewhere.

Where intra-regional regimes of trafficking in children are concerned, the specificities of their vulnerability deriving from local contexts (such as belonging to marginal ethnic groups, subservient castes, or dysfunctional families affected by war or disaster) have apparently contributed to the creation of a child-specific demand for wide-ranging types of work within the region (ILO-IPEC, 2002:29).[44] Children are trafficked into a variety of exploitative situations including commercial sex, domestic service, armed conflict, service industries like bars and restaurants; or into hazardous forms of work in factories, mines, construction, agriculture and fishing; also begging (ILO-IPEC, 2002). Exploitation of trafficked children can be progressive. Those trafficked to work in urban factories; domestic service or restaurants may subsequently be forced into prostitution. Those trafficked for prostitution may be subject to re-sale more than once.

Dottridge (2004:84) points out that the vulnerability of women and children to re-trafficking is due to factors such as the forms of intra-household decision-making and tacit 'tolerance' of trafficking mechanisms among the wider public, but also to an improper handling of trafficked persons, driven by social and cultural values that carry stigmatising effects.[45] Reports have revealed many cases where the children and women who have been intercepted and returned to their communities are soon being subject to re-trafficking.

44. The Anti-Slavery International's (ASI) 1999 report suggests that trafficking routes reflect the routes used by the populations themselves. These have formed intricate regional intersections which are flexible, depending on border control activity and labour market demands (Anti-Slavery International, 1999).

45. Analysis indicates that existing protocol on handling victims of trafficking falls short in preventing re-victimization. Some anti-trafficking efforts can cause further damage by treating victims as criminals rather than identifying them as victims. The lack of effective protection mechanisms during reintegration can result in restricted freedom of movement, or in arbitrary detention and a disregard for the privacy of trafficked persons (Organisation for Security and Cooperation in Europe, 2004).

ILO-IPEC (2001) offers a detailed picture of the context, patterns and backgrounds of families and communities which have facilitated trafficking in West and Central Africa. It identifies three key clusters of factors, as follows[46]:

(1) *socio-cultural factors* such as the social acceptability of putting children to work, traditions of migrations that are centuries old in Africa, illiteracy or low education levels, and preparations for marriage (sometimes having to engage in domestic work to pay the dowry),

(2) *economic factors* such as the imbalance between rural and urban wealth levels and a desire to escape poverty,

(3) *juridical and political factors* such as absence of legislation and the ignorance of parents and trafficked persons of their rights under the law, or mistrust of the law; and open borders.

The traditional system of educating children to be independent and to initiate them to the world of work has been a recurring theme addressed by a variety of organisations. The tradition of 'placing', 'placement', 'confiding', or 'socialisation' has been variously portrayed as happening only during school holidays for a variety of purposes – such as to acquire social and life skills, to pay off debts, to prepare for marriage, or to prove that children can live independently.

That the social construct of 'placement' of children in work through migration is a tradition remains contested. National governments maintain a distinction between child placement and the traditional seasonal migration, which has linked West and Central Africa for generations. Anti-Slavery International (2003:1) notes that this traditional system of educating children by initiating them into work has been distorted into a commercial transaction which in turn has led to the trafficking of children from villages to the urban areas, and between countries within West and Central Africa. Recognising the placing of children to live and work with relatives in better-off households as a long-standing practice, some analysts have noted that cross-border trafficking increased significantly during the 1980's and that in the 1990's there was an increase in movement from impoverished areas to the relatively well-off areas of Gabon, Southwest Nigeria and southern Côte d'Ivoire, where there was a greater demand for child labour (Dottridge 2002: 39).

Dottridge (2002) records some gender-specific patterns of child trafficking with girls being placed in prostitution and other gender-based

46. ILO-IPEC (2001).

forms of work such as domestic service and street vending, where only some get paid and most do not. He also notes some gender-specific traditional practices that contribute to the aggravation of the trafficking situation of young women. For instance norms of kinship instil a custom which requires young women to have a wedding trousseau and to leave their family and community when they get married. Gender-bias in investment in education tends to keep girls at home to help in the household chores, giving preference to the education of boys. Inheritance rules for land tend to exclude women and girls. Taken together, these gender-specific practices tend to marginalize women and girls in the community and render them vulnerable to risky 'work-placement' abroad.

Dottridge (2002) emphasises that in many parents' cognitive frame, 'placing' their children does not constitute the act of 'selling'; it is sending them away in the hope that they will be better off. In many cases the 'consent' of parents, and sometimes of the children, has been obtained before the designated child goes with the trafficker who may be a relative or a person who has gained the 'trust' of the parents and family. On some occasions there is no choice other than to *trust* this person to take care of the child.[47]

The findings of Riisoen *et al* (2004) shed new light on the intersection between child migration and trafficking. Their main observation regards the erosion of norms of accountability in traditional arrangements of child fostering and placement which can leave children vulnerable to exploitative conditions and to greater risks of being trafficked. Based on data collected in several countries in West Africa, Riisoen et al (2004) demonstrate some similarities and differences in the living and working conditions under a variety of placement systems.[48] A common feature noted in the study is the fact that children's vulnerability is often derived from the actual treatment by fosterers who command full authority over them. Economic difficulties can turn fostering within kinship systems into a burden for families leading to the withdrawal of responsibilities or the release of the fostered child to distant labour markets. Likewise, lack of means of livelihoods can shape given/traditional practices of fostering

47. The Anti-Slavery International Report (2001) notes that poverty is central to why parents, acting as intermediaries, have to trust – and send their children to work. The reality of one less mouth to feed for a poor household makes a significant difference while the prospect of good wages in a wealthier country can lure desperate parents to trust that earnings will contribute to the child's dowry for instance; or parents take a part or even the whole of the child's salary for the household (ASI, 2001; ILO, 2001).

48. These include the fostering system based on extended kinship, and educational arrangements such as apprenticeship in workshops or under Muslim clerics.

– such as, for boys, under the framework of religious education (called 'talibes' in Burkina Faso and Mali) into the undertaking of a variety of tasks for their masters which can include begging. An intersection is emerging between traditional arrangements of child fostering and placement and new forms of trafficking, where children are more susceptible to multiple forms of vulnerability because in situations where traditional norms of accountability no longer hold there are no alternative protection networks. Children may be lured to these arrangements but release themselves – if able – to pursue the goals of getting education on their own account.[49]

Under these conditions of vulnerability children often find themselves allocated to work in sectors where employers offer the worst living and working conditions. According to the General Agricultural Workers' Union (GAWU) in Ghana the increased practice of flexible contractual work and casual treatment of norms of labour standards has allowed child labour gradually and indirectly into the formal agriculture sector.[50] A number of studies on coastal fisheries in Ghana also point to the link between changing dynamics in this sector and the shift towards in-land fishing.[51] Competition for scarce resources may have led to an intensified use of child labour to cut costs. A recent report commissioned by the Danish Agency for Development Assistance (DANIDA) in Ghana found that about two-thirds of the trafficked children (both girls and boys) are engaged in the fishing sector: the majority of the boys as fishers and fishing assistants; the girls in the smoking and selling of the fish (Tengey and Oguaah, 2002).

The International Organisation for Migration (IOM) claims that it has so far rescued more than a hundred children sold into bonded labour in one of the fishing communities – Yeji – on the Northern shores of Lake

49. Referring to a UNICEF study, Riison et al (2004) note that in northern Ghana economic hardships can pressure foster families to encourage fostered girls to go to one of the major cities to find work; or can even result in the girls leaving on their own initiative. In a number of cases the girls left for a few months to work in market places to save money to go back to school.

50. 'In 1979 the General Agricultural Workers Union (GAWU) of Ghana used the 1972 ILO Convention on Rural Workers to expand its area of work to non-waged workers and subsistence farmers in the rural areas and to organise rural workers, including subsistence farmers. The constitution of the union was changed to cover a broader scope of "all employment in Agricultural Services or undertakings generally, including Rural Workers and self-employed Peasant Labour". Structural adjustment programmes in Ghana had had a devastating effect on wage labour in the rural areas, and the membership of GAWU had dropped from 130 000 to 30 000 as a result' (Horn, 2002).

51. Overa (2001) notes several factors causing a decline in small-scale coastal fisheries in Ghana and a relocation elsewhere. These include over fishing by foreign industrial ships which makes canoe-fishing unsustainable; rising fuel prices, and falling demands due to a decrease in purchasing power.

Volta.[52] As many studies have emphasised, child labour is cost-effective for employers in many ways. It is cheap or unpaid due to the provision of accommodation and food. It is easily arranged due to the condition of poverty and lack of options faced by the children and their families combined with weak legislation. Therefore, when addressing the demand side of trafficking, sector-specific analyses can be useful for revealing which structural changes – of production, and market outlets – do, or not, intensify the use of children (paid or unpaid, fostered or trafficked.) In a counteraction against traffickers in fishing communities, IOM Ghana set out to register child labourers and opened one-to-one negotiations with fishermen known to employ children. IOM agreed to provide training and modern fishing equipment in exchange for the children to be reunified with their families in a sustainable manner – thus circumventing the demand side of trafficking in the fishing sector.[53]

3.1.2 Southern and Eastern Africa

Less information is accessible about the incidence, trends and routes of trafficking of women and children in Southern Africa. Available information suggests that both internal and cross-border forms of trafficking are prevalent. Molo Songololo (2000) produced an in-depth report on the internal trafficking of children in South Africa for the purposes of commercial sexual exploitation. The findings show children are predominantly trafficked within their country of origin and traffickers are predominantly locals, but that where cross-border movement occurs the traffickers are foreign persons or crime organizations.

Both sexes are exploited although girl children are more likely to be channelled through cross-country migration and lured into the sex industry. Girl children are sold by their family as brides (to single men) or to brothels, syndicates and gangs. They can also be abducted, held captive and sexually assaulted in exchange for money. Boys tend to be voluntary migrants and engage in homosexual prostitution as a means to survive. The report provides examples of recruitment of girls into the sex industry through newspapers ads whence 'young women are then surreptitiously coerced through a form of debt bondage into doing strip-tease work,

52. Africa Newswire Network, Children in Ghana rescued from forced labour, General News of Tuesday, 15th February 2005, http://www.ghanaweb.com.

53. Africa Newswire Network, Fishermen back fight against child labour, General News of January 9, 2003. http://www.ghanaweb.com, and Africa Newswire Network, Trafficked children registered, General News of Tuesday February 4, 2003. http://www.ghanaweb.com.

providing "sex" for patrons of certain establishments or performing in pornographic films' (Molo Songololo, 2000). A clear link between tourism and the sex trafficking of girls is revealed through interviews with sex tourists – men actively seeking girl children. One of them explains his motivation as follows:

'The little girls, 10 or 12 years old, I wouldn't describe them as innocent, they are not innocent, but they are fresh. They don't have the attitude of the older whores. The older whores have gone down hill. They use foul language. They drink. They're hardened. The little girls, they're not experienced. They're not hardened, they want to please you, they don't know what to expect, you get a better service from them'[54] (Molo Songololo, 2000:33).

Children who have experienced sexual exploitation and who are quoted in the report do express a deep sense of despair owing to the conditions of captivity in lodgings controlled by gangs. Molo Songololo's study emphasises the socio-economic structural conditions in South Africa as being a key problem. The poor economic situation among those trafficked, the breakdown in extended and nuclear families – often accompanied by changes in cultural attitudes and practices – and the high demand for sex with children are shown to be key factors behind the increase in internal sex trafficking.

Two reports on cross-border trafficking, prepared by Anti-Slavery International (ASI) in 1991 and 1992,[55] have documented trafficking from Mozambique to South Africa. An IOM report (2003) has documented the trafficking of refugees from Angola and the Great Lakes region – sometimes from further north – to South Africa, with some additional references to child trafficking from Lesotho, Mozambique and Malawi to South Africa. The reports also note incidences of inter-continental trafficking of young women to South Africa – from Russia, Eastern Europe, Thailand, China and Taiwan – involving crime syndicates based in Mozambique, Eastern Europe and Thailand. The IOM 2003 report states that although information is scarce, the evidence suggests that trafficking between Europe and Southern Africa – documented through the past century – is persistent and widening in scope. South Africa also emerges from these reports as

54. Interview with independent researcher, Die Burger and J. O'Connell Davidson and J. Sanchez Taylor; *Child Prostitution and Sex Tourism: South Africa*, ECPAT International, 1996).

55. The two reports by Anti-Slavery International were cited in the IOM (2003) report on trafficking in South Africa and are as follows: the 1991 publication by Vines, A. *Mozambique: Slaves and the Snake of Fire* and the 1992 report by McKibbon, S. *Slavery of Mozambican Refugees in South Africa.*

a source and transit country as well as a major destination. Trafficking in South Africa appears to be closely linked with the highly sophisticated global sex industry. Further research is needed to provide more explanation on how cross-border links in sex trafficking emerge.

3.2 Political and Legal Framework

Since 1996 West and Central African governments, individually and collectively, have made significant efforts to reform the judiciary to address human trafficking. The Libreville Common Platform of Action of the Sub-regional Consultation of the Development of Strategies to Fight Child Trafficking for Exploitative Labour Purposes in West and Central Africa was signed in 2000 by 21 countries in West and Central Africa (supported by UNICEF and ILO with the cooperation of the government of Gabon). This was followed by the Declaration of Action Against Trafficking adopted by the Economic Community of West African States (ECOWAS)[56] and the endorsement of ECOWAS Plan of Action[57] in Dakar in 2001 by 15 member-states. This Common Platform of Action identifies the main characteristics and causes of child trafficking, and suggests government commitment in several areas: advocacy and sensitisation campaigns; setting up appropriate legal and institutional mechanisms to address child trafficking; improving care received by trafficked children; monitoring the incidence of trafficking by collating data from (new) research; improving inter-governmental and inter-ministerial cooperation.

The ECOWAS Plan of Action covered specified crucial areas: 1) legislation and ratification of the relevant international and regional covenants; 2) inter-state collaboration in collecting and exchanging information on trafficking incidence and trends, and in training personnel – including special police units, border police, judges and other law enforcers; 3) prevention of future trafficking through intensive awareness campaigns; 4) monitoring the implementation of the Plan.

In January 2002 high-level government ministers from West and Central African States met again in Yamoussoukro, Côte d'Ivoire during the

56. Founded in 1975, ECOWAS is a regional group of 16 West African countries. It is also referred to in French as 'CEDEAO', for Communauté Economique des Etats de l'Afrique de l'Ouest.

57. The Declaration and the Plan of Action were both signed in 2001 during a ministerial meeting of 15 ECOWAS States in Dakar, Senegal. The meeting was organized by ECOWAS states and the United Nations Office for Drug Control and Crime Prevention. The 15 ECOWAS States were Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo.

'First Specialised Meeting on Child Trafficking and Exploitation in West and Central Africa' to exchange information and review national strategies.[58] In March 2002 representatives from West and Central African States met in Libreville, Gabon to discuss the feasibility of adopting a sub-regional convention on trafficking. At this meeting, organized by UNICEF and ILO, the representatives mapped out phases towards ratification by the end of 2004 which included continuing technical cooperation through 2003.[59] Whether this specific convention has been ratified is unclear at the time of writing this report, although several news briefs report that African governments intend to adopt the African Regional Plan of Action to Combat Trafficking in Human Beings.

Several countries have entered bilateral agreements. In 1996 an agreement was signed between Ghana, Togo, Benin and Nigeria to address trafficking. Mali has established a national commission focussing on child trafficking between Mali and Côte d'Ivoire. Togo and Benin have signed an agreement for cooperation in the rehabilitation of trafficked children (ILO-IPEC, 2001:39). There are variations in the way these international and regional agreements are being incorporated into domestic law. Active changes in legislation within West Africa have been observed in Togo, Mali, Cameroon, Benin (which enacted legislation in 1995 regulating travel of children under the age of 14) and Burkina Faso. In Burkina Faso, for instance, in May 2003 the national assembly adopted a law that defines child trafficking and punishes traffickers by imprisonment or a fine.[60] Togo does not have an anti-trafficking law but uses other parallel laws to prosecute traffickers.

Domestic laws and bilateral agreements do yet remain inadequate to respond to the complexities of trafficking. Lack of coordination and insufficient national or regional budgetary commitments can jeopardise implementation of these well-intended plans. As Fitzgibbon (2003:88) notes '[…] the bribes traffickers being able to pay also undermine a government's ability to combat corruption among law enforcement, immigration and judicial officials [..].' and tells how 'immigration officials attempting to capture child traffickers were attacked by well-armed traffickers and forced to retreat.'

58. Organized by Interpol and the government of Côte d'Ivoire, as reported in 'irinnews.org', a website of the UN Office for the Coordination of Humanitarian Affairs.

59. As reported in Irin news: http://www.irinnews.org/report.asp?ReportID=26560&SelectRegion=West_Africa ("Central Africa and West Africa Region to establish child trafficking legislation in 2004").

60. Prior to this law apprehended traffickers were able to go unpunished because of inadequate legislation (according to a report by the Network Against Human Trafficking in West Africa.)

With the exception of South Africa, there is a noticeable absence of domestic anti-trafficking legislation in Southern Africa countries. Most countries in Southern Africa use the framework of illegal immigration – which tends to criminalize the trafficked person rather than the trafficker. In South Africa national legislation contains several articles which can be applied to the prosecution of traffickers, though they are not specific to human trafficking. Examples of these separate pieces of legislation are to be found in the Sexual Offences Bill, the Children's Bill, the Child Care Act and certain clauses in the Criminal Act. The prevalent unwillingness to draft legislation that deals specifically with trafficking is slowly changing.[61] A draft of the Human Trafficking Legislation has been tabled and is now being discussed.[62] South Africa is in the process of reforming national laws to bring the legal system in line with the United Nations Convention against Transnational Organised Crime (2000) and its Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.

Current discussion on the trafficking of women and children in Africa exhibits some tension at various levels. A key contention lies between human rights norms and the definition of 'tradition'. The failure to integrate human rights norms to protect trafficked persons is due to the absence of a definition of human trafficking in the juridical systems of many countries, combined with structural weakness in the judiciaries. This weakness is regarded as an outcome of 'missing ingredients' such as: political will, resources, and awareness among law enforcers (border police, magistrates, local chiefs and others). It is important to point out that the discussion on 'traditions' has not fully unearthed their dynamic nature. A tradition – such as the 'placement' of children – can be subject to alteration by exogenous forces which commercialise it, which in turn allows for trafficking. The issue at stake is not only what kind of legal label should be placed on this practice, but also adequate understanding of those forces that nullify the defining. Public and political debates on human mobility and trafficking should be about ways to connect cultural factors with other relevant structural issues.

Research findings from a study conducted by the Centre for Population Studies in London (Busza *et al*, 2005) on child migrants in Mali point to a shady area – in the legislative measures – between a trafficker with intent to exploit and an intermediary who facilitates a young migrant to search for

61. Communication with Resources Aimed at the Prevention of Child Abuse and Neglect (RAPCAN) in South Africa (Author's files).

62. "Draft Interim Human Trafficking Legislation", a discussion paper containing the draft legislation submitted to the authors by RAPCAN in South Africa.

work and housing. A number of girls and boys, who have described their migrating experience, perceive such experience as a *rite of passage* with cultural and financial significance, not as one in which they were deceived or exploited. The study found that children who left home on their own, and who reported being returned against their will by non-governmental organizations and placed in rehabilitation centres, would take off again. Intermediaries *can* be perceived by the children to be 'active agents' who protect them during their journey. In Mali however, because local anti-trafficking surveillance committees view all migration as negative and no credence is accorded to the relationship between migrants and intermediaries. Migration is mostly clandestine and this hinders potential development of legislative measures that acknowledge protective networks of intermediaries and community members.

Identifying the tradition of migration and its cultural import as the cause of a higher incidence of autonomous child migration can tend to obliterate labour market dynamics in an era of global competition. Driven as it is by both supply and demand, human trafficking has gradually acquired a combination of local and global characteristics which resemble commodity chains having different nodal points involving different actors with varying degrees of power and authority (Truong, 2003c). Cross-cultural and historical comparisons are required to sharpen analytical tools and interpretation. Identifying root causes such as poverty requires rigorous analysis of social change through a given period. Analysing processes of migration and their intersection with trafficking requires a combination of methods from different disciplines to explain the mechanisms to show the relevance of similarities and differences between economic sectors and regions. Pronouncements on what constitutes the root causes which are too previous or have limited validation may well reduce complex dynamics to factors in a static system and thereby misguide consequent action.

3.3 The United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children

The strong call for the adoption of an internationally recognised definition of human trafficking in the late 1990's sought to consolidate the diverse ways of understanding it. Since the adoption of a definition of trafficking in the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organised Crime in 2000, the discussion on human trafficking has been made easier, but not less controversial.

The definition is contained in Article 3 of the Protocol:

(a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of 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;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) "Child" shall mean any person less than eighteen years of age.

The Protocol provides an internationally binding definition. It aims to eliminate differences between national legal systems and to set standards for domestic law to address organised crime. Bound as it is by social and cultural contexts, the interpretation of crime and penalty has been subject to many queries. Particular concern has been raised about the interpretation of crime in the context of those who give non-commercial help – because of their own ideological commitment, friendship or compassion – to would-be migrants crossing national borders to reach political safety. To bring such acts under the general category of 'human smuggling' as a crime may destroy ethical norms of human solidarity – deterring human action evoked by empathetic sentiments. As Nadig (2002) pointed out, only in the context of undocumented or falsely documented entry being offered against payment should human smuggling be liable to penalty.[63]

63. 'The smuggling of people' meaning the procurement – in order to obtain, directly or indirectly, a financial or material benefit – of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident (Art. 3(a) UN Protocol against the Smuggling of Migrants by Land, Sea, Air, Supplementing the UN Convention Against Transnational Organized Crime, 2000). In contrast to trafficking the act of human smuggling does not require an element of exploitation, coercion, or violation of human rights to be subject to penalty (IOM, 2004).

Practices of human trafficking are embedded in social relations and therefore diverse. It is difficult to generalise interpretations based on fragmented evidence. As illustrated in section 3.2 a number of international non-governmental organisations have noted the peculiarities of human trafficking in Africa that do not entirely fit the international definition.[64] The definition bases itself on the model of transnational trafficking, often attributed to the presence of large networks of organised crime. Trafficking in Africa is through small, family-related networks and does not always take place across national borders. Terms such as 'trafficking', 'abduction' and 'sale of children' all have different meanings, depending on the particularity of contexts. Even the term consenting party is controversial with regard to the involvement of the parents and sometimes the children in the decision-making process.[65] A criminalisation approach could have to impose penalty on entire communities.

Another perspective is the broad definition adopted by ILO-IPEC that allows for its application in a wider variety of situations. In a 2001 report ILO-IPEC states the following:

> '[I]n some respects, the variations found in the definition of trafficking in international instruments and frameworks are both inevitable and legitimate, and in no way represent confusion or disagreement. Each international instrument relates to the place the organisation of reference occupies in the international multilateral structure — be it a crime-focussed or rights-focussed body. As a result, what might at first seem an uneven handling of trafficking issues across organisations is actually more a question of approach and context than a difference of intent.' (Boonpala and Kane, 2001:5)

ILO-IPEC sees the merit in maintaining some flexibility in the use of the concept of 'trafficking' to accommodate institutional objectives and contextual requirements. A wide definition permits the practical accommodation of the specific objectives of the various, yet complementary, international instruments.

3.4 Other International Conventions

Other international organisations have formed an understanding of 'trafficking' and its related situations by combining the definition in the

64. Examples of those NGOs are Anti-Slavery International, Terre des Hommes, and Human Rights Watch.

65. There are also concerns about the lack of definition of the terms 'exploitation of the prostitution of others' and 'coercion', see reports cited at the end by Save the Children-Sweden (2004) and UNICEF (2003).

Trafficking Protocol with other related agreements and conventions. Among these are the UN Convention on the Rights of the Child of 1989 (UN CRC), the ILO Worst Forms of Child Labour Convention of 1999 (No. 182), the ILO Forced Labour Convention of 1930 (No. 29) and the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) of 1979. Additional international frameworks that can be used to supplement the Trafficking Protocol include the General Agreement on Trade in Services (GATS) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (also called the UN Migrant Rights Convention). Using ILO Convention 182 as a reference point, Article 3 of the convention clearly indicates the inclusion of trafficking of children in the areas of concern.[66]

'For the purposes of this Convention, the term *the worst forms of child labour* comprises:

(a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;

(b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

(c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.'

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) – adopted in 1979 by the UN General Assembly and often described as an international bill of rights for women – defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. By 18 March 2005, 180 countries had ratified or acceded to the convention (with 98 signatures). Discrimination against women is defined in Article 1 of the Convention as:[67]

'...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment

66. http://www.ilo.org/public/english/standards/ipec/ratification/convention/text.htm#top.

67. http://www.un.org/womenwatch/daw/cedaw/.

or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.'

Pertinent to trafficking of women and children, the convention calls on states to take appropriate measures against all forms of trafficking in women. It also affirms the reproductive rights of women as well as their rights to acquire and change or retain their nationality and the nationality of their children.

The UN Convention on the Right of the Child (UN CRC) is the most universally accepted human rights convention with the highest number of ratifications by member states. This convention recognises the human rights of children and the standards to which all governments must aspire in realising these rights. It elaborates the basic human rights which all children everywhere are *entitled* to, which are: the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to full participation in family, cultural and social life. It includes the child's human right not to be trafficked or exploited.

There are two Optional Protocols to the convention that have been adopted to strengthen the provisions of the Convention in specific areas, being: the involvement of children in armed conflict and the sale of children (entered into force in February 2002), child prostitution and child pornography (entered into force in January 2002).

3.5 Governance Frameworks for the Movement of People

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and Mode 4 of the General Agreement on Trade in Services are frameworks governing the movement of people. The issues they individually cover, and the relative strength and status they enjoy as international legal instruments, reflect the current patterns of polarisation in international political economy.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families manifests the belief in the principle of indivisibility of rights (civil political, socio-economic and cultural). It took more than 12 years for the convention to come into force on July 2003 after reaching the minimum required ratification of 20 countries in addition to the ten countries which had signed the convention. By September 2005 there was a total of 33 ratifications and 15 signatures by UN member states. Of these, 12 ratifications and 8 signatures are

by African countries.[68] The countries ratifying this Convention belong to the low-income group and are home to some 4.5 million migrants (2.6 per cent of the world total migrant population). Major migrant-receiving countries located in high-income regions – such as Western Europe and North America – have not ratified the Convention, even though they host the majority of migrant workers (nearly 100 million out of a total of 175).[69] Other important receiving countries – India, Japan, Singapore, Malaysia, Australia, and the Gulf States – have not ratified the Convention either.

Irrespective of the form of migration – whether 'regular' or 'irregular' – the Convention recognises that migrants are entitled to a minimum set of rights which includes human living and working conditions, education and health services, legal equality including correct procedures, and the freedom from sexual abuse. The Convention also specifies that migrants have the right to return to their country of origin and participate in the political procedures there. The Convention accepts that even undocumented migrants are entitled to basic protection and recognition of their rights as human beings. Although countries that have ratified and signed the Convention are primarily sending countries, some are also transit and receiving countries. Signatories must treat migrants according to the principles of the Convention, irrespective of their documented or undocumented status. Articles 10 and 11 make provision for the prevention of, and the imposition of penalties on, human trafficking.[70]

As Taran points out (2000: 30) 'the fundamental challenge for the extension of human rights to migrants is the sharpening contention between basing an overall international approach to migration on a framework of control versus establishing a migration management framework in which human rights is a fundamental basis'. As he notes (2000: 36) the tension

68. http://www.december18.net/web/general/page.

69. Statistics are from the UNESCO Information Kit on the UN Convention on Migrants Rights. See also the websites of December 18 and Migrants Rights International for more information on the convention.

70. Mr. Bertrand Ramcharan, the then Acting High Commissioner for Human Rights, noted in his speech marking its entry into force: 'the Convention will assist in securing a protective international mechanism of the human rights of migrants, including those in irregular situations. If States manage migratory flows in a manner that is respectful of human rights of migrants, a climate of non-confrontation and a feeling of security will grow in society. By defining migrant workers and their basic rights, the Convention seeks to play a role in preventing and eliminating the exploitation of all migrant workers and members of their families throughout the entire migration process. In particular, it seeks to put an end to the illegal or clandestine recruitment and trafficking of migrant workers and to discourage their employment in an irregular or undocumented situation.' (http://www.migrantsrights.org).

between global competition and the protection of migrants is tending to shift migration issues into a framework of migration management. States may still use their discrete sovereign power to refuse to extend human rights provisions to undocumented migrants – especially socio-economic rights.

Less *ad hoc* preferences – with discriminatory consequences – may be found in the other regulatory framework that touches on the 'free movement of natural persons', notably Mode 4 of the WTO's General Agreement on Trade in Services (GATS).[71] Mode 4 defines the supplier in technical terms as a 'natural person' – as opposed to a 'juridical person' such as a business firm. In principle, although Mode 4 covers all skill levels, the commitments of labour-importing countries have largely been restricted to the highly skilled corporate sector (e.g. intra-corporate transferees, business visitors, consultants, or contract-suppliers) (Young and Hoppe, 2003).[72]

Mode 4 has raised considerable debate among high-income and lower-income countries about the implications for labour migration, immigration policy and border controls. High-income countries are concerned that full liberalisation of Mode 4 will facilitate permanent migration and unauthorised migration or open the borders to a 'flood' of unskilled and semi-skilled migrants.[73] Lower-income countries are concerned that Mode 4 will facilitate 'brain drain' or, in reverse, a flood of highly paid consultants into their countries.[74] The application of Mode 4 so far fails to address the hierarchy of labour relations in the service sector, leaving migrant workers in the lower-skill strata more vulnerable to the risks of irregular forms of mobility where they are subject to the unruly practices of those who organise it.

A segment of the service sector that is increasingly being subject to scrutiny is the care sector in industrialised countries. The care sector is undergoing dramatic changes due to a plethora of factors which include the restructuring of the welfare state, aging population and a rising

71. 39 African countries are members of the WTO; many of which have 'Least Developed Country' status.
72. Mode 4 was initially conceived by the experts as an instrument for trade liberalisation, primarily concerned with service provision linked to foreign direct investment (FDI). Negotiations have eventually covered other sectors not necessarily dominated by FDI – such as education, health, tourism, and information technology.
73. For example, as Young and Hoppe (2003) point out, the German position stresses that labour is not a commodity like any others and thus not negotiable under similar terms; labour has to be negotiated in the context of social rights and social protection.
74. Sands, Oonagh (2004) taken from Migration Policy Institute, Migration Information Source, at http://www.migrationinformation.org/Feature/display.cfm?id=231.

participation of women in the labour market without a corresponding share of men in care tasks (in paid or unpaid form). For the managed care sector, negotiations are ongoing to find replacement by migrant labour; for private care the labour situation remains unruly. 'Houses of pleasures' and sex work constitute another domain concerning migration that has met with considerable resistance to an open dialogue on policy – owing to unresolved conflicts over moral values. Workers in these sectors will remain without protection until a resolution can be found.

3.6 Concluding Remarks

Recent judicial reforms in West and Central Africa have secured new legal measures to enhance human rights protection for trafficked persons, but the emphasis given to problems caused by the supply side could back fire. Overemphasis of the supply side can obliterate the dynamics of demand – which dynamics have been brought to light by a number of grassroots organisations.

Current defining of human trafficking – for policy-making particularly – has tended to fragment the entire constellation of institutions governing human mobility as a process. This fragmentation has led to much tension around the issues of public order, economic competition, efficiency and human vulnerability. Those concerned for public order purport that cross-border human trafficking reflects the weakening of states and local systems of governance. Those more concerned with human vulnerability see the state as a key actor driven by plural interests and, in this era of global competition, now stranded between three regimes: crime control, human rights protection, and economic efficiency. To avoid human rights being overridden by other interests it is important that these three regulatory regimes concerning human mobility are treated as three dimensions of an interconnected whole. A migration management framework is indeed now emerging which both protects the interests of states and ensures that the protection of the human rights of migrants is included in policy-making. The fate of those yet excluded from such a framework will remain with the Palermo Convention and its Trafficking Protocol.

Chapter 4

Epistemic Communities and Best Practices: With a Hammer in One's Hand, Everything Appears as a Nail

This chapter enters the terrain of social epistemology and traces the ways in which international organisations have differently woven their perspectives on human trafficking along specific themes, notably human rights, migration, and crime. Far from being exhaustive in scope and depth, our attempt is but a first step towards locating areas in which a shared understanding of the problem may be gradually fostered. Our data consist of ideas expressed in policy documents and information materials from the websites of a number of governmental, inter-governmental, and non-governmental organisations active in the global struggle against human trafficking.

We begin with a conceptual discussion, emphasizing the need to come to terms with the normative assumptions underpinning a Best Practice (BP) and the socio-political terrain of application. We then contrast a selected number of approaches adopted by a number of epistemic communities and illustrate how similarities and differences are translated in policy agendas. We present some examples of BP to highlight diverse norms of assessment and the need for a more egalitarian approach to knowledge construction and standards of evaluation.

4.1 The Concept of Best Practice and Social Epistemology

Referring to the UN Centre for Human Settlements (UNCHS) database on Best Practices, Øyen (2002:16) tells how the concept supplies practical ways of partnership between communities, governments and the private sector: to improve governance; to eradicate poverty; to provide access to shelter, land and basic services; and to protect the environment and to support economic development. Defined by the international development community as an attempt to integrate internationally agreed norms in

the discourses and ways of functioning of state and non-state actors,[75] the concept and its introduction as a tool for the design of development programmes signifies a shift of emphasis regarding learning – from learning being receiving from above to a form of horizontal learning: experimenting and accumulating knowledge through engaging with the daily experiences *in situ*. Such a shift carries significant epistemological implications requiring attention.

Behind every practice and its dissemination exists a relationship between two or more knowledge systems that may not necessarily share the same beliefs and values.[76] Attempts to promote a horizontal form of learning need to consider the context of social action and participating individuals or collective entities as 'knowing and practising subjects'. Given that actions are guided by worldviews and values which shape motivation and behaviour, applying what is designated as BP does not occur in a neutral terrain, but in one where different values systems and motivation may blend, compete or clash with one another.[77] A horizontal form of learning therefore requires an extension of the view of epistemology (as the veracity of claimed knowledge) beyond the confines of academia, laboratories and research centres to accommodate the politics of knowledge in daily life.

Institutions and rules governing a particular policy domain and sites of implementation mediate BP. Neither the administrative characteristics

75. Non-state actors include organisations in civil societies as well as private enterprises.
76. Truong's field work in Vietnam in Tuyen Quang Province in 1999 revealed the problem of non-permeability of agricultural knowledge in extension activities. For some time, ethnic minorities in the highlands continued to plant three corn seeds even though they were using High-Yielding varieties (HYV). In their traditional local knowledge, planting three seeds is a matter of security – assuming that at least one of them will grow. Because extension workers believed that household heads – the men – who received the training would transmit the knowledge on HYV to their wives who planted them, no effort was made to monitor men's practices after they left their training sessions at the research centre. After discovering the problem, extension workers organised training sessions in the field directly with those who farm (including women) to alter their belief on the necessity of this specific security practice when using the HYV seeds. This example shows that knowledge from research centres cannot be applied unless the knowledge behind quotidian practices of local users is also addressed.
77. Truong (1999) suggests that if we place knowledge in a matrix of everyday activities, what emerges is a network of different knowledge systems from which people choose (consciously or unconsciously) to guide their action. The co-existence between western medicine and other ways of curing illness in Asian societies is a case in point. Each way is derived from a particular vision of the body – as a body mass or as networks of energy-flow governed by specific nodal meridian points. Each system helps solve a specific range of problems, but neither can solve all problems.

nor the internal culture of implementing organisations can be ignored (Kabeer and Ramya Subrahmanian, 2000; Kabeer, 2001). The negotiation of administrative procedures and the validation of the 'known' as well as the status of the 'knower' in daily functioning play an important role in shaping practices. For example, despite their endorsement of UN CRC, institutions catering to the needs of asylum-seeking minors who migrate independently must administer their activities in ways that abide by governments' principles and regulations. Research findings show that a criterion for 'return' adopted by some countries in Western Europe has shaped practices which defy the objective of UN CRC. The policy involves the classification of countries which are in a stage of transition (from a situation of conflict to one of post-conflict) as 'safe for return' (which is verifiable by the existence of orphanages or relief agencies). Asylum-seeking minors from countries classified as 'safe for return' may apprehend their personal 'safety' differently from the norms of safety recommended by the above administrative criterion, yet cannot be assisted by civic organisations to claim their right to protection by the host state. Minors who are unable to validate their knowledge about their insecure conditions in their country of origin often disappear to unknown destinations, without the knowledge of institutions who act as their guardian (Schutte, 2003).

Assessing BP therefore cannot stop at the level of mere techniques and tools shown to perform effectively. Such an exercise should consider the links between a technique of doing things with its implicit worldview (including its inherent norms of validity) as part of the consideration on what may be categorised as 'best'. BP in international cooperation seeking to enhance the human rights protection of trafficked persons involves several dimensions of contesting knowledge – including the administrative dimension of a policy and the means of validating outcomes, the socio-anthropological dimension of social entities designated as target groups and the interpretation of their needs. It is therefore important to find ways to resolve administrative tension as well as to bridge the gaps of knowledge that exist within an epistemic community (e.g. child-focussed) and between two or more such communities (crime-focussed or poverty-focussed).

4.2 Epistemic Communities, Risks and Deference

Epistemic Communities

> 'An epistemic community is a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area. Although an epistemic community may consist of professionals from a variety of disciplines and backgrounds, they have (1) a shared set of normative and principled beliefs, which provide a value-based rationale for the social action of community members; (2) shared causal beliefs, which are derived from their analysis of practices leading or contributing to a central set of problems in their domain and which then serve as the basis for elucidating the multiple linkages between possible policy actions and desired outcomes; (3) shared notions of validity - that is, intersubjective, internally defined criteria for weighing and validating knowledge in the domain of their expertise; and (4) a common policy enterprise - that is, a set of common practices associated with a set of problems to which their professional competence is directed, presumably out of the conviction that human welfare can be enhanced as a consequence.'
>
> (Peter Haas, 1992:3)

To trace the formation of communities of 'knowers' and their social interaction with policy-making bodies and with each other the concept of epistemic communities appears useful. Haas (1992) defines epistemic communities and their role in problem-solving in the context of international cooperation in terms of commonality of beliefs, notions of validity and policy enterprises. They are carriers of scientific knowledge into the policy field and 'channels through which new ideas circulate from societies to governments as well as from country to country' (Haas, 1992a: 27). Because of the knowledge they have, epistemic communities are able to penetrate government departments and make their ideas part of policy. Epistemic communities operate only in fields of policy where science is significant. In the field of human rights there is skepticism about the existence of such a community.[78]

Haas' perspective is useful for locating and defining the social formation of discourse and practices against human trafficking and the affiliated societal agents, but his usage of the term epistemic community requires some revision for a number of reasons. Both human rights legislation and the study of its implementation constitute a body of scientific knowledge in the humanities and the social science. Amartya Sen (2004: 354-356) suggests that human rights may be seen as 'pronouncements in social ethics, sustainable by open public reasoning. They may or may not be

78. http://globetrotter.berkeley.edu/people/Haas/haas-con3.html.

reflected in a legal framework through specific "human rights legislation", but there are also other ways of implementing human rights (including public recognition, agitation and monitoring)'. All these activities are mediated through a variety of forms of local knowledge and institutions. Hence analysing their functioning requires a view on epistemology that can address the politics of knowledge in operation *in situ*, and not only 'professional' knowledge defined as 'science'.

Organisations such as Anti-Slavery International, Coalition Against the Trafficking in Women (CATW), Global Alliance Against Trafficking in Women (GAATW), Human Rights Watch (HRW), Amnesty International (AI) and End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT) have been active in laying the groundwork for governments' acceptance of human trafficking as a global reality. Although the concern for the protection of the rights of trafficked persons is shared, tension may be noted with regard to the relative emphasis each organisation accords to causal relationship (gender, class or ethnicity) and how they view the process of recovery. Public policy circles tend to view some organisations as more 'politically' correct than others and therefore are more inclined to defer knowledge authority to them.[79]

Buchanan (2004) offers the concepts of epistemic deference and risks in moral action. He coins the term 'epistemic deference' to mean the reliance on certain persons and institutions as knowledge authorities. Epistemic deference is inevitable because individuals and institutions depend on each other for information and knowledge to guide their action. Epistemic deference can be a risky venture in the sense that all institutions and persons are capable of being a source of error, or of holding partial beliefs while aspiring for holistic representation. Democratizing the claims to know and ensuring participatory methods in horizontal learning processes should serve to minimize both the partiality of accounts of reality and the risks of transferring such accounts into action.[80] We cannot ignore the purpose of cautious deference, particularly as concerns human trafficking.

79. For example CATW derives its influence from its abolitionist position shared by many governments. By contrast GAATW resists repressive measures and seeks modification in the process of recovery that can be seen as sanctioning sex work, and thus their approach is seen as controversial.
80. As market principles increasingly extend over the field of policy research, unless certain conditions are ensured such rules may reduce rather than enhance the effectiveness of liberal institutions in mitigating epistemic risks. Buchanan proposes four such conditions: 1) tolerance and encouragement of free exchange of information and ideas; 2) creation and sustenance of an epistemic division of labour; 3) constraining epistemic reliance on experts by (a) merit-based competition for expert status and (b) appropriate limits on epistemic deference imposed by a broadly-based critical attitude of epistemic egalitarianism; 4) producing, preserving and transmitting the most practically important non-erroneous beliefs (Buchanan, 2004: 101).

4.3 Epistemic Communities and the Human Trafficking Policy Agenda

The United Nations and its specialised agencies have played a leading role in encouraging efforts to foster collaboration between different epistemic communities to implement international conventions protecting the rights of trafficked persons. Bound as they are by their mandates, internal culture and networks of like-minded professionals and partners, UN organisations tend to display policy profiles that manifest differences of emphasis and representation of the social worlds of human trafficking. Within the United Nations system there are differences of perspective, policy agenda and cooperation with the non-state sector. UN specialised agencies are also channels through which new ideas circulate from country to country and shape local practices. In this sense these agencies also act as epistemic communities apart from being policy-making bodies.

In this study we focus our analysis on a couple of agencies, keeping in mind that there are other ones active in this area.[81] The following section illustrates how the International Labour Organisation (ILO) and the United Nations Children's Fund (UNICEF) address the human rights of trafficked persons including children. We contrast different approaches to migration adopted by the ILO, the International Organisation for Migration (IOM) and the United Nations Educational, Scientific, and Cultural Organisation (UNESCO) to highlight key areas of policy tension in need of resolution. An observation on crime control at international level engineered by the Department of United States of America (US State Department) on the one hand and the United Nations Office on Drugs and Crime (UNODC) on the other hand are also included.

4.3.1 Human Rights

The human rights theme is the central concern of all epistemic communities working on human trafficking. Two frames for human rights issues can be discerned. One uses the definition of human trafficking by the Trafficking Protocol for trafficked persons, and the other follows the lines of socio-economic rights – taking the identification of poverty, gender, vulnerability and ethnic identity as causal factors.

81. Among the other actors fighting human trafficking are national governments, the Office of the High Commissioner for Human Rights (OHCHR), Organisation for Security and Cooperation in Europe (OSCE), United Nations Development Programme (UNDP), United Nations Interregional Crime and Justice Research Institute (UNICRI), United Nations Development Fund for Women (UNIFEM), and the United Nations High Commissioner for Refugees (UNHCR).

The International Labour Organisation (ILO) whose original mandate is to protect the rights of organised labour has extended this mandate in the last decade to cover the rights of women, children and indigenous labourers in the informal sector. Its mandate is to 'promote social justice as the foundation of international peace, specifically by articulating and supervising fundamental human rights in the world of work.'[82] Throughout its standards-related work, the ILO has dealt with the issue of human trafficking in relation to forced labour, to the abuse of migrant workers – particularly where certain sections of society such as women or indigenous peoples are affected – and to its nature of the worst forms of child labour.[83]

The ILO International Programme on the Elimination of Child Labour (ILO-IPEC) was created in 1992 specifically to address issues of child labour and child trafficking. ILO-IPEC conducts action-research on child trafficking. The knowledge is used to support the efforts of governments, workers' and employers' organisations and civil society in the prevention of trafficking; and in the rescue, repatriation and restoration of the rights of trafficked persons.

Prior to the entry into force of the ILO Convention 182 in 1999 on the Worst Forms of Child Labour, ILO had been addressing child trafficking in the context of migrant workers in the framework of the ILO Convention 29 on Forced Labour. The ILO Convention 182 views child trafficking as a practice similar to slavery – requiring elimination. By August 2005, there were 156 ratifications for this convention, 49 of which are from Africa – the fastest pace of ratification since ILO was founded in 1919. The UN Convention of the Rights of the Child (UNCRC) also guides ILO's work.

ILO-IPEC's mandate intersects with the one of the United Nations Children's Fund (UNICEF) whose approach to children's rights extends beyond the world of work to cover the entire social universe of childhood. Recent reports by the UNICEF Innocenti Centre cover trafficking of women and children in over fifty African countries.[84] The Centre hosts a child trafficking research hub dedicated to data collection, knowledge transfer and the development of methodologies related to research on child trafficking.[85]

82. http://www.ilo.org.
83. Coordination and cooperation with United Nations Children's Fund (UNICEF), International Organization for Migration (IOM), and United Nations Office for Drugs and Crime (UNODC) in certain projects.
84. The recent reports are *Child Trafficking in West Africa: Policy Reponses* (2002) and *Trafficking in Human beings, Especially Women and Children in Africa* (2003-2004).
85. Innocenti Child Trafficking Research Hub: http://www.childtrafficking.org; UNICEF Innocenti Research Centre website: http://www.unicef-icdc.org.

UNICEF recognises child trafficking as a global problem and draws its standpoint from the UNCRC. It views trafficking of children as a fundamental violation of children's rights. It recognises the links between child trafficking and a wide range of problems such as criminal activity and corruption, birth registration, child labour, discrimination, armed conflict, juvenile justice and gender-based practices such as early marriage. UNICEF accords greater emphasis to the link between children's rights, the social worlds of childhood and development.

Both organisations accept poverty and human vulnerability as root causes of trafficking. They also share a particular attention to poverty reduction and children education. Whereas UNICEF emphasises education as training for children's life skills, and the monitoring of school dropout rates and abuses at the local level, ILO-IPEC emphasises the provision of quality education, skills training and job creation, because this organisation is more concerned with issues related to the labour market than issues of childhood in school systems. UNICEF lobbies for child-focussed poverty reduction interventions and governments' commitment to education.

All UN agencies cooperate in lobbying for the strengthening of legislation and law enforcement to protect the rights of trafficked persons. UNICEF appears more concerned with 'the recovery and reintegration of trafficked persons', whereas ILO-IPEC exhibits a more pronounced profile on the rescue, repatriation, and restoration of the rights of trafficked persons, and the prosecution of offenders through the strengthening of the judiciary and police. Action at the sub regional level reinforces its in-country programmes, since the organisation believes that concerted action is needed in both sending and receiving countries to stop cross-border child trafficking.

Both UNICEF and ILO have extended or adjusted their mandates to address human trafficking as a sociological problem in order to enhance the protection of the rights of trafficked persons through legal measures. Adhering to its original mandate ILO derives its approach of human trafficking from the norms, values and standards of the world of work, now extended to cover the rights of vulnerable groups in exploitative work conditions – including women and children. UNICEF derives its child trafficking approach from the sociology of childhood and the conditions for its development and therefore appears to have given more holistic emphasis to the Convention on the Rights of the Child. The world of childhood in the purview of UNICEF covers an array of cultural practices and a variety of institutions such as family, school, places of incarceration and militia. Diverse sites of social power undermining children's rights, other than the workplace, constitute its key areas of concern. Consequently, at the risk

of over simplification, it can be said that UNICEF is more embedded in the cultural rights of children as a social group whereas ILO maintains its focus on socio-economic rights of children as a vulnerable group.

4.3.2 Migration

ILO, from its world-of-work standpoint, posits the belief that 'legal labour migration channels contribute to reducing both trafficking in children and women, and the smuggling of migrants' (ILO, 2002:12-13). A combination of migration policy with the labour market framework – supported by standards-based labour and human rights – constitutes the core of its activities on undocumented migrant workers. Its 'Special Action Programme to Combat Forced Labour' addresses issues of forced labour (in relation to irregular migration and human trafficking) in consultation with representatives of workers' organisations and academic resource persons.

ILO considers a global strategy for the protection of migrant workers led by trade unions as an important goal. It promotes the ratification of Conventions 97 and 143 on migrant workers, as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. In a number of industrialised countries ILO cooperates with unions which have opened their membership to undocumented migrant workers, and with those who work closely with the '*sans papier*' movement to provide assistance to undocumented workers to achieve a legal status (ILO, 2003).

By contrast, the International Organization for Migration (IOM) is required – *per pro* its mandate – to protect humane and orderly migration from the perspective of 'migration management'.[86] The organisation has played a leading role of intellectual leadership on migration studies. Based on the explicit definition of various terms such as recruitment and deception and in line with the Trafficking Protocol, IOM identifies the technical differences between trafficking and smuggling. Owing to the complexity of human trafficking requiring concerted action by different organisations, IOM specifies the existence of 'a variety of bodies that seek to address it, including governments, NGOs, police and migration authorities. Each will define the problem from the perspective of its own mandate.'[87]

IOM has integrated concerns for the protection of migrants through its efforts to address trafficking (research and direct assistance) and to

86. See www.iom.int/en/who/main_policies_trafficking.shtml.
87. Ibid.

conduct information campaigns about the risks of unauthorised migration (Taran, 2000). The IOM webpage maps out its policies and specifies the different ways of understanding migration and human trafficking.[88] It considers trafficking in persons as one of the most serious and urgent challenges to migration policy makers and practitioners around the world. Human trafficking poses a migration management problem to governments of sending countries as well as transit and receiving countries, because orderly migration and several types of national legislation – including migration legislation – are violated. Yet, contrary to the smuggling of migrants, institutions cannot consider the trafficking of people as a violation of the migration legislation of a country – by the victim – but rather as a severe violation of the human rights of the victim by those who participate in the operation of the process.

Human rights organisations such as Human Rights Watch and Amnesty International – and others – have criticised IOM for its greater focus on 'orderly migration' and 'voluntary return' of trafficked people, asylum seekers, and refugees rather than on protecting the human rights of trafficked persons, refugees and displaced people.[89] Here it should be noted that the tension emerging from the implementation of policy principles reflects the practical difficulty to apply international norms which define and categorise migrants. The act of defining the status of a migrant (refugee, asylum seeker, trafficked person) is a difficult political choice which is context-specific. A common challenge to all organizations working with illicit migrants is how to find a balance between the goal of human rights protection and the duty to abide by the principle of state sovereignty. In this respect, the concept of orderly migration also means the construction and coordination of humane and sustainable migration policies as well as a greater role of the state in ensuring safety for migrant workers.

Central to the International Migration Programme of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) is its aim to promote respect for the human rights of migrants, and to contribute to peaceful integration of migrants in society.[90] To fulfil this general goal the

88. These ways of understanding include the contexts of (1) gender, (2) economics, (3) development - poverty induced, (4) health, (5) human rights, (6) state sovereignty, (7) migration.
89. See for example the Human Rights Watch report "IOM and Human Rights Protection on the Field: Current Concerns" a document submitted during the 86th Session of the IOM Governing Council on November 2003, also available on the HRW website http://www.hrw.org/.
90. See the UNESCO website or http://www.unesco.org/migration.

programme seeks to achieve five objectives, as follows: (1) increase the protection of human rights of migrants, (2) improve national policies to handle the impact of migration on society, (3) promote the value and respect of cultural diversity in multicultural societies, (4) contribute to the global fight against human trafficking and (5) strengthen the capacity, sustainability and effectiveness of diasporas networks. UNESCO activities also include promoting the ratification of the UN Convention on the Rights of Migrant Workers and Members of their Families.

Since 1996, UNESCO has been engaged in the fight against human trafficking, first in South-East Asia[91] and more recently in Africa[92] in its field of competence, namely education, science and culture.[93] UNESCO also focuses on strengthening research capacities by developing and mapping databases on trafficking numbers (UNESCO Trafficking Statistics Project), leading research and commissioning studies on structural vulnerability factors leading to human trafficking in pilot countries. It also promotes culturally appropriate awareness raising among local communities and develops training of policy-makers, community leaders and the media to better fight the phenomenon.

UNESCO collects Best Practices in addressing human trafficking based on the view that 'carefully documented case histories can be a source of information and inspiration to policy makers on how to design creative, successful sustainable solutions to the management of migration.'[94] UNESCO shares with others the recognition of the destructive role of global human trafficking, but does not conflate migration with crime. It endorses an enabling approach to migration management and views issues of international migration from the perspective of cultural diversity; thereby enabling migrants to exercise their rights and enabling governments to design creative solutions. A positive role is attached to Diasporas networks in fostering pluralism, and a cooperative role to the state. Implicitly the state is viewed as a flexible and permeable entity, and migrants as cultural assets rather than economic burdens.

91. UNESCO is the lead UN interagency project on Human Trafficking in the Greater Mekong region. See UNESCO Bangkok Office Trafficking Project: http://www.unescobkk.org/culture/trafficking.
92. UNESCO Project to Fight Human Trafficking in Africa: http://www.unesco.org/shs/humantrafficking.
93. UNESCO is also the only UN specialised agency with a mandate on minorities under the Universal Declaration on Cultural Diversity.
94. See UNESCO website and Bendixsen, Synnøve and Paul de Guchteneire "Best Practices in Immigration Services Planning", UNESCO, Section for International Migration and Multicultural Policies, taken from UNESCO website, and project documents.

4.3.3 Crime

Approaching human trafficking as a crime is most strongly demonstrated by the United Nations Office on Drugs and Crime (UNODC). UNODC sees its mission to 'bring to the foreground the involvement of organised criminal groups in human trafficking and to promote the development of effective criminal justice-related responses'.[95] UNODC looks specifically at smuggling routes, methods of trafficking, and other mechanisms of exploitation and abuse. Its programmes have the dual perspectives of both victims and law-enforcement but are not gender or age-specific.[96] UNODC identifies its comparative advantages as: 1) being the key actor behind the formulation of the Trafficking Protocol in the context of transnational organised crime, (2) providing a criminal-justice perspective which recognises that in most cases organised crime is active in the recruitment, transfer and exploitation of persons, (3) taking a global or transnational perspective in investigating the criminal components of trafficking.

In the year 2000 the government of the United States of America passed the 'Victims of Trafficking and Violence Protection Act'. The US State Department views this piece of legislation as:

> 'An act to combat trafficking in persons, especially into the sex trade, slavery, and involuntary servitude, to reauthorize certain Federal programs to prevent violence against women, and for other purposes.' [97]

A key rider to the act is a three-tiered ranking system adopted in the annual report produced since 2001, as an attempt to 'encourage' governments around the world to fall in line. This system reviews governments' compliance with a set of minimum criteria set by the US State Department for the application of the Victims of Trafficking and Violence Protection Act on a global scale. Tier 1 means full compliance; Tiers 2 and 3 infer different degrees of 'deviancy'. As pointed out by Chapkis (2003:934) only one person – a four-year old boy – had qualified for a T-visa (granted to victims and witnesses by the Act) during the first two years after its introduction.[98]

95. See www.unodc.org and www.unodc.org/unodc/en/trafficking_comparative_advantages.html.
96. UNODC was the host of the UN Global Programme Against Trafficking in Human Beings (GPAT) designed in 1999 in collaboration with the UN Interregional Crime and Justice Research Institute (UNICRI).
97. http://www.state.gov/g/tip/rls/tiprpt/2003/21262.htm.
98. A T-visa is a permit for temporary stay of the trafficked person in the receiving country for a 'period of reflection'. Often there are strings attached to this visa, including consent from the trafficked person to cooperate with police and intelligence networks in tracing and prosecuting smuggling networks. See for example Chapkis (2003:932).

Since 2004, the Tier placements have been linked to penalties and sanctions that the United States can declare. Countries in Tier 3 risk facing US opposition to assistance (except for humanitarian, trade-related, and certain development-related assistance) from international financial institutions, specifically the International Monetary Fund and multilateral development banks such as the World Bank; but the Act specifies that all or part of the Act's sanctions can be waived upon a determination by the President that the provision of such assistance to the government would promote the purposes of the Act or is otherwise in the national interest of the United States. The Act also states that its sanctions shall be waived when necessary to avoid significant adverse effects on vulnerable populations, including women and children.[99]

4.4 Epistemic Communities and Plural Notions of 'Best Practices': Some Examples

The rapid increase in the number of actors involved in child trafficking and their contrasting approaches only adds to the complexity of evaluating actions and their outcomes (UNICEF, 2002:7). It is impossible to find a common parameter to assign the status 'best' to a practice: parameters appear to be context-based and organisation-dependent. For instance, Anti-Slavery International[100] looks at what is 'best' in terms of effective protection of the human rights of trafficked persons from the point of view of administration of justice and enforcement of the law. It puts forward a set of recommendations for the protection of trafficked persons' rights based on a comparison of practices in ten countries.

Save the Children-Sweden (2003:14) looks at human trafficking as a problem with two kinds of tension. One is between governments' obligations to protect and promote human rights and their desire to restrict irregular forms of migration (often regarded as a matter of state sovereignty). The other stems from the conflation of trafficking and prostitution, which often leads to an exclusive focus on sex trafficking. On sex trafficking, Save the Children-Sweden chooses the perspective of a demand-led problem, and therefore would support the view that the best practice to curtail demand

99. One possible reason for the State Department to consider a waiver is whether a country has been placed on Tier 3 for the first time that year. Sanctions would not apply if the Department finds that after the report comes out and before the imposition of sanctions, a government no longer qualifies for Tier 3, i.e. it has come into compliance with the minimum standards or is making significant efforts to bring itself into compliance; see http://www.state.gov/documents/organization/34158.pdf.

100. Anti-Slavery International (2003), *Human Traffic, Human Rights: Redefining Victim Protection*.

is the imposition of penalty on the clients, as well as the procurer and the employer – as in Swedish prostitution law.

UNDP has an anti-trafficking manual – funded by United States Agency for International Development (USAID) – covering thirteen countries in South-eastern Europe entitled 'Best Practice: Law Enforcement Manual for Fighting Against Trafficking in Human Beings'. Launched in Vienna in December 2003, as part of its Comprehensive Anti-Trafficking Training Strategy for South Eastern Europe[101] and bearing a distinct 'deterrence' perspective, the manual is primarily for law enforcers responsible for the investigation of 'criminal' elements of trafficking – police, border officials, immigration officers. The section on best practices includes specialist guidance on the treatment of trafficked persons, intelligence gathering, international judicial cooperation, joint pro-active operations and specialist pro-active investigative techniques. The manual seems far removed from the world of community organisers and grassroots workers engaged with 'persons living with human trafficking'.[102]

A major part of the US State Department annual report on human trafficking also singles out a few practices as best. Its descriptions of effective low-cost sustainable BP around the world are of mixed practices with different objectives. For example, campaigns which address child labour such as 'Red Card Against Child Labour'[103] in Africa are bracketed with those addressing the worst forms of child labour (child prostitution) – such as 'Discouraging Sex Tourism'[104] in Brazil and 'Public Awareness Campaign' in Mozambique. And actions which address prostitution and children affected by war and conflict situations such as the 'Listening to Exploited Children' radio programme in Sierra Leone[105] are also categorised as ones which address child trafficking. The criteria for judging a practice as 'best' are far from clear, aside from the initial suggestion that they are low-cost and sustainable. For instance, one practice of interception in Colombia, cited as best entails immigration and police officers in civilian clothes approaching 'potential' subjects of trafficking or people who look

101. See http://www.undp.ro/governance/law_enforcement.php.
102. The term 'persons living with human trafficking' used here refers to those in detention without trial, or returnees shunned by their family and communities.
103. This was an Africa-wide campaign against child labour during the African Nations Football Cup Tournament. Fans travelling to watch the games were given 'red cards' to show their support to stop child labour. There was also a large component of television and radio broadcasts as well as public service announcements about the hazards of child labour.
104. The government of Brazil enlists the support of hotels and tourism establishments to discourage child prostitution on their premises.
105. Radio programme in Sierra Leone focussing on helping children affected by war and conflict recover from psychological and emotional traumas.

like they might be trafficked and asking them questions, giving advice and recommending that they do not travel.[106] The object of control appears to have shifted here from controlling traffickers to curtailing people's civil liberty.

An innovative but costly practice, which effectively identifies and rescues the children trafficked from South Asia to serve as camel jockeys on the racetracks in the United Arab Emirates (UAE), involves a random DNA testing of alleged parents and children whose 'looks' are questionable. Most of these children are trafficked through the use of false documents from their home countries attesting to higher ages, and false parents who accompany the children to UAE. Since January 2003, authorities in UAE have DNA-tested 446 children and exposed 65 false claims of parenthood by traffickers bringing these children into the country. During 2003 the practice succeeded in identifying over 250 children from Bangladesh and Pakistan (who were returned to their countries) and arresting many of their traffickers for prosecution. Other countries in the Gulf are adopting the DNA testing of child camel jockeys and their purported parents.[107]

The Centre for Crime Prevention under the UNODC is also preparing a manual or a Toolkit on promising practices by government agencies, international organisations and NGOs, focussing on four sectors: legislative reform, strengthening criminal justice responses, trafficked persons' protection and support, and international cooperation. It closely associates trafficking with illegal migration and prostitution or commercial sexual exploitation.[108]

Practices based on the principle of crime control generally exhibit more state intrusion in civil society and direct control of the social body. Pre-emptive actions to protect the integrity of national borders are also prominent. Although preventive measures that address poverty as a root cause appear as a major concern in the policy agenda, actual commitment reveals the wide discrepancy between words and deeds – as also demonstrated through voices from the field to be illustrated in the next chapter.

106. The report described the practice as follows: 'The Government of Colombia has sent officials to the airports to identify and talk with likely trafficking victims as they are sitting and waiting to fly out. In many cases they have succeeded in educating women about the dangers of traffickers and many potential victims elected not to leave.' http://www.state.gov/documents/organization/34158.pdf.
107. http://www.state.gov/documents/organization/34158.pdf.
108. http://www.unodc.org/unodc/en/trafficking_programme_outline.html.

4.5 Concluding Remarks

Our review of the profile of epistemic communities active in the global struggle against human trafficking reveals a way of functioning which does not entirely fit the original meaning of the concept. In its original meaning an epistemic community carries scientific knowledge into policy making, and hence seeks to affect outcomes. In human trafficking such communities appear more bound or obstructed by the 'realist' politics of sovereignty and interests of nation-states. The knowledge generated by the humanities and social sciences does not yet seem to have made major impacts on policy decisions. Evidence produced on human trafficking is now subject to query from a methodological point of view. Processes of epistemic deference in policy choices are not transparent at many levels, and therefore the risks of making inappropriate judgement cannot be overstated. Socially meaningful ends such as human rights protection are currently being pulled in different directions by the disparate interpretations depending on which humans, which location and which interest.

Contending epistemological dispositions on human trafficking are closely linked with how international migration is explained in the contemporary context of globalisation. Despite the shared position that accepts human trafficking as an assault on human dignity and endorses the protection of the human rights of those trafficked, substantive differences regarding practical approaches are prevalent. There is no consensus on the objectives of BP nor is there a common understanding of causation. What is 'best', for whom, and under what specified conditions remains contested. The choice of a particular BP cannot be isolated from the shared causal beliefs, policy agenda, and notions of validity of a particular epistemic community choosing it. The concept of BP may merely serve as a heuristic device to raise questions about the relationship between different forms of social knowledge, power and policy.

It is important for organisations to clarify for themselves the epistemic dispositions they adopt in order to shed light on differences with others so as to set transparent parameters for negotiation of interests in ways which contribute to an enhancement of rights of trafficked persons. Without such a clarification, evaluative norms guiding the search for best practices cannot be freed from vested interests. Professional evaluators, for instance, might look for sustainability, reliability, and cost-effectiveness in a practice. Law enforcers will mainly consider how much a practice helps reduce crime. Immigration officials will likely pick out practices which enforce border rules. Trafficked persons in search of a secure life space might see a BP as one which safely allows for migration free from abuse, which upholds

norms of human dignity and which promotes equal treatment under the law. Citizens of low-income countries in search of work opportunities categorised as unskilled and informal work – who are in demand in higher-income countries but generally barred from entry – might see as 'best' those which allow them the same rights for mobility as the ones applicable to other categories of labour.

Chapter 5

Briding the Gaps and Weaving New Realities: Responses from the Field

In this chapter we contrast the self-assessment and observations by ten non-governmental organisations in addressing human trafficking in Africa.[109] Our data- gathering procedures involved several steps. The first questionnaire, structured along standard guidelines[110] for best practices, was sent to more than 200 email addresses of organisations in Western and Southern Africa to gather information on the technical and organisational aspects.[111] Several databases on BP in different contexts were reviewed to draw useful insights for comparison with the relevant literature on BP when applied to the anti-trafficking campaign in West and Central Africa. A second questionnaire was sent to those organisations which agreed to share their experiences, asking fewer but qualitative questions focussing on the organisations' understanding of the context and of possible solutions.

Some organisations did not isolate any particular practice or a particular project from the sum total of activities and strategies of the organisation as a whole. Other organisations were able to describe a particular practice or project and isolate its effects. Our discussion therefore seeks to accentuate how perspectives and practices are interwoven with an organisation's activities. The responses also show a keen awareness of the significance of evidence-based intervention, of the maintenance of a database and of a participatory approach which involves children and

109. Nine of the organisations are operating in West Africa (Bénin, Mali, Togo, Senegal, Burkina Faso, Nigeria) and one is based in South Africa.

110. Covering aims, goals, sustainability, replicability and efficiency of the organisation.

111. A link for the questionnaire was placed on the UNESCO website for wider access to other organisations. http://portal.unesco.org/shs/en/ev.php- Follow-up telephone calls sought to encourage submission of the questionnaire.URL_ID=5073&URL_DO=DO_TOPIC&URL_SECTION=201.html.

young persons, their families and the communities. Poverty, fractured communities and hegemonic masculinity are regarded as key causes regarding the trafficking of women and children. Causative aspects on the demand side are noted and monitored but not analysed. Organisations also convey a sense of despair regarding their ability to redress poverty, and a certain degree of scepticism concerning the political will and ability of national governments so to do. In the following sections we introduce the participating organisations and their activities; then proceed to a discussion of their expressed need to bridge existing gaps of knowledge and to find common points of action.

5.1 Organisations and Their Activities

5.1.1 Enfants Solidaires d'Afrique et du Monde (ONG-ESAM) (Regional and national level NGO based in Benin)

ONG-ESAM operates in Benin and aims to eradicate child abuse and trans-border recruitment of children as domestic workers. Its target groups are: children in domestic work, communities at risk and/or affected by trafficking, trafficked persons and their parents. Most efforts are concentrated on advocating the adoption of a code of conduct among employers on the treatment of child domestic workers. It also involves the media and other NGOs.

The organisation provides capacity building for NGOs and conducts research on child trafficking. The organisation's activities and strategies include the withdrawal of children from abusive situations, their reintegration into school or professional training, sensitisation of households and communities, and data-collection by which to identify the best ways to redress trafficking. In addition the organisation provides alternative sources of income for those engaged in trafficking, and facilitates meetings between employers and children which focus on the promotion of a code of conduct for employers of child domestic workers.

The strengths of the practice include the use of computers to maintain a database on children in domestic work and the participation of children in the programmes. There is also strong networking with sub-regional, regional and global groups. Given that the demand for action increases, the organisation finds itself unable to fully respond owing to high communication costs and limited resources. There are blurred lines between the two categories of children: those in domestic work and those trafficked.

The potential for replicating this practice is high; sharing experiences with the various networks has taken place. A similar project has been set up at the sub-regional level. ESAM has partners at the global level (ECPAT,[112] Global March Against Child Labour and Anti-Slavery International) and can share information as well as experience within the network. ESAM is the coordinator of the Comité de Liaison des Organisations Sociales de Défense des Droits de L'Enfant (CLOSE), a network of 30 NGOs and professionals.

5.1.2 ONG-Stratégies et Développement (National NGO in Benin)

ONG-Stratégies et Développement sees trafficking as being related to the fear of HIV/AIDS and recognises that selling children is an abuse of human rights. It sees the problem as stemming from ignorance and complicity within the community. Its aim is to reduce the incidence of trafficking and sexual exploitation of children, by training youth educators[113] and, through them, increasing awareness of parents and children about human rights; it is forming strategies for the psychosocial education of young persons.

ONG-Stratégies et Développement's platform is human rights education, which has been extended to cover issues of child trafficking. Such issues are integrated in its educational campaigns at the community level, using a participatory approach which includes the children. Action on trafficking converges with activities in other areas such as HIV/AIDS, delinquency and illiteracy. Information, education and communication activities include the use of radio and formation of groups of working children. The organisation cites its participatory approach and its multi-professional perspective as being effective, and mentions plans to make this approach regional. There is no direct support for trafficked persons and the organisation is not able to address economic issues or unemployment.

5.1.3 World Association for Orphans (WAO-Afrique) (National NGO in Togo)

WAO-Afrique has identified one root cause of trafficking as the disintegration of social and cultural institutions that support children. Using a child-centred approach, it aims to encourage the participation of trafficked children in the design for and planning of rehabilitation and reintegration activities. The organisation conducted research in 1997 on human trafficking in Togo, with

112. ECPAT is a network of organisations and individuals which in 2004 covers 64 countries.

113. In the current programme the organisation expects to train 30 youth educators.

follow-up research in 2000-2001 on deeper causes of human trafficking, school dropouts, and illiteracy based on testimonies from 500 trafficked children. These reports have provided information for more comprehensive planning of interventions by NGOs and international organisations working on human trafficking in West Africa. The organisation also produced a training manual, and organised meetings with members of Togo's National Assembly to lobby for the recognition of children as actors in legislative change and for government support to bring children back to school.

The target groups of WAO-Afrique span different levels. Activities and strategies are multiple and wide-ranging. The organisation sets up reception centres for children and conducts education programmes, gives training on human rights and offers legal assistance. The organisation has initiated income generation projects, and provides credit facilities, legal rights education and literacy classes for parents. It also assists in acquiring birth certificates for children.

At both community and national level the organisation works with associations of truck drivers, conducts sensitisation programmes, debates with and lobbies decision-makers. It works with ministries on the interpretation of legal texts and suggests alternatives. By involving the communities both in and across the borders WAO-Afrique hopes to have an impact on policy changes and new legislation.

The organisation cites its main problems as: high costs to assist children in the reception centre and in the process of reintegration; difficulties in collecting repayment for the credit from the parents; difficulties disengaging children from the houses of abuse; unclear legal instruments with which to punish offenders; children misidentifying parents; the lack of qualified magistrates and border police and of support for these. The practice benefits much from the use of a participatory approach and the sharing of experiences between young people. Other organisations in Togo are already trying to replicate the practice.

5.1.4 Association pour le Progrès et la Défense des Droits des Femmes Maliennes (APDF) (National NGO in Mali)

APDF sees the demand for prostitution as a major cause of the trafficking of women. By involving the private sector (hotels, bars, restaurants, and travel agencies) through information, awareness campaigns and advocacy, the organisation hopes to influence the private sector to cut back on hosting prostitution for economic gains. Some expected results include the creation of a network between CATW (Coalition Against the Trafficking

of Women)[114] and the private sector, and a framework for consultation and action between national coalitions and beneficiaries.

Given that government action to redress the situation neither targets the private sector, nor addresses women's issues, APDF's reaching out to actors in the private sector (particularly those segments that might have a traditional interest in commercial sexual service) is a novelty. The organisation sees its practice as having potential for replication if the same problems are identified in another area. It recognises that different social, cultural, judicial, and political contexts will make replication difficult.

APDF's exclusionary focus on the abolition of prostitution rather than addressing human trafficking as a broader problem constitutes an important shortcoming; it also lacks the professional ability to take up issues requiring legal reforms: these are left to other networks. APDF seeks to influence policy changes through liaison with national coalitions (national meetings of the CATW) and links global networks (also *per pro* CATW).

5.1.5 Women's Consortium of Nigeria (WOCON) (National NGO in Nigeria)

WOCON sees trafficking as being related to the ignorance of the community and government's failure to address it. The government is held accountable for the lack of attention paid to awareness and education campaigns in the community; also the lack of measures to address poverty. The organisation acknowledges the diversity of the root causes of trafficking, shaped by a combination of socio-economic and political factors – including geographical location as well as historical processes.

WOCON aims to eliminate child labour in Nigerian society by withdrawing children from prostitution and domestic work. The overall objective is specifically related to trafficking. It conducts a 6-month sensitisation programme in a rural community through open air 'outreaches', slogans, town criers, musical bands, radio spots and radio jingles. It reaches out to children, communities, parents, the wider community, traditional rulers and chiefs, law enforcers, transport workers, government officials in ministries. In conjunction with the sensitisation campaign a consultative forum was established. This consultative forum agreed to a 'social contract' that specified the responsibilities of the community to stop the trafficking within that community. A task force committee was set up within the community to monitor the incidence of human trafficking.

114. For more information on this organisation, see http://www.catwinternational.org/index.php.

WOCON recognises that the short duration of the sensitisation programme is insufficient to change awareness or behaviour. Poverty and the lack of education also aggravate trafficking. WOCON calls on the government to provide more micro-credit funds and more schools generally.

The strength of WOCON lies on the use of research findings for planning and targeting; and its use of a participatory approach where the communities themselves monitor the social contract and work with various sectors (government ministries, transport workers, police and the media). Weaknesses include the inability to provide direct support to trafficked persons. Additionally, although WOCON has identified poverty as a root cause of trafficking, it is unable to address the poverty situation. And no training could be given to the task force committee responsible for monitoring the incidence of trafficking. The practice has already been replicated in another border town in Nigeria through ECPAT International, and through the help of UNICEF in another Nigerian town where children were found in illegal quarries.

5.1.6 Girls' Power Initiative (GPI) (National NGO in Nigeria)

GPI recognises comprehensive education in sexuality for children as crucial for their empowerment and the prevention of trafficking. It aims to find out why girls are more vulnerable to trafficking than boys, and to reduce the incidence of trafficking of girls. GPI activities focus on female children and their parents with some attention to lobbying policy makers and mobilising the media. The activities and strategies include: the provision of comprehensive education in sexuality to female children and adolescents; public awareness campaigns; research, and operation of a Gender Development Institute. GPI engages in collaborative work with the Ministry of Education and other NGOs, lobbying government ministries to include such education in school curricula. Additional GPI centres in two states in the Niger Delta have been created. The girls are regarded as catalysts of change within their own community. One result of the practice is the publication of a book that documents how girls are susceptible to trafficking and contains recommendations for change. The activities of GPI have been adapted by IOM in the training of teachers in Edo State.

Some hostility towards the training and awareness that the girls receive has arisen – from some parents and those who profit from the trafficking. GPI also cites its limited reach and its inability to address the poverty situation in the community as major issues of concern.

5.1.7 African Women Empowerment Guild (AWEG) (National NGO in Nigeria)

AWEG accepts that trafficking occurs to 'feed' the sex trade. It believes that women are trafficked also because of their 'compassionate disposition' towards their family and their desire to fend for family members at all costs. Trafficking results from poverty, economic deprivation, and greed. The practice aims to empower women by helping them acquire skills (personally and professionally) to open up opportunities for themselves. Target groups are girls trafficked from Nigeria to Italy as well as returnees from other areas, their families and communities. AWEG has a number of activities including adult literacy projects, promotion of abstinence among adolescents and information campaigns among adolescents on the risks of being caught up in trafficking.

AWEG works along the lines of women's human rights violation, according to which the trafficking of women is considered as one among the many forms of gender discrimination.[115] The organisation propagates this message through information campaigns, such as the publication of 'A Letter to my Daughter'[116] aimed at raising the awareness of the general public.

As an organisation AWEG is unable to address the poverty situation of trafficked persons. AWEG has noted that the Edo State Law against Prostitution and Trafficking criminalises the prostitute along with the traffickers. The criminalisation of prostitution has had adverse effects, such as when trafficked girls feel stigmatised upon return, and do not frequent the shelters and the skills-training centres run by the organisation. Many of the returnees manage to leave again. Similar guilds have not yet been set up elsewhere.

5.1.8 Resources Aimed at the Prevention of Child Abuse and Neglect (RAPCAN) (National NGO in South Africa)

RAPCAN recognises that trafficking happens because it stems from a culture of child abuse and exploitation. The organisation holds the belief that ending child abuse will help stop child trafficking. It seeks to prevent and address different patterns of child abuse. The target groups include

115. Other examples are the funeral rites a wife has to go through upon the death of her husband, fetish rituals and religious oaths.

116. Used as anti-trafficking campaign material, this is a hypothetical mother's letter to a daughter highlighting the tricks of traffickers, the risks of early pregnancy and HIV/AIDS. It aims to build self-esteem in young women and hope for the future.

children, youth, community, parents, associations of truck drivers, and government ministries.

RAPCAN's key activities include training programmes, legislative changes, curriculum changes and direct support for child witnesses. Training programmes on the prevention of sexual abuse, reproductive health, and human rights are organised for adults and children. The organisation disseminates informative materials related to HIV/AIDS, lobbies and conducts advocacy campaigns among policy makers as part of its work towards changes in legislation and society's treatment of children.

A child witness programme is organised to help children who have decided to give testimony – providing counselling and support as the child goes through the court procedures. Work with the Ministry of Education seeks to influence curriculum changes to include issues of child abuse. RAPCAN runs a well-maintained resource centre with materials on child abuse and regularly produces resource materials for educational purposes.

RAPCAN's strength is its focus on legislative change, based on the recognition that such change will challenge current patterns of child abuse and will lead to societal changes. Trafficking is treated as both cause and result of child abuse.

5.1.9 Save the Children-Sweden (Regional Programme, based in Senegal)

Save the Children-Sweden has supported substantive research on child trafficking. Its action programmes have benefited from the information obtained. The organisation maintains a database of information on trafficking in the region. The data suggests that children are targets of trafficking for many reasons. Apart from socio-economic reasons such as extreme vulnerability (poverty and illiteracy) in communities, there are gender-specific reasons linked with kinship practices.[117] State-related issues – such as the permeability of borders, the corruption of officials and the extremely high number of children who have no registration of their birth – are also seen as contributing to the incidence of trafficking. Save the Children-Sweden has also noted a marked alteration in the manual labour market arising from the pressure on planters to lower the cost of production. Employers no longer hesitate to look for cheap labour beyond their borders given the drop in prices in primary commodities in recent years.

117. Young girls of marrying age have to prepare their marriage trousseau by starting work at an early age.

The organisation builds its practices on three pillars: 1) strengthening the capacities of all sectors to address trafficking; 2) advocacy for legislation changes; 3) support for trafficked persons who return – assisting rehabilitation and reintegration. One basic objective is to attempt to mitigate the abject conditions the children are in under their trafficked status. The efforts towards this end include: advocacy; the training of personnel and trainers; apprenticeships for children; micro-credit facilities for the affected families and families at risk. The target groups of Save the Children-Sweden include individuals, the community, NGOs, networks of child-focussed NGOs.

At the grassroots level the organisation helps set up village vigilance committees, provides social workers and psychologists who offer direct assistance to individuals through reunification programmes or placement of returned children with host families. The organisation conducts training courses for stakeholders including municipal workers, law enforcers, NGO workers and social workers. It functions within a regional network of NGOs whose personnel facilitate exchanges between children across borders. Action is hindered by insufficient capacity – such as social centres to host trafficked children – and the lack of specialists in the field. The lack of knowledge of national and legal instruments among communities and weak coordination between countries also pose problems for the process of reintegration.

The strength of the practice is its clear rights-based participatory approach, its multi-pronged and multi-dimensional character. Adequate funding permits the practice to be comprehensive. But the practice is limited in its outreach: micro-credit facilities can be extended only to those directly affected by human trafficking. The political will of governments is required both for changing conditions of extreme poverty in the communities and resolving open or latent political and ethnic conflicts which aggravate the problem; as well as reforming the socio-cultural traditions which perpetuate it all.

Save the Children-Sweden is a member of a regional working group which brings together the principal actors in the region: UNICEF, ILO, UNODC, ECOWAS and others. Being part of a network, Save the Children benefits from the sharing of experiences and can support attempts to replicate the practice in other areas. The organisation works both with the NGO sector as well as with agents of the state to build professional capacity in a variety of areas – research, advocacy, social mobilisation and support to trafficked children.

5.1.10 Terre des Hommes-Germany (TDH) (Regional Coordination Office based in Burkina Faso)

TDH's target groups are primarily NGOs and local organisations already working on issues of the trafficking of children, covering three countries: Burkina Faso, Gambia and Mali. TDH-Germany conducts research on the context of trafficking, assists in the development of local communication plans, sports competitions, and mobilisation of community leaders and local organisations. The focus of TDH-Germany is to bring these organisations together into a network that can coordinate and cooperate with each other.

Technically and financially it supports activities such as awareness raising, conscientisation and advocacy, and care for trafficked children brought in by the different associations. The work of TDH-Germany is linked with the ILO. Its activities include mobilising grassroots communities, awareness campaigns, income generation, education activities, radio broadcasts, popular theatre and support for children's school expenses. There is no direct support given to trafficked persons and their families.

TDH works with state services such as social action and security services. In cases of interception and rescue of trafficked children the organisation involves the communities concerned. Communities choose among themselves who will be members of the vigilance committees. TDH's partners include also the media that uses local languages – such as the women's radio created and operated by women in Banfora in Burkina Faso. TDH-Germany publishes an information bulletin (about the anti-trafficking campaign) distributed to associations and partners. TDH considers one of its shortcomings to be the difficulty of working synergistically within a network; and the absence of funds specifically for repatriating trafficked children is another shortfall. TDH recognises the difficulty of addressing economic reintegration of trafficked children and their families as well as the difficulty of addressing the overall poverty situation in the regions from which the children originate.

5.2 Bridging Gaps and Finding Common Points

The responses from the organisations reveal a profound understanding of the context and processes of human trafficking in Africa.[118] Occasional discrepancies are found between the understanding shared by these

118. Direct quotes in boxes are responses to the distributed questionnaires.

organisations as members of an epistemic community and the way this understanding finds its way into practice at different levels of intervention. A reverse formulation of this statement appears also true: what is being done in practice to resolve a particular dimension of the problem is not always reflected in the explanatory discussions on root causes and policy choices.

5.2.1 Trafficking in Women and Children: a By-product of Social Inequality

Previous research tended to focus on the processes of trafficking and the conditions in which the women and children find themselves rather than the causes at deeper levels (structural, institutional, culture and agency). In recent years a deeper understanding has been developed regarding the conditions in the community and the different supply and demand factors influencing the occurrence of human trafficking. In many instances research has found that community members, parents, women or children still engage in trafficking *in spite of* understanding the risks involved. Often the vulnerability of children to trafficking is an outcome of broader societal neglect.

RAPCAN: 'The context (South African) which renders children vulnerable to trafficking also renders them vulnerable to abuse and neglect more broadly. In fact, in South Africa, I will argue that, in many instances, children are trafficked as part of a broader vulnerability to abuse and neglect.' (RAPCAN response to questionnaire.)

Nevertheless explanations for the continuity and agency of women, children and families of trafficked persons remain inadequate. The tendency is to place the onus on the trafficked persons. ILO-IPEC (2002:19) notes,

> 'Women and girls may themselves take the initiative to migrate in the hope of earning a decent income, escaping a miserable life, or supporting a family back home. In such cases, they are sometimes aware that they are going to work in commercial sex, considering this to be an acceptable short-term remedy to a desperate need to earn a living. They very rarely, however, are aware of the nature of the demands that will be made upon them, the conditions in which they are likely to be held, or the possible long-term repercussions of the activity (including reproductive illnesses and social exclusion).'

ONG-Stratégies et Développement: 'Generally, boy victims of trafficking are used in coffee and cocoa plantations and in the gravel quarries. The girls, by contrast, are used in domestic work, peddling in the markets or they are victims of commercial sexual exploitation. All of these situations show the degree of disrespect for human rights in general and the rights of children in particular.' (ONG-Stratégies et Développement response to questionnaire.)

RAPCAN: '... there is limited recognition of even women, and still less of children, as human beings with rights in their own right.' (RAPCAN response to questionnaire.)

WOCON: '... the community attributes the incidence of child trafficking and child labour to the lack of primary and secondary schools.' (WOCON response to questionnaire.)

GPI: 'teaching the girl child that she has a voice, to use the voice both for herself and others in a society where girls are not meant to be heard.' (GPI response to questionnaire.)

Concerning global inequality, most of the analysis of human trafficking tends to be one-sided, concentrating on the supply side only. A number of organisations (ILO-IPEC, UNIFEM, UNICEF, and Save the Children) have acknowledged that both the supply and demand sides perpetuate trafficking. Trafficking will continue to happen as long as there is a demand for cheap labour, domestic workers, undocumented workers, and undocumented commercial sex workers. Simultaneous intervention to address supply and demand appears imperative.[119]

SC-Sweden: 'There is a combination of causes. The most common are: ignorance (parents and children ignore the risks of trafficking), they are illiterate for the most part and live in conditions of extreme poverty. In addition, most people in West Africa have a long tradition of migration. **Since the drop in prices in primary commodities, there is a very strong demand** in the manual labour market to lower the cost of production for planters and other employers of children who constitute this manual labour that is exploitable and obedient and the employers no longer hesitate to look for them beyond their own borders.' (Emphasis in original) (SC-Sweden response to questionnaire)

119. A good study on the demand side of the problem was done by Save the Children-Sweden published in 2004, entitled 'Trafficking - a demand-led problem?'. See References for complete citation.

5.2.2 Choices of Intervention Measures

Intervention measures are dependent on many factors other than an understanding of the situation. A UNICEF report (2002:15) notes:

> '[t]here is a need for prevention approaches that go beyond awareness-raising to focus on development. There are, for example, no poverty reduction schemes to combat child trafficking in the sub-region other than micro credit schemes in Cameroon and Togo. The costs of awareness-raising activities may be lower than the costs of programmes for poverty reduction. They may be easier to manage and have an immediate impact, while poverty reduction schemes need long-term commitment and maintenance. However, the absence of systematic poverty eradication strategies and the lack of sustained efforts within prevention activities undermine the impact of the entire prevention arsenal.'

Although poverty is consistently cited as a root cause at the level of policy rhetoric, it is not consistently addressed at the grassroots levels, where income generation activities (IGA) and micro-credit is not always available. In some cases IGAs are made available to trafficked persons and their families but only after trafficking has occurred and in the context of economic reintegration with the community.

AWEG: 'While increased campaigns and alternative wealth creation awareness are sought for vulnerable members of the community, the general high level of poverty in the population continues to predispose young women in poor families to trafficking. Government must intensify efforts to alleviate poverty in population while raising the value of the Nigerian currency (Naria) against foreign currency.' (AWEG response to questionnaire)

RAPCAN: 'A major contributing factor is poverty. In South Africa, around 14 million children live in deep poverty with inadequate access to basic requirements for survival. Under these circumstances, children are vulnerable to being "sold" and trafficked for purposes of sexual exploitation, or domestic and agricultural labour. Their parents are also frequently "conned" into thinking that they are sending their child off to a better life with more opportunities.' (RAPCAN response to questionnaire)

AWEG: '[the root causes of trafficking are] poverty, greed, unstable economy, unemployment, success stories as told by the trafficked, lack of awareness on the part of those to be trafficked.' (AWEG response to the questionnaire.)

Many organisations have stated that their inability to address the poverty situation in the community is a direct outcome of their institutional weakness, lack of resources, lack of capacity or mandate. Addressing the demand side appears to be similarly out of the reach of many organisations.

Clearer links between poverty reduction mechanisms and other human trafficking prevention strategies must be established. A common policy platform for all actors engaged in counter-trafficking efforts at the community level needs to be fostered so as to combine poverty-reduction goals with other goals that will ensure socially meaningful options for returnees and their families.

WOCON: 'The lack of capacity to provide alternative means of livelihood such as strengthening the existing cooperative ventures and providing micro-credit for the communities to alleviate acute poverty is also a weakness.' (WOCON response to the questionnaire)

WOCON: 'If the economic conditions of the people are enhanced then they will be less vulnerable to traffickers. Opportunities for income generating ventures for the populace especially through developing available business or cooperative ventures in the community will aid sustainability.' (WOCON response to the questionnaire)

ESAM: 'Social efficiency or the capacity to adapt to a social context of this project now depends on the initiatives taken by the communities themselves to decrease the traffic of children in their context but it is under constraints because of the various small budgets of the project. The increasing demand that cannot be covered might become a risk of demobilisation.' (ESAM response to the questionnaire)

Awareness programmes without providing alternatives for the community members are unlikely to help bring about change. A number of assumptions behind sensitisation and awareness-raising programmes need to be brought into the open and subject to further inquiry. Mere awareness programmes can indeed contribute to gender discrimination by demonising the image of the migrating woman and controlling women's mobility more generally. Communities may be aware of the risks of unauthorised migration but may simply continue to engage in the activity with greater awareness of the risks. Dottridge (2004:11) suggests:

> 'The most effective campaigns to prevent children from being trafficked are based on a thorough understanding of the factors which children and their parents (or others) take into account when considering whether (and when) to leave home. Top down prevention campaigns, which simply impose a message that migration is dangerous because of the risk of falling into the hands of traffickers' seems much less likely to be effective.'

The UNICEF report (2002:13) on trafficking in West and Central Africa notes that:

> 'there are wide variations between the awareness-raising campaigns promoted … and their overall impact in the region is limited by the lack of comprehensive national strategies on trafficking. They often target government officials or public opinion leaders, and rarely penetrate into rural areas or the marginalized communities at risk. Information remains sporadic, mainly journalistic and does little to educate families and children.'

In many cases the primary target group of beneficiaries consists exclusively of either children or women. Men, women and children are rarely addressed at the same time. Simultaneously addressing the trafficking of women, children and men can be a complex intervention, as particular needs and contexts must be accounted for. However, exclusionary practices in the definition of target groups such as children only or women only, can obliterate the suffering of those others – including boys and men.

The causes and processes of trafficking of women and children are intertwined with wider practices within a community. Involving the whole community to foster an understanding on human trafficking in general and how it may have different consequences based on gender, age and ethnicity may build a common will to fight it. The delimitation of the 'girl child' as a target group based on the legal definition (under 18 years of age) is not always helpful as it does not always correspond to the sociological definitions of childhood in many communities.

GPI: 'Every activity revolves around the girl child and they are the group leaders and class monitors in all GPI groups and school outreaches'. (GPI response to the questionnaire)

Research focussed on 'best practices' as a search for effective solutions should not deflect (or sidetrack) attention from the issues which cause the problem, or from locating the key reasons why children and women migrate, why families and parents allow their children to be sent to far off places to work; why women, in spite of understanding the risks of working in commercial sex, still engage in it; why women and girls, in spite of 'awareness programmes', still knowingly go with a middleman into another country/area.

RAPCAN: 'A second important root cause, related also to the context which makes children vulnerable to abuse and neglect more generally is the deeply patriarchal ethos which pervades South African society. Rigid social constructions of masculinity and femininity and a profoundly conservative ethos relegates women and children to positions of being 'owned' (and therefore disposable at the whim of the 'owner') and there is limited recognition of even women, and still less of children, as human beings with rights in their own right. There is a sense of entitlement around sex and sexual activity - almost as though that's what women and children are there for, and they shouldn't complain about it.' (RAPCAN response to the questionnaire)

RAPCAN: '.... the disempowerment already experienced by the majority of our population through that history is exacerbated by poverty which denies opportunities to assume the socially prescribed roles of bread-winner and head of the household.' (RAPCAN response to the questionnaire)

5.2.3 Networking

The experiences of WAO-Afrique, Save the Children-Sweden and TDH-Germany show that it is possible to have intervention at different levels: international, regional, national and grassroots, by cooperating through networks, even if the diversity of actors involved presents its own challenges. Networking seems to be generally good in West Africa but not immediately observable in South Africa.

SC-Sweden: 'SC is a member of the regional working group for the combat against trafficking which includes agencies from UN as well as international NGOs without forgetting the presence of the main group which is the children and young workers' movement.... but because of the diversity of actors, the coordination of activities is sometimes difficult.' (SC-Sweden response to questionnaire)

APDF: 'Creation of a framework for partnership and collaboration between those mentioned and national coalitions.' (APDF response to questionnaire)

SC-Sweden: seeing BP in the context of information sharing between practitioners 'this project insists on the exchange and capitalisation of experience.... a project that promotes best practices and takes into account good and bad experiences of other practices.' (SC-Sweden response to questionnaire)

Many of the practices are dependent on funding from external sources. Sometimes sustained funding is not available until the practice becomes self-sustaining, which can place innovative action

in jeopardy. More sensitivity among funding agencies on the multi-causal nature of the problem and more awareness in communities about the priorities of different funding agencies would be useful in planning for action in ways which creates synergy within a given area.

ESAM: 'There is an increasing demand for action by the community. A deeper sensitization has made clear to the communities that only priority actions can be financed by the project, and that other actions of equal importance or usefulness to combat trafficking will be supported by other projects with matching funds.' (ESAM response to questionnaire)

Many of the practices recognise the use of a participatory approach as an asset. But the learning to be gained from those affected by human trafficking, and the encouragement of their participation at decision-making levels, are not always being reflected in the common policy agenda of the epistemic communities operating at the global level.

WOCON: 'The strength of the project is in the active involvement of the community dwellers in identifying the causes and finding solutions to the prevention of trafficking following the sensitization campaigns.' (WOCON response to the questionnaire)

GPI: 'GPI girls are themselves catalysts and continue to act in the wider society to stem spread of trafficking and other vices'. (GPI response to the questionnaire)

SC-Sweden: 'The participatory approach is at the core of the project, the victims and the communities are involved in all phases of the project. This allows for an ownership of the project by the beneficiaries. This is a project to encourage work in synergy with all the actors which avoids the duplication of action and useless competition.' (SC-Sweden response to the questionnaire)

ESAM: 'one of the strong points ... the participation of children in the implementation process and in the work of the project.' (ESAM response to the questionnaire)

APDF: 'Diversifying and expanding the base of actors in the struggle, beyond traditional actors which could provide an opportunity to do something about demand and a means to dismantle networks of trafficking and sexual exploitation.' (APDF response to the questionnaire)

ONG Stratégies et Développement: 'Strengths of the project: the youth are motivated to involve themselves in the struggle against trafficking.' (ONG Stratégies et Développement response to the questionnaire)

The need for intervention to address prevention, protection and prosecution simultaneously is articulated at the level of debates. It is

not always possible to meet this need owing to a shortfall in resources, institutional capacities and networking in some areas.

RAPCAN: 'On the highest levels, we need a statutory framework which protects and promotes the rights of vulnerable groups. We need policies which implement these laws which are inter-sectoral, rights-based and properly resourced. South Africa is currently developing specific legislation dealing with trafficking in persons, and the issue is also raised in the Sexual Offences and Children's Bills that are currently in "tabled" in this country.... Then we need massive training and awareness raising to sensitise officials and other role-players about the issues, about children's vulnerability, about the rights of children and people in general so that those who encounter children through various "systems" (e.g. criminal justice, social services, health, education, etc.) are appropriately trained and equipped to deal with trafficking. For example, currently, foreign children suspected of being trafficked have no legislative protection, and are commonly repatriated to just across the border of their countries of origin - where they are picked up by the traffickers and brought straight back in!' (RAPCAN response to the questionnaire)

SC-Sweden: 'Most of the states in the region have no capacity and means to face the phenomenon although they might have the good will to do so. Their actions are limited to the repression and even efficiency is not high because the borders are not controlled one hundred percent, the services are not well-equipped, all the procedures are too long and there is corruption.' (SC-Sweden response to the questionnaire)

Some practices have already been replicated. It is not always clear how the particular context where the practice was replicated has been studied, or how the practice has been adapted to suit the new context, but several organisations are clear about what factors are important for successful replication of a practice.

APDF: 'The necessary conditions for a transfer of successful practices are: taking into account the socio-cultural realities of the host country, the political conditions, the level of conscientisation of the population related to the project/problem to be transferred, and also engagement of the political and administrative authorities and the disposition of the partners to press the issue.' (APDF response to the questionnaire)

ESAM: 'The practices of this project can be applied in other regions of the world if one meets the social realities of the regions; moreover, the will for change has to be present at the level of the communities.... The involvement and the participation of the population, a good identification of the problem that is real for the community as it is lived, for which the transfer is meant.' (ESAM response to the questionnaire)

SC-Sweden: [What is needed for replication] are 'Flexibility and using the lessons learned about what was successful as well as what was not successful. After all a participatory approach allows to rectify the course once a problem emerges.' (SC-Sweden response to the questionnaire)

WOCON: 'being insufficiently familiar with the people in the community, and the failure of an organisation intending to execute a project to gain cultural acceptance, may pose obstacles to the replication of the practice in the community.' (WOCON response to the questionnaire)

SC-Sweden: [Replication would fail] 'if one doesn't take into account the local context and especially if the transfer is made with rigidity and without flexibility' (SC-Sweden response to the questionnaire)

5.3 Concluding Remarks

Searching for 'best practices' to address trafficking of women and children in Africa has led to the following observations. The arenas of action are both social and political. Anti-trafficking organisations and the practices they adopt are bearers of beliefs derived from their moral and cognitive visions. From the institutional standpoint – even if an organisation recognises that the problem of trafficking has multiple roots, makes sure that the planned interventions are 'multi-pronged' and 'multi-level', and employs participatory measures – it cannot address the occurrence of human trafficking at all levels. Practical responses need to be scrutinised regarding the discrepancy between field analysis and choice of intervention. Responses from the field suggest that more can be done to learn from NGOs' experiences in order to improve interpretations of human trafficking at the policy level. And policy agendas of funding agencies could benefit from more openness rather than closure to negotiations with organisations active *in situ.*

Chapter 6

The Way Forward

The diversity of forms of human mobility in the contemporary context of global linkage requires an analytical approach which can explain why the needs of the constituents of social structures and human agency (gender, class, generation and ethnicity) have converged to produce what is known as human trafficking. Without adequate explanation policy tends to shift stance and direction. Reactions premised on human rights concerns have contributed to new international, regional and national legislative frameworks that oppose abusive and exploitative practices in migration. A key concern remains the wide landscape of policy issues underlying the problem, and how policy approaches – in diverse areas such as migration management, crime control, labour standards, poverty reduction and particular needs of communities at risk – can be coordinated to curtail practices of human trafficking and ensure human rights protection.

In SSA, existing knowledge on specific features of the trafficking of children and women shows a close interaction between the cultural domain and the changing social, political and economic relations. The rise of migration by children and young people within and outside traditional practices under risky conditions may signify more than a temporary means to make ends meet. It may also reflect at a deeper level some structural transformation which is becoming manifest in various forms of coping with deprivation and poverty. Knowledge about the intersection between migration and trafficking has not yet brought about any consensus on the underlying forces and their implications for the wellbeing of children and women. This poses a considerable challenge to the makers of policy for the future recovery of this region. The benefit of remittances cannot outweigh the long-term costs to individuals and society at large. The mechanisms of intergenerational transmission of poverty triggered by current patterns of migration and trafficking constitute a key area for such research as could show how to reverse current trends.

Communities of actors have emerged throughout the world in a collective struggle against human trafficking and may be grouped according to their mandates, such as: anti-slavery, children's wellbeing, gender equality, orderly migration and crime control. In SSA, such communities have taken steps to build regional networks of knowledge and action to address the context-specific dimensions of the problem. Like-minded organisations have formed alliances through creating and maintaining a database by which to share knowledge. The information thus gathered points to some sector-specific patterns which are sensitive to the altering regional and global forces and the interface of these with local conditions. Trafficking linked with export-oriented agriculture and commercial services in tourism appears more sensitive to global forces; when linked with domestic services it tends to react to national and regional forces.

Deprived of resources and constrained by considerations of funding agencies as they are, the choices for intervention by grassroots organisations are unfortunately not always determined by what they know. For example, whereas unsustainable livelihoods may be known to those on the spot as a key causal issue, criteria for funding usually direct activities along the lines of awareness-raising, human rights education and re-shaping cultural practices. The few projects which do address poverty issues provide micro-credit for returnees merely in the context of economic reintegration and without due attention to their resumed position and 'standing' in the community. We note that communities of practitioners in SSA share an awareness about the significance of bridging and synchronizing the three levels of intervention (prevention, prosecution and protection), but this awareness at times remains detached from actual action – owing to the lack of resources and institutional capabilities.

Being a multi-causal problem, human trafficking requires a multi-dimensional answer. No single organisation is capable of 'solving' all affiliated problems, nor should it enforce one vision of the problem as global. A combination of practices capable of creating synergetic effects and consolidating policy goals among engaged actors is sorely needed; but this is being prevented by the paradox of the liberalisation of economies despite the non-liberalisation of labour mobility. One way to address this dilemma may be to lift the barriers to labour mobility irrespective of skill levels. The political feasibility of this option is small at regional as well as global level (Pécoud and de Guchteneire, 2005). Haas (2005: 13) proposes a liberal approach towards labour migration of both low and highly skilled workers where a real demand exists, but with restricted application in respect of circular migration where no permanent settlement can result. The difficulty with Haas's proposal is that it resonates with the same logic of migration management as did South Africa's Apartheid regime

which left many (Black) migrant communities in poverty as they were not permitted to settle. Their poverty has been transmitted to younger generations because working adults were constantly on the move. Constant movement of adults undermines emotional attachment, domestic stability and household asset management (Moser, 1999). The constant movement of male workers is now known also to have spurred prostitution and sex trafficking. De Haan (2000:28) points out that the denial of rights of migrants – relating to free circulation, requesting and obtaining asylum, and being accompanied by family members – in international contexts but also at the national level, limits a migrant in building an ongoing livelihood. The proposal to apply the principle of circular migration among low-skill workers may serve the interests of societies which face sector-based labour deficits, but not (in any real way) those of migrant workers and their families.

Another way of resolving the paradox could be to 'socialise' the mobility of financial capital by introducing norms which make it serve also social as well as merely economic ends. This would require stronger pressure on corporate responsibility through sector-specific monitoring and mobilisation for support, and a more robust attack on poverty and deprivation – one guided by the human development approach which ensures security of livelihood, and dignity of identity, for individuals, families and communities, without their resort to risky migration. When people's capabilities and entitlements are enhanced – and when institutions of governance become responsive to their voices, anxieties and their social conditions – migration options become less attractive. This human development approach remains weak on care both as a quotidian reality and as ethical practice (Gasper and Truong, 2005). For an approach centred on the people themselves to work, the full connotation of care must be brought to bear. Care is: the maintenance of persons and institutions that makes production possible, and a moral disposition that stresses attentiveness and responsiveness to the voices of those yet excluded from the policy process but affected by the decisions taken. Understanding care in this way will help resolve the current contention between knowledge networks that hampers policy coordination.

The absence of consensus renders choices in collective action more vulnerable to error. When common sense and/or received wisdom from historical experience fails and gaps in knowledge of the current situations persist, collective action for the protection of human rights must rely on a consortium of experts who cooperate with each other to maintain a working level of effectiveness. A plurality of foci of authoritative knowledge offers diverse and potentially richer interpretation as well as fuller representation; and cross-cultural learning can improve the chance of finding innovative practices which reflect the acceptance of pluralism and diversity.

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On human trafficking in Africa

- http://www.antislavery.org/archive/submission/submission1999-03Child.htm
- http://www.antislavery.org/archive/other/networktraffickingchildrenwafrica2003.htm
- http://www.antislavery.org/homepage/resources/humantraffic/Hum%20Traff%20Hum%20Rights,%20redef%20vic%20protec%20final%20full.pdf
- http://www.antislavery.org/archive/other/trafficking-benin-synopsis.htm
- http://www.antislavery.org/archive/other/trafficking-children-wafrica.htm
- http://www.irinnews.org/report.asp?ReportID=19693&SelectRegion=West_Africa
- http://www.unicef-icdc.org/publications/pdf/insight7.pdf
- http://www.iom.int/iomwebsite/Project/ServletSearchProject?event=detail&id=ZA1Z032
- http://nahtiwa.virtualactivism.net/countryreports.htm (Network against human trafficking in West Africa)
- http://www.unicri.it/nigeria_website.htm
- http://www.irinnews.org/report.asp?ReportID=43754&SelectRegion=Southern_Africa
- http://usinfo.state.gov/products/pubs/traffick/
- http://www.globalmarch.org/worstformsreport/world/benin.html

On best practices

- http://www.bestpractices.org/
- http://www.ecpat.net/eng/CSEC/good_practices/index.asp
- http://www.state.gov/g/tip/rls/tiprpt/2004/33186.htm
- http://www.unesco.org/most/bphome.htm
- http://www.unesco.org/most/welcome.htm
- http://portal.unesco.org/shs/en/ev.php-URL_ID=1211&URL_DO=DO_TOPIC&URL_SECTION=201.html
- http://www.promisingpractices.net/
- http://www.iom.int/

The participating practices and other practices in Africa

- http://www.catwinternational.org/about/index.html#phil
- http://www.advocacynet.org/cpage_view/nigtraffick_girlsforsale_6_25.html
- http://www.uri.edu/artsci/wms/hughes/mhvmali.htm
- http://www.antislavery.org/archive/other/networktraffickingchildrenwafrica2003.htm
- http://www.advocacynet.org/cpage_view/nigtraffick_familyschool_6_30.html
- http://www.enda.sn/eja/anglais/index.htm
- http://www.cooperation.net/info/111446.html
- http://www.enda.sn/eja/anglais/endafriens/enda%20jai.htm

- http://www.enda.sn/eja/anglais/endafriens/enda%20mali.htm
- http://portal.unesco.org/en/ev.php-URL_ID=20372&URL_DO=DO_TOPIC&URL_SECTION=201.html
- http://www.electroniccommunity.org/GirlsPower/
- http://www.electroniccommunity.org/GirlsPower/gender_dev.htm
- http://www.hri.ca/organizations/viewOrg.asp?ID=5639
- http://www.terredeshommes.org/en/Welcome/default.asp
- http://www1.umn.edu/humanrts/africa/mali.htm
- http://www.icon.co.za/~crisp/songololo.html
- http://www.advocacynet.org/cpage_view/nigtraffick_girlsforsale_6_25.html
- http://www.ifrance.com/toiledudeveloppement/
- http://www.ifrance.com/stradev/presentation.htm
- http://www.justicemali.org/apdf.htm
- http://www.rapcan.org.za/news/annual99b.htm
- http://www.saspcan.org.za/
- http://www.rb.se/eng/
- http://www.bice.org/en/presentation/&prev=/search%3Fq%3Dbice%2Btogo%26hl%3Den%26lr%3D%26ie%3DUTF-8%26oe%3DUTF-8
- http://www.bice.org/fr/presentation/bicenationaux/togo.php&prev=/search%3Fq%3Dbice%2Btogo%26hl%3Den%26lr%3D%26ie%3DUTF-8%26oe%3DUTF-8
- http://www.tampep.com/
- http://www.europap.net/links/tampep.htm
- http://membres.lycos.fr/waoafrique/
- http://www.enda.sn/eja/anglais/presentation/wao%20africa.htm
- http://www.wildaf-ao.org/fr/mb_geria.htm
- http://www.enda.sn/eja/anglais/index.htm
- http://www.enda.sn/eja/anglais/endafriens/enda%20jai.htm
- http://www.enda.sn/eja/anglais/endafriens/enda%20mali.htm
- http://www.enda.sn/eja/anglais/presentation/wao%20africa.htm
- http://www.wocononline.org/home.html
- http://www.wocononline.org/index.htm
- http://216.239.39.104/translate_c?hl=en&u=http://www.stradev.fr.st/&prev=/search%3Fq%3Dong-strategies%2Bet%2Bdeveloppement%2Bbenin%26hl%3Den%26lr%3D%26ie%3DUTF-8

On general trafficking and migration issues and UN projects

- http://www.antislavery.org/homepage/resources/link.htm#link8
- http://www.antislavery.org/archive/submission/submission1999-03Child.htm
- http://www.antislavery.org/index.htm
- http://www.antislavery.org/homepage/resources/humantraffic/Hum%20Traff%20Hum%20Rights,%20redef%20vic%20protec%20final%20full.pdf
- http://www.vaw.umn.edu/documents/traffickbib/traffickbib.html (trafficking bibliography)
- http://globalmarch.org/worstformsreport/world/childtrafficking.html

- http://www.nswp.org/mobility/untoc-comment.html
- http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents/index.htm
- http://www.december18.net/web/general/start.php
- http://www.hrw.org/
- http://www.huridocs.org/catwen.htm
- http://www.bayswan.org/FoundTraf.html
- http://www.gaatw.org/ (GAATW website sometimes not functioning)
- http://hrw.org/backgrounder/wrd/trafficking-framework.pdf
- http://www.unicef.org/protection/trafficking.pdf
- http://www.humantrafficking.com/humantrafficking/htindex.aspx
- http://www.anti-slaverysociety.addr.com/slavetrade.htm
- http://training.itcilo.it/actrav/cr/download.htm
- http://www2.fmg.uva.nl/imes/
- http://www.unesco.org/most/migration/convention/#Top
- http://portal.unesco.org/shs/en/ev.php@URL_ID=1211&URL_DO=DO_TOPIC&URL_SECTION=201.html
- http://www.iom.int/
- http://www.iom.int/DOCUMENTS/GOVERNING/EN/MCINF_270.PDF
- http://databases.unesco.org/migration/MIGWEBintro.shtml
- http://www.migrationinformation.org/Feature/display.cfm?id=231 (Mode 4 debate)
- http://www.migrantwatch.org/index.html
- http://www.polarisproject.org/polarisproject/
- http://www.catwinternational.org/index.php
- http://www.unhchr.ch/huridocda/huridoca.nsf/%28Symbol%29/E.CN.4.2000.68.En?Opendocument
- http://www.ifrance.com/stradev/presentation.htm
- http://www.uri.edu/artsci/wms/hughes/pubvio.htm
- http://www.web.net/~ccr/trafficking.html
- http://www.hrdc.net/sahrdc/hrfquarterly/Oct_Dec_2002/Trafficking_solution.htm
- http://www.undp.ro/governance/law_enforcement.php (UNDP BP manual in Romania)
- http://portal.unesco.org/shs/en/ev.php-URL_ID=3582&URL_DO=DO_TOPIC&URL_SECTION=-473.html
- http://photobank.unesco.org/exec/index.html
- http://www.unescobkk.org/culture/trafficking/unesco.htm
- http://www.unicri.it/
- http://www.humantrafficking.com/humantrafficking/client/view.aspx?OrganizationID=260
- http://www.unifem-eseasia.org/resources/others/traffic.htm
- http://www.unodc.org/unodc/en/trafficking_comparative_advantages.html
- http://www.unodc.org/unodc/index.html
- http://www.state.gov/g/tip/rls/tiprpt/2003/
- http://www.usaid.gov/our_work/cross-cutting_programs/wid/activities/trafficking_persons.html
- http://usmex.ucsd.edu/justice/documents/richard_trafficking_biblio.pdf

Various African groups and databases for contacts

- http://www.anppcan.org/
- http://www.anppcan.org/new/resources/international/home.htm
- http://216.239.37.104/translate_c?hl=en&u=http://www.bice.org/en/presentation/&prev=/search%3Fq%3Dbice%2Btogo%26hl%3Den%26lr%3D%26ie%3DUTF-8%26oe%3DUTF-8
- http://www.catwinternational.org/about/
- http://www.cracnig.org/index.htm
- http://www.chin.org.zm/
- http://www.catwinternational.org/index.php
- http://www.crin.org/index.asp
- http://www.gaatw.org/
- http://www.gaatw.org/activities_contents.htm
- http://globalmarch.org/index.php
- http://20mars.francophonie.org/VoirEvt.cfm?Num=1432&an=2003
- http://www.peacewomen.org/contacts/conindex.html
- http://www.peacewomen.org/
- http://www.peacewomen.org/resources/Trafficking/traffickingindex.html
- http://www.geocities.com/sosvx_online/
- http://www.peacewomen.org/contacts/africa/south%20africa/sou_index.html
- http://nahtiwa.virtualactivism.net/countryreports.htm
- http://info.queensu.ca/samp/
- http://www.gaf.co.za/projects.htm
- http://globalmarch.org/worstformsreport/world/africa-region.html
- http://www.yesweb.org/alliance/members.html?membertype=org&RegionID=1

Others

- http://usinfo.state.gov/products/pubs/traffick/ (US State Dept, US Information)
- http://www.irinnews.org/report.asp?ReportID=26560&SelectRegion=West_Africa (IRIN News. Org)
- http://nahtiwa.virtualactivism.net/countryreports.htm (Network against human trafficking in West Africa)
- Oonagh, Sands (2004) 'Temporary Movement of Labor Fuels GATS Debate', Migration Information Source, website of the Migration Policy Institute at http://www.migrationinformation.org/Feature/display.cfm?id=231
- http://www.yesweb.org/alliance/members.html?membertype=org&RegionID=1
- http://www.cracnig.org/index.htm

ANNEX 1 Data

Figures for Section 2.3

Notes: For data on child development, and as a bench mark for planning, a child is defined as a person under the age of 18.

Sociological notions of childhood are multifarious and depend on economic and cultural contexts in which adulthood, youth and childhood are defined by factors other than years of age.

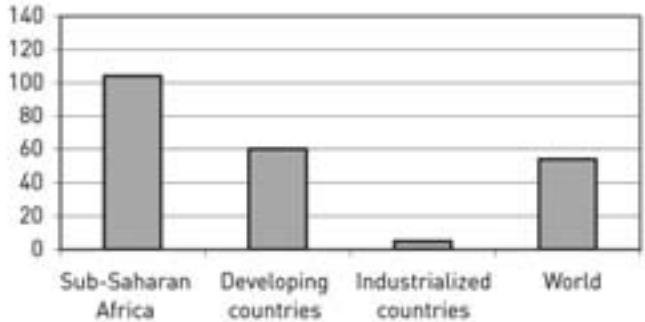
Source for basic data: UNICEF (2005) The State of the World Children.

Compiled by Elizabeth Johanna Brezovich.

Sub-Saharan African Countries by Region

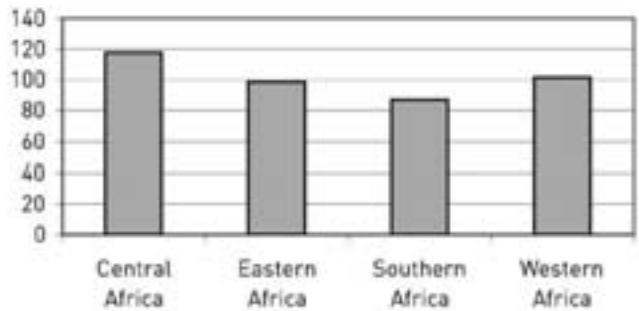
CENTRAL	EASTERN	SOUTHERN	WESTERN
Cameroun	Burundi	Angola	Benin
Central African Republic	Comoros	Botswana	Burkina Faso
Chad	Eritrea	Lesotho	Cape Verde
Congo	Ethiopia	Malawi	Cote d'Ivoire
Democratic Republic of the Congo	Kenya	Mozambique	Gambia
Equatorial Guinea	Madagascar	Namibia	Ghana
Gabon	Mauritius	South Africa	Guinea
Sao Tome and Principe	Rwanda	Swaziland	Guinea-Bissau
	Seychelles	Zambia	Liberia
	Somalia	Zimbabwe	Mali
	United Republic of Tanzania		Mauritania
	Uganda		Niger
			Nigeria
			Senegal
			Sierra Leone
			Togo

Figure 2.1 Infant mortality rate in 2003 (World Regions)



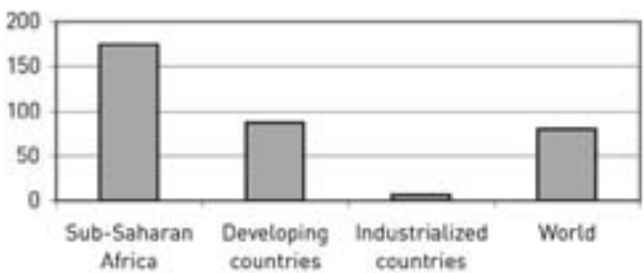
Note: Infant mortality rate is defined as the probability of dying between birth and exactly one year of age expressed per 1,000 live births

Figure 2.2 Infant mortality rate in SSA in 2003



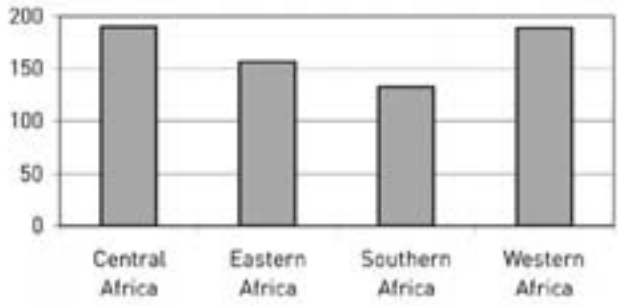
Note: Infant mortality rate is defined as the probability of dying between birth and exactly one year of age expressed per 1,000 live births

Figure 2.3 Under-5 mortality rate in 2003 (World Regions)



Note: Defined as the probability of dying between birth and exactly 5 years of age expressed per 1, 000 live births.

Figure 2.4 Under-5 mortality rates in SSA in 2003



Note: Defined as the probability of dying between birth and exactly 5 years of age expressed per 1, 000 live births.

Figure 2.5 Under–5 Mortality Rate: Average Annual Rate of Reduction for 1960-1990 and 1990-2003

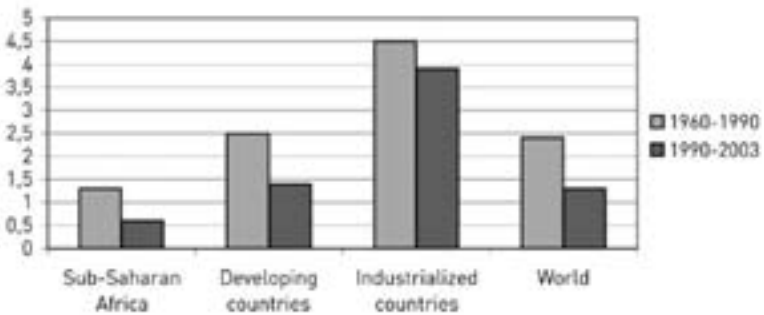
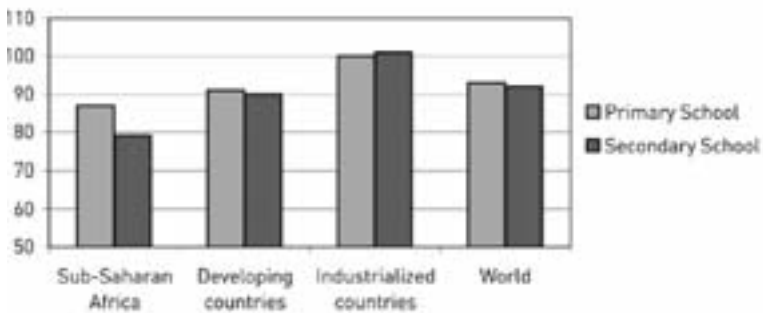


Figure 3.1 Gross enrolment ratios, females as a percentage of males (1998-2002)



Note: 'Girls' gross enrolment ratio divided by that of boys, as a percentage. The gross enrolment ratio is the number of children enrolled in a schooling level (primary or secondary), regardless of age, divided by the population of the age group that officially corresponds to that level.' (State of the World's Children 2005, p137) Data refer to the most recent year available for the specified period; averages may therefore draw on data from different years.

Figure 3.2 Gross enrolment ratios, females as a percentage of males (1998-2002)

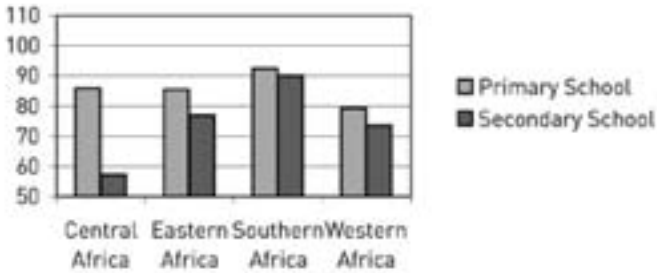
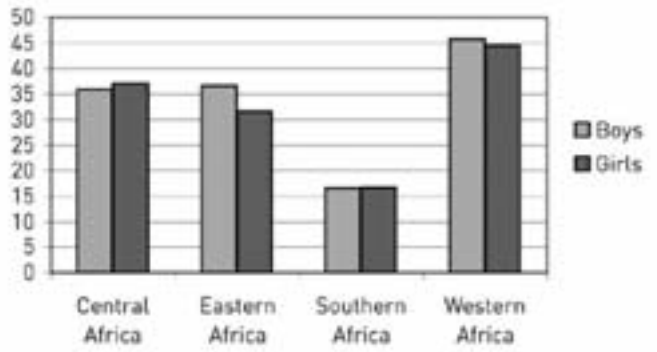


Figure 4. Average percentage of children 5-14 years old in child labour, by sex (1999-2003)



Note: Child labour as defined by UNICEF: 'Percentage of children aged 5 to 14 years of age involved in child labour activities at the moment of the survey. A child is considered to be involved in child labour activities under the following classification: (a) children 5 to 11 years of age that during the week preceding the survey did at least one hour of economic activity or at least 28 hours of domestic work, and (b) children 12 to 14 years of age that during the week preceding the survey did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work combined.' (The State of the World's Children 2005, p. 139).Data is missing for South Africa, Mozambique, Botswana and Namibia, making the Southern Africa regional average based only on the figures for the other countries in Southern Africa and therefore uncertain, given the large proportion of the population that those four countries contribute to the region. Data refer to the most recent year available for the specified period; averages may therefore draw on data from different years.

ANNEX 2 English Version Questionnaire 1

Thank you very much for taking the time to fill in this questionnaire. Please feel free to input your answers directly onto this form and use additional sheets/space whenever necessary.

To organisations that do not have direct counter-trafficking interventions but have other programmes that address abuses against women and children, we request that you fill in the organisational details (this page only), so that we can include this information in our data base of network organisations working on related issues.

To respondents with counter-trafficking projects or interventions or projects that could possibly be part of the 'best practices' report of UNESCO, please fill in all parts of the questionnaire. Whenever needed, feel free to use additional space or paper. Please return this questionnaire via email or post *on or before April 16, 2004*.

If possible, please inform us by email that you have responded by post. Thank you very much for your cooperation!

We request also that this questionnaire and our letter be forwarded to those who you think should receive it. We would appreciate it very much if you can help us spread this questionnaire to more organisations.

Organisation Name:

Name of the Responsible for the Project:

Function:
Email Address (if available):
Street or P.O Box:
City/Town:
Postal Code:
Country:
Telephone:

Name of the Organisation responsible for the project:

Email Address (if available)
(If different from the above address, please fill in):
Street or P.O. Box
City/Town:
Postal Code:
Country:
Telephone:

Project Title (if applicable): (If the title does not explain what the project, programme, method, or approach is about; please add a subtitle that does):

1. Project Profile

1.1 Project Type (governmental, non-governmental, municipal, etc.):

1.2 Staffing of the project:

1.3 Setting:

1.3.1. What is the geographic setting of the project? (country, region, geographic scope of project, etc.?)

1.3.2. Did the practice originate within the community? If not, where did it originate?

1.4. What is the working language?

1.5. Period

1.5.1. When did the project start (dd/mm/yy)?

1.5.2. Is the project concluded? If yes, when did it finish? Why?

1.6. Budget (If possible or applicable, please indicate the total budget for the best practice)

1.6.1. Total budget:

1.6.2. Funding sources:

1.6.3. Period of funding:

2. Description of the project

2.1. Level of intervention/Key theme:

a) direct support to victims and their families

b) community level

c) organisations responsible for the handling of human trafficking

d) others (please specify)

2.2. Please state the main objectives of the project.

2.3. Summary of the practice

2.3.1. Strategy

2.3.2. Activities

2.3.3. Results

2.4. Stakeholders

2.4.1. Target group(s):

2.4.2. Who are the main initiators and actors?

2.4.3. How and with what function are stakeholders and beneficiaries represented in the practice?

2.4.4. Please give an indication of the number of stakeholders and beneficiaries involved.

2.5. Who are the partners at the community, national and international level in this project, if any? What is the form of cooperation?

3. Strengths and weaknesses of the project

3.1. Briefly describe what you consider the strengths of the project/ practice.

3.2. Please assess the possible weaknesses and negative effects or impacts of the projects/practice, and the risks it entails:

3.3. The practice's success

3.3.1. Why would you consider this as a successful or 'Best Practice'? Please provide quantitative and qualitative evidence that supports your argument.

3.3.2. Does the target group regard it as a 'good practice'? How?

3.3.3. Do professionals working in the practice regard it as a 'good practice'? How?

3.4. Is there a linkage between research and policy-making in the practice? If so, how?

3.5. Is the practice demonstrating innovation in addressing social challenges? If so, how?

3.6. Sustainability: (Which aspects of sustainability does the practice involve? How, why?)

[ ] economic aspects (please cite examples)

[ ] social aspects (please cite examples)

[ ] cultural aspects (please cite examples)

[ ] other aspects, such as political aspects, etc. (please cite examples)

3.7. Efficiency

a) appropriateness: Do the project activities address an objective that can be clearly related to policy or government failure? If so, how?

b) superiority: Is the project more effective than other instruments that might achieve the same goals? If so, how?

c) systemic efficiency: Does the project interact with other activities in the same domain for the creation of synergy? If so, how?

d) own-efficiency: Is the project cost-effective in achieving its specific objectives? If so, how? If not, please state clearly the main reasons for which long-term support might be needed.

e) adaptive efficiency: To what extent do the results from mid-term and end-evaluations in the past feedback into the design of ongoing and future activities?

4. Problems encountered

4.1 What kinds of problems were encountered?

4.2. How were these problems tackled and/or resolved?

4.3. How could the practice be developed or improved?

5. Possibilities for replication

5.1. What is the potential for applying all or parts of the initiative to other regions and social areas?

5.2. What specific conditions or obstacles make it difficult to replicate or transfer the practice elsewhere?

5.3. What conditions would you consider essential for successful replication?

5.4. Are there any unresolved issues?

5.5. Has the practice been replicated elsewhere (as far as you know)? Where? By whom?

6. Other remarks

Name of person who completed this questionnaire:

Position:

Date:

Thank you very much for your cooperation and participation!

ANNEX 3 English Version Questionnaire 2

The following are only the basic questions asked in the second round of the study. Additional questions specific to the organisation, to complete the information needed on the organisation were also asked in this phase of the study.

1. What do you think are the root causes of child (and women) trafficking?

2. How do you see change happening? How can/will trafficking be resolved? If you prefer you can answer the question in the context of the area where you are operating.

3. No one organisation or practice can address all the parts of the complex problem of trafficking. What part does (the organisation) play, and how can the other aspects of the problem be addressed?

ANNEX 4 Contact Addresses of the Participating Organisations

1. Enfants Solidaires d'Afrique et du Monde (ONG-ESAM)

(Regional and national level NGO, based in Benin)
Contact Person: Erick Fanou-Ako, Chargé de Programmes
Email Address: esam@firstnet1.com or esam@firstnet.bj
Complete Address: 08 BP 0049 TRI Postal Cotonou, Cotonou, Littoral 00229, Benin
Telephone and Fax: (229) 305 237, (229) 313 877, (229) 303 837

2. ONG-Stratégies et Développement

(National NGO, based in Benin)
Contact Person: Comahoue Sewa, Chargé de Projet
Email Address: dansoube@yahoo.fr or developpement_strat@yahoo.fr
Complete Address: 01 BP 5360, Cotonou, Benin

Telephone and Fax: (229) 980 236 or (229) 903 298
Website: www.stratdev.fr.st

3. World Association for Orphans (WAO-Afrique)

(National NGO, based in Togo)
Contact Person: Odette Houédakor, Chargé de Programmes
Email Address: wao.afrique@bibway.com or waoafrique@hotmail.com
Complete Address: Adidogomé, rue des Frères Franciscains, BP 80242, Lomé, Togo
Telephone and Fax: (228) 225 89 90 or (228) 225 22 49

4. Association pour le Progrès et la Défense des Droits des Femmes Maliennes (APDF) (National NGO, based in Mali)

Contact Person : Fatoumata Siré Diakite, Présidente and Directrice Exécutive Régionale
Email address: apdf@datatech.toolnet.org
Complete Address: Immeuble Djiré Hamdallaye ACI 2000 Avenue Cheick Zayed, BP E 787, Bamako, Mali
Telephone and Fax: (223) 229 1028

5. Women's Consortium of Nigeria (WOCON)

(National NGO, based in Nigeria)
Contact Person: Bisi Olateru-Olagbegi, Executive Director
Email Address: wocon95@yahoo.com
Complete Address: 2nd floor, 13 Okesuna street, Off Igbosere Rd. PO Box 54627 Ikoyi, Lagos, Nigeria
Telephone and Fax: 234-1-2635300, 234-1-2635331

6. Girls' Power Initiative (GPI)

(National NGO, based in Nigeria)
Contact Person: Grace Osakue, Coordinator for Edo/Delta States
Email Address: gosakue@gpinigeria.org or gpibenin@gpinigeria.org
Complete Address: 2 Hudson Lane, Off 95 Akpakpava Street, P. O. Box 7400, Benin City, 300001, Nigeria
Telephone and Fax: (234) 52 255 162

7. African Women Empowerment Guild (AWEG)

(National NGO, based in Nigeria)
Contact Person: Dr. Nosa I. Aladeselu, President
Email Address: aweg95@yahoo.com or nosaaladeselu@yahoo.co.uk
Complete Address: 29 Airport Road (YWCA Building), PO Box 8083, Benin City, Nigeria
Telephone and Fax: (234 52) 256 555, (234 52) 258 644, (234 52) 252 186

8. Resources Aimed at the Prevention of Child Abuse and Neglect (RAPCAN)

(National NGO, based in South Africa)
Contact Person: Carol Bower, Executive Director
Email Address: carolb1@iafrica.com
Complete Address:
Telephone and Fax: (27) 21 712 2330 or (27) 21 712 2365
Website: www.rapcan.org.za

9. Save the Children-Sweden

(Regional Programme, based in Senegal)
Contact Person: Elkane Mooh, Conseiller Régional/ Regional Advisor
Email Address: elkane.mooh@scswa.org, scs@sentoo.sn and moohel@hotmail.com
Complete Address: Save the Children Suède, Bureau régional pour l'Afrique de l'Ouest
Point E, Rue 6xC, BP 25 934 Dakar- Fann, Sénégal
Telephone and Fax: (221) 869 18 00, (221) 864 4463
or Save the Children Sweden
SE 107 88 Stockholm, Sweden
Torsgaten 4
Tel + 46 8 698 90 00
Website: www.rb.se

10. Terre des Hommes-Germany (TDH)

(Regional coordination office based in Burkina Faso)
Contact person: Sié Offi SOME
Email Address: tdha@fasonet.bf
Complete Address: 01 BP 768 Bobo-Dioulasso 01, Burkina Faso
Telephone and Fax: (226) 97 3103 and (226) 97 3104
Or the international office at
International Federation Terre des Hommes
31 Chemin Frank-Thomas - CH-1223 Cologny/Geneva, Switzerland
Contact Person: Eylah Kadjar-Hamouda, Coordinator IFTDH
Telephone: (41) 22 736 33 72 Fax: (41) 22 736 15 10
E-mail: intl-rel@iftdh.org
Website: www.terredeshommes.org

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POVERTY, GENDER AND HUMAN TRAFFICKING IN SUB-SAHARAN AFRICA:

Rethinking Best Practices in Migration Management

By Thanh-Dam Truong

Many aspects of human trafficking remain poorly understood even though it is now a priority issue for many governments. Information available about the magnitude of the problem is limited. While the existing body of knowledge about human trafficking serves for raising public consciousness about the issue it is still not rigorous enough to lend support to comprehensive programmes for action which addresses the different dimensions of the problem. Knowledge about the intersection between migration and trafficking has not yet brought about any consensus on the underlying forces and their implications for the wellbeing of children and women. The diversity of forms of human mobility in the contemporary context of global linkages requires an analytical approach which can explain why the needs of the constituents of social structures (gender, class, generation and ethnicity) and human agency have converged to produce what is known as human trafficking. Without adequate explanation, policy tends to shift stance and direction.

The Report points out how practices of migration management can benefit from a more holistic approach – one which addresses a broad set of overlapping livelihood systems. A selected number of practices by organisations participating in this research is presented – giving their profiles, strengths and weaknesses, the way they understand trafficking, and the replicability of their practices. Preventive measures can benefit from research on migration management that connects issues of human mobility with capital mobility in a sector-specific analytical approach. A re-orientation of capital mobility towards social ends may possibly contribute to stability and well-considered migration policy frameworks.

A plurality of foci of authoritative knowledge offers diverse and potentially richer interpretation as well as fuller representation; and cross-cultural learning can improve the chance of finding innovative practices which reflect the acceptance of pluralism and diversity.

INTERNATIONAL MIGRATION PROGRAMME

POVERTY ERADICATION