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EX.CL/313 (X)

**REPORT OF THE JOINT AFRICA-EU MINISTERIAL
CONFERENCE ON MIGRATION AND DEVELOPMENT**

INTRODUCTORY NOTE

The African Union has been engaging the European Union on migration and development in the framework on the AU-EU Troika. During the Bamako AU-EU Troika Ministerial, which took place on December 2, 2005, the EU side proposed that an Africa-EU Ministerial Conference on Migration and Development should be held in 2007.

The Eighth Ordinary Session of the Executive Council of the African union meeting in Khartoum in January 2006 adopted the decision EX.CL/DEC.264 (VIII), which mandated the AU Commission to convene an experts meeting on migration and development in Algiers, Algeria in order to prepare a common African position in preparation for the Africa-Europe conference.

The AU Assembly through decision Assembly/AU/ Dec.125 (VII) adopted during the Banjul Summit endorsed the African Common Position on Migration and Development and requested the AU Commission to convene as soon as possible the Africa-EU Ministerial Conference on Migration and Development, which the Great Socialist Peoples Libyan Arab Jamahiriya offered to host. The 7th EU-Africa ministerial troika meeting that took place on 10 October 2006, in Brazzaville. Congo agreed to hold the Africa-EU Ministerial Conference on Migration and Development from 21-23 November 2006.

The main outcome of the Conference was a Joint Africa-EU Declaration on Migration and Development that is substantial and action oriented with an appropriate follow up mechanism. The Conference also adopted The Africa-EU Plan of Action on Trafficking in Human Beings Especially Women and Children.

EX.CL/313 (X)
Annex I

REPORT OF MINISTERS



**AFRICA- EU MINISTERIAL CONFERENCE ON
MIGRATION AND DEVELOPMENT,
21-23 NOVEMBER 2006
TRIPOLI, GREAT SOCIALIST PEOPLE'S
LIBYAN ARAB JAMAHIRIYA,**

MIGR/MIN/RPT

REPORT OF MINISTERS

22-23 NOVEMBER 2006

**REPORT OF THE AFRICA-EU MINISTERIAL CONFERENCE ON
MIGRATION AND DEVELOPMENT
TRIPOLI, LIBYA- 22-23 NOVEMBER 2006**

INTRODUCTION

1. The Africa-EU Ministerial Conference on Migration and Development was held in Tripoli, Libya, on 22-23 November 2006. The deliberations centred on Migration and Development and the Joint Declaration between Africa and EU countries.

ATTENDANCE

2. The following Member States of the African Union and Morocco were in attendance: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Chad, Comoros, Congo, Cote d'Ivoire, Democratic Republic of Congo, Egypt, Eritrea, Ethiopia, the Gambia, Gabon, Ghana, Guinea, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mozambique, Namibia, Niger, Nigeria, Senegal, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

3. The following Member States of the European Union (EU) were also in attendance: Austria, Belgium, Czech Republic, Cyprus, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Malta, The Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom.

4. The following International Organizations were also represented: The European Council, ILO, IOM, UNHCR.

OPENING CEREMONY

5. The opening ceremony was chaired by the Guest of Honour, the Secretary of Migration in the Great Socialist People's Libyan Arab Jamahiriya, Mr. Abdulrahman Mohamed Shalgam, who welcomed delegates. In his opening address, the Secretary conveyed the greetings of the people and Government of Libya and commended the initiative taken by the Africa and the EU to organize the Conference.

6. He stressed the important consequences of the phenomenon of migration between Africa and Europe and underlined the need to evolve a regional approach for resolving urgent issues associated with it.

7. He cited the main causes of migration as poverty, unemployment, underdevelopment, unequal terms of global trade and conflicts and noted that the impact included trafficking in human beings, in particular women and children.

8. He urged the meeting to address these issues with a view to helping the African continent to overcome issues related to poverty, diseases and famine, and various other problems associated with the migration phenomenon.

9. Finally, he invited the representatives of Member States of Africa and the European Union and International Organizations present to address the meeting.

(ii) AU Presidency (Congo, Brazzaville)

10. In his statement, the representative of the AU presidency, the Minister of Foreign Affairs of Congo, thanked the people and the government of the Great Socialist People's Libyan Arab Jamahiriya for hosting the conference and for rendering the excellent facilities put at the disposal of the Conference. He further elaborated on the root causes of migration in Africa and highlighted the importance of dialogue between Africa and the EU to address problems related to it as the two continents share the common problem. He finally called upon African Member States to support the outcome of the Conference, which is a Joint Declaration and stressed its implementation as crucial to Africa and Europe.

(iii) Speech by EU Presidency (Finland)

11. In his own remarks, the Representative of the EU Presidency, Mr. Erkki Tuomioja also hailed the organization of the Africa-EU Ministerial Conference on Migration and Development as an important milestone in the history of relations between the two continents. In particular, he thanked Libya for agreeing to host the Conference and providing facilities for its support.

12. He indicated that dialogue and cooperation between the EU and Africa on migration and development had become more important than ever in this context and emphasized. migration issues cannot be addressed in isolation as they are strongly linked to other policy issues such as health, education, peace and security, trade and economy, employment and good governance

13. He explored the reasons why people move from Africa to Europe or from Europe to Africa, and how these movements can be managed by both Africa and Europe.

14. Finally, he stressed that the conference and its outcome will make an important contribution towards resolving issues associated with migration and development and that the EU is ready to play its part in making that happen through the effective implementation of the joint Declaration that will be endorsed at this conference.

(iv) Speech by the Representative of the AU Commission

15. Commissioner Gawanas, on behalf of the Commission of the African Union stated that this is a very important and historic Conference for both Africa and Europe, particularly at a time when irregular migration is posing a serious challenge for the two regions. The Commissioner noted that during the fifth Ministerial Meeting of the African and EU Troikas in Bamako, Mali, on 2 December 2005 the Ministers agreed to launch a comprehensive dialogue on migration issues and convene an Africa-EU joint ministerial conference dedicated to migration in 2006. She traced the history of the preparations for this conference to the initiative of the Executive Council of the African Union during the Eighth ordinary Session of the Executive Council of the African Union in Khartoum in January 2006. The Assembly of the Union in

Banjul, The Gambia in July 2006 took one step further with the endorsement of the African Common Position which formed the basis of the discussions between the two regions here in Tripoli as well as the basis for the development of the Draft Joint Declaration.

16. She reiterated the position of the African Union as contained in the African Common Position that well managed migration can have a positive developmental impact for both countries of origin and destination as well as the migrants themselves. However, she also recognized that unless it is properly managed, migration can have serious repercussions on Africa's development.

17. The Commissioner observed that Irregular migration is currently assuming serious dimensions that threaten peace, stability and security for migrants themselves as well as for transit and destination countries. As a consequence, African and European countries are facing a number of common challenges with respect to irregular migration, migrant smuggling, trafficking in human beings, brain drain and migrant rights violations. Therefore, a human tragedy is unfolding in the Mediterranean with hundreds of young people from Africa dying everyday as they attempt to move to greener pastures beyond the Mediterranean Sea. She called on the conference to come up with a clear and joint position on how AU and EU Member States can address these issues through a joint Declaration that will commit Europe and Africa to address problems of migration in a holistic, comprehensive and balanced manner and in a spirit of cooperation and collective responsibility.

(v) **Speech by the Representative of the European Commission**

18. The Vice President of the European Commission, Mr. Franco Frattini thanked Libya, the host country, for the hospitality accorded to his delegation since its arrival in Tripoli.

19. He emphasized that migration benefits both countries of origin as well as countries of destination but emphasized the need to resolve issues of migration and development through a regional approach. He stressed that migration can bring great benefit and this can only happen if we are ready to commit ourselves to real partnership and to work side by side towards the achievement of commonly shared objectives. He further observed that the African approach as comprehensive as it brings together a wide variety of different policies that all have direct or indirect influence on migration such as employment, development, health, social matters and integration, human rights, peace and stability, justice and security.

20. He informed the meeting about the EU initiative to develop a Common European policy on labour migration, which will respond to the needs of the labour market and facilitate labour mobility in 2007.

21. Finally, he urged that Africans and Europeans need to work together and coordinate activities in this regard through efficient instruments that will yield concrete and tangible results. He encouraged all participants to agree on the Joint Declaration that will establish the framework for this purpose.

(vi) Speech by the Director General of International Organization for Migration

22. In his own remarks, Mr. Brunson McKinley the Director General of the International Organization for Migration emphasized the role of interregional dialogue in setting up practical cooperation mechanisms.

23. He noted that the time had come to move toward an approach that can encompass the various possible areas of action, moving beyond sectoral projects that address a specific aspect of migration management or a circumscribed geographical area. He concluded that such an approach would have the following main objectives:

- To propose actions to operationalize the link between migration and development at the political, institutional and programmatic levels
- To increase the opportunities for regular migration through information, the sharing of best practices and support for action by State and regional bodies to facilitate the movement of persons;
- To forestall irregular migration and combat trafficking in human beings by strengthening existing cooperation between countries of origin, transit and destination, and through information campaigns in areas of high emigration
- To help create a structure for the collection and analysis of data on migration issues.

PROCEDURAL MATTERS

Adoption of Agenda

24. The Conference considered the agenda and adopted it as presented:

PROVISIONAL AGENDA FOR THE MINISTERIAL CONFERENCE

1.	Opening Ceremony
2.	Procedural Matters
a.	Adoption of Agenda
b.	Adoption of Programme of Work
3.	General Discussion on Migration and Development
4.	Consideration of the Draft Joint Declaration on Migration and Development.
5.	Presentation and Adoption of the AU-EU Plan of Action on Trafficking in Human Beings especially women and children
6.	Closing Ceremony

Adoption of Programme of Work

25. The programme of work was also adopted as presented.

GENERAL DISCUSSION ON MIGRATION AND DEVELOPMENT

26. During general discussions, the following Member States of AU and EU addressed the conference: Italy, Cameroon, Malta, Egypt, Cyprus, Spain, Morocco, China, France, Algeria, Tunisia, Austria, United Kingdom, Malta, Liberia, Nigeria, Sudan, Malawi, Slovakia, Sweden, Mali, Hungary, Rwanda, Sierra Leone, Greece and Belgium.

27. In their speeches, the Ministers welcomed the organization of the Africa-Europe Union Ministerial Conference on Migration and Development and extended their sincere appreciation to the Great Socialist People's Libya Arab Jamahiriya for their hospitality and for hosting this important conference.

28. The Ministers emphasized that migration is a common phenomenon to both Africa and Europe. Hence, cooperation between countries of origin, transit and destination is required to address the phenomenon of illegal migration and the related issue of organized crime and trafficking in human beings.

29. The Ministers also recognized the root causes of migration as poverty, conflicts, poor governance and unequal terms of global trade.

30. Finally, they welcomed the draft Joint Declaration as a milestone in relations between the two continents and called for effective implementation upon approval. The session ended on this note.

31. The following organizations addressed the Conference: Gaddafi Foundation, ICMPD, ILO, UNHCR, and the European Council

32. They all called for a balanced migration and development of policy, based on a multi-dimensional approach and on an effective and realistic co-operation between countries of all regions involved.

CONSIDERATION OF THE DRAFT JOINT DECLARATION ON MIGRATION AND DEVELOPMENT

33. The Commissioner for Social Affairs Adv. Bience Gawanas introduced the Draft Joint Declaration to the Conference and requested the delegates for the adoption of the document. Finally the Conference agreed and adopted unanimously the Declaration.

PRESENTATION AND ADOPTION OF THE DRAFT AU-EU PLAN OF ACTION ON TRAFFICKING IN HUMAN BEINGS ESPECIALLY WOMEN AND CHILDREN

34. The Commissioner for Social Affairs presented the Draft AU-EU Plan of Action on Trafficking in Human Beings especially Women and Children. She highlighted the process the Plan went through and the way ahead if it is adopted by the Conference.

The Conference adopted the Draft AU-EU Plan of Action on Trafficking in Human Beings especially Women and Children.

CLOSING CEREMONY

35. The Chairperson of the Conference of Africa-EU ministerial Conference on Migration and Development started by thanking the AU and EU members that participated in the organizing the conference. He further thanks the delegates for their support and their active participation. He expressed his gratitude on behalf of the Great Socialist People's Libyan Arab Jamahariya, that the Conference had adopted the two documents. He than calls for strengthening of partnership and solidarity between the two parties in the implementation of the Declaration and Plan of Action as adopted by the Conference.

Annextures: A Joint Africa-EU Declaration-on Migration and Development-

- B. AU-EU Plan of Action on Trafficking in Human Beings especially Women and Children—
- C. Speeches—

EX.CL/313 (X)
Annex II

**REPORT OF THE AU COMMISSION ON THE OUTCOME
OF THE UN HIGH LEVEL DIALOGUE ON MIGRATION
AND DEVELOPMENT**

INTRODUCTORY NOTE

Pursuant to the UN General Assembly resolution 58/208 of December 23, 2003, there was a High Level Dialogue on International Migration and Development during the 61st Session of the UN General Assembly.

The purpose of the high-level dialogue was to discuss the multidimensional aspects of international migration and development in order to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts. Additionally, the high-level dialogue had a strong focus on policy issues, including the challenge of achieving the internationally agreed development goals, including the Millennium Development Goals (MDGs).

The High Level Dialogue took place from September 14-15, 2006 in New York at the UN Headquarters. There were five broad topics that were tackled at the High Level Dialogue namely:

- The effects of international migration on economic and social development;
- The migration of highly skilled persons;
- Actions to improve the impact of remittances on development;
- International co-operation to prevent and combat trafficking in persons; and
- Institutional mechanisms to enhance international cooperation for the benefit of countries and migrants alike.

The Executive Council Decision (EX.CL/Dec.305 (IX)) on African Common Position on Migration and Development adopted during the July 2006 Banjul Summit mandated the Commission of the African Union to develop a Common Position as a broad African consensus on issues of migration and development and to present it to the African Group of Ambassadors at the UN as Africa's input into the UN High Level dialogue on International Migration and Development and to report on the outcome to the next ordinary session of the AU Assembly.

The main conclusions from the High Level Dialogue are: International Migration is a growing phenomenon and is a key component of development in both developing and developed countries; International migration can be a positive force for both countries of origin and destination; Respect for human rights is necessary to maximize development effects of migration; Migration is no substitute for development; vulnerable groups such as migrant women and children need special protection; remittances are private funds and should not be confused with overseas development assistance; and that there is need to continue an international migration dialogue in some forum (Global Forum on Migration and Development).

INTRODUCTION

1. Pursuant to the UN General Assembly resolution 58/208 of December 23, 2003, there was a High Level Dialogue on International Migration and Development during the 61st Session of the UN General Assembly. The purpose of the high-level dialogue was to discuss the multidimensional aspects of international migration and development in order to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts. Additionally, the high-level dialogue had a strong focus on policy issues, including the challenge of achieving the internationally agreed development goals, including the Millennium Development Goals (MDGs).

2. The Executive Council Decision (EX.CL/Dec.305 (IX)) on African Common Position on Migration and Development adopted during the July 2006 Banjul Summit mandated the Commission of the African Union to develop a Common Position as a broad African consensus on issues of migration and development and to present it to the African Group of Ambassadors at the UN as Africa's input into the UN High Level dialogue on International Migration and Development and to report on the outcome to the next ordinary session of the AU Assembly.

3. The UNHLD took place on 14-15 September 2006 at the UN Headquarters in New York. Over 140 delegates addressed the plenary on opportunities and challenges that international migration poses for development in their respective countries. There were also 4 Round Tables on the following topics:

- Round Table 1: Effects of International Migration on social and economic development;
- Round Table 2: Measures to ensure respect for and protection of the human rights of all migrants, and to prevent and combat smuggling of migrants and trafficking in persons;
- Round Table 3: Multidimensional aspects of international migration and development, including remittances; and
- Round Table 4: Promoting the building of partnerships and capacity-building and the sharing of best practices at all levels, including the bilateral and regional levels, for the benefit of countries and migrants alike.

OUTCOME

4. The participation of the AU Member States at the UN High Level Dialogue was overwhelming. Many AU Member States addressed the plenary session and also took part in all the four Round Tables. The statements delivered by AU Member States were consistent with the African Common Position on Migration and Development as adopted in Banjul in July 2006. The Vice President of the Republic of Gabon was one of the key speakers from the AU Member States. In his statement he congratulated the UN Secretary-General on the occasion of the UNHLD and shared the migration experience of Gabon noting that conflict causes migration and pointing out that his country was black listed in error for trafficking in children. He brought to the attention of the Assembly the fact that a human tragedy is unfolding in the middle of the Atlantic with hundreds of young Africans beings ship wrecked from time to time, a situation which was also echoed by the Government of Malta.

5. South Africa addressed the Assembly on behalf of the G77 and China. In the statement it was acknowledged that migration was multidimensional in nature and there was need to maximize its positive development effect while at the same time minimizing its negative aspects. The statement also touched on migrants rights and cautioned that migration management should not compromise human rights. Taking its turn, Algeria after asking the UN Secretariat to circulate the African Common Position on Migration and Development informed the Assembly that Algeria has a large migrant community abroad while at the same time being a major transit country because of its geographical location. The Algerian representative called for the intensification of the fight against human trafficking and the removal of visa restrictions which he said gives rise to illegal migration.

6. Remittances are broadly defined as monetary transfers made by migrants to their countries of origin and are private funds. Consequently they are not substitutes for national development efforts, comprehensive development strategies or official development aid. Delegates at the UNHLD generally agreed that remittances are one of the most tangible developmental effects of migration. Such effects are felt most distinctly at the individual or household level but also at the community or national levels and have a positive effect on the economy at large. Delegates called for the reduction in the cost of remittances transfers so that their development potential can be maximized.

7. Delegations expressed satisfaction with the opportunity afforded by the High-level Dialogue to discuss the issues of international migration, development and human rights and supported the Secretary General's proposal to establish a Forum to follow up on the discussions that had taken place at the High-level Dialogue. The sections that follow summarize the UNHLD as presented by the President of the 61st Session of the UN General Assembly as well as the Chairs of the respective Round Tables.

The effects of international migration on economic and social development

8. Delegates acknowledged that too often migrants are forced to seek employment abroad due to poverty, underdevelopment, lack of opportunity, conflict and lack of human rights. These structural causes need to be addressed. There was wide spread support for incorporating international migration into the development agenda and for integrating migration issues in national development strategies, including poverty reduction strategies. Delegates further underscored the need to provide decent work and decent working conditions in both countries of origin and destination arguing that this would alleviate negative effects of migration which includes brain-drain.

9. It was observed that properly managed migration can benefit both countries of origin and destination. It was also recognized that the migrants themselves have a role to play in the development of countries origin and destination. Lack of Diaspora involvement in the development of their home countries was cited as a challenge that needed to be re-examined.

10. While acknowledging that illegal migration complicates the problem of unemployment the delegates recognized that there are people who have jobs that are also moving. In this regard there was a call for migrant taxes to be sent to countries of origin and other developed countries were asked to emulate France where remittances are not taxed.

Measures to ensure respect for and protection of the human rights of all migrants, and to prevent and combat smuggling of migrants and trafficking in persons

11. Ensuring the effective protection of economic, social and cultural rights of migrants, including the right to development, is a fundamental component of comprehensive and balanced migration management systems. Historically, migrants have often been deprived of their rights and subjected to discriminatory and racist actions and policies including exploitation, mass expulsion, persecution and other abuses in both transit and destination countries.

12. The delegates agreed that migrants are human beings endowed with fundamental and inalienable rights. They contended that human rights are the link between international migration and development arguing that only when human rights of the migrants are recognized and safeguarded can the positive contributions of the migrants to countries of origin and destination be fully realized. They emphasized that all countries have an obligation to respect the fundamental rights and freedoms of all migrants, irrespective of status. Of particular relevance was the protection of groups more vulnerable to exploitation like children, youth, women, indigenous peoples, persons with disability and migrants in irregular situations.

13. The delegates also acknowledged that social, economic and cultural rights were important as their observance underpin successful integration of migrants in host countries. There was a general agreement on the need to eliminate all forms of discrimination and to combat xenophobia and racism. In this regard governments have the responsibility to oppose such tendencies and promote respect and tolerance.

14. Member States were urged to ratify all core human rights instruments and, in particular, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their families. It was noted that this Convention reiterated many of the obligations that States were already bound to because they were parties to the other core human rights instruments. Furthermore, Member States were urged to become parties to all relevant ILO and United Nations Conventions, and to ensure their full implementation. It was stressed that national legislation on international migration should reflect internationally agreed human rights standards.

Multidimensional Aspects of International Migration and Development, including remittances

15. The delegates recognized that, in order for international migration to be beneficial for development and contribute to the achievement of the Millennium Development Goals, it was necessary to capitalize on the skills accrued by migrants while abroad. It was also necessary to reduce the transfer costs of remittances and to strengthen the financial benefits brought about by such transfers by, among other things, increasing the capacity for productive investment and improving access to financial services in the countries of origin particularly, in the rural areas.

16. The potential of remittances to reduce poverty was underscored and participants focused on strategies to maximize their development potential. However, some of them warned that remittances could create dependency among recipients. The importance of finding ways to reconcile the positive effects of remittances on poverty reduction with their possible negative impact on productivity

was underscored. Participants also stressed that remittances were private funds that benefited primarily the families that received them and should not be viewed as a substitute for official development assistance.

17. There was consensus on the need to reduce the transaction costs of remittance, since lower transfer costs could contribute significantly to increasing the funds that actually reached the families of migrants.

18. Participants called on countries of origin to take a more proactive approach to enhancing the development impact of migrants' contributions and savings, particularly by collaborating with the private sector to widen the access by migrants and their families to financial institutions, including micro-credit institutions. Civil society organizations, including migrants' organizations, could also play an important role by promoting financial counseling among migrant families as well as advice and support for entrepreneurship. Access to such support was a means of leveraging the benefits of remittances for development. Coordinating measures to support or promote entrepreneurship in countries of origin were considered useful.

19. The involvement of transnational communities in fostering the development of countries of origin was considered both desirable and essential to maximize the benefits of international migration. Delegates acknowledged the positive contribution of transnational communities and networks to the development of both communities of destination and origin. It recognized that the establishment of knowledge-sharing networks involving members of migrant communities could benefit countries of origin.

20. A number of participants called for further initiatives to explore policy solutions that would facilitate the reintegration of migrants on their return to their countries of origin. The issue of ensuring the portability of pensions and access to social services was also raised. Many delegates felt that returning migrants could be agents of development, provided that policies in countries of origin facilitated the transfer of funds, access to loans, and the setting up of small businesses.

International co-operation to prevent migrant smuggling and combat trafficking in persons

21. Trafficking in persons and smuggling of migrants were recognized as major challenges facing the international community today. Inter-governmental cooperation and coordination were judged essential in combating these crimes effectively. Member States were urged to cooperate more actively in preventing these crimes and in bringing perpetrators to justice. It was emphasized that persons trafficked were victims and were entitled to protection and assistance. Several Member States gave examples of good practices, including media campaigns to warn potential migrants of the dangers involved in trying to cross borders irregularly or about the ploys traffickers used to ensnare victims. Another good practice was granting permission to stay to victims of traffickers.

22. It was emphasized that the ratification and implementation of United Nations instruments regarding trafficking in persons and smuggling of migrants was essential, especially since they provided the framework for international cooperation in these matters. While trafficking and smuggling were crimes, migration was not and should not be criminalized. Delegates urged Governments to protect the victims of trafficking in persons, especially by safeguarding their human rights. Some delegates argued that restrictive migration policies were at the root of increased

irregular migration and that they made people more vulnerable to fall prey to trafficking.

23. Noting the increasing feminization of migration, particularly labour migration, the need for a gender-sensitive approach in formulating international migration policies was underscored. It was stressed that in many circumstances, female migrants, particularly those working in poorly regulated sectors, such as domestic service, were more vulnerable to exploitation and abuse than male migrants. It was therefore urgent to take effective measures to protect the rights of female migrants irrespective of their occupation or migration status.

Promoting the building of partnerships and capacity-building and the sharing of best practices at all levels, including the bilateral and regional levels, for the benefit of countries and migrants alike

24. There was general consensus that international cooperation is essential to promote the positive aspects of international migrations and to deal with the problems attendant thereto. International cooperation can occur at many levels. Bilateral agreements and formal accords are necessary to achieve concrete results and to strengthen cooperation on problems as they arise. But since migrations involve many countries, multilateral cooperation is also necessary. Many participants cited examples of multilateral processes which have achieved results at sub-regional and regional levels. These processes include activities ranging from informal consultative meetings, which have contributed to greater understanding between different actors and countries, to the setting up of formal institutions which work for regional integration as well as to facilitate the free movement of people. Participants also agreed that these processes, which are at different stages of implementation, are useful, and should be supported and that they can be strengthened by dialogue at a higher level.

25. Some participants expressed their support for the continuation of dialogue at world level. Several speakers welcomed the proposal of the Secretary General to establish a world consultative forum which would facilitate the informal consultations to find common ground on specific questions relating to international migrations and development. The forum could provide a platform for sharing experiences and best practices so that migration problems could be tackled concretely and effectively.

26. The importance of promoting partnerships and building capacity to resolve international migration problems as an element of development was highlighted. The possible role of international organizations in this matter was welcomed. Several kinds of partnership were mentioned. Government-private sector partnership could be an important instrument in the promotion of the positive effects of migrations. Employer associations and labour unions, in particular, could help in developing migration policies and to support their implementation.

27. Delegates agreed on the importance of social dialogue to win the adherence of citizens to equitable migration policies and for a better representation of the opinions of all actors on development policies. Governments were encouraged to cooperate with the private sector and civil society to improve the situation of migrant workers and of their families, as well as to promote a better perception of the contributions made by migrants to the host country. Cooperation between the private sector and governments could also facilitate the transfer of funds to the countries of origin, reduce the cost of transfers and, more importantly, encourage the productive use of

migrant savings. International cooperation and partnerships are also essential to combat clandestine migrations and to resolve the attendant problems.

28. Participants called for greater cooperation between governments and all other actors, including migrant and youth associations. The civil society in general has a major role to play in cooperating with government authorities in the implementation of policies and in helping migrants to adapt to the host country society. The role of partnerships between different actors to train migrants, facilitate their adaptation to the host country, their reintegration into their country of origin as well as the promotion of their health was also raised.

29. The importance of encouraging partnerships and achieving international cooperation to build capacities was underscored. The building of capacities was deemed necessary both for the countries of origin and the host countries. Capacities need to be strengthened in all sectors of the government dealing with migrants, including, among others, justice, ministry of interior, migration services, foreign affairs, social services and border controls. The civil society and the private sector could work in partnership to build capacities. Cooperation between governments is also important, especially to share technology, experience and the responsibility of controlling borders and protecting migrants, especially those who are in need of international protection, such as asylum seekers, refugees, women and children.

WAY FORWARD

30. The delegates expressed the wish to continue an international dialogue in some forum. They embraced the UN Secretary-General's proposal to establish a Global Forum on Migration and Development and welcomed the offer by the Government of Belgium to host the first meeting of this forum in 2007.

EX.CL/313 (X)
Annex III

**JOINT AFRICA-EU DECLARATION ON MIGRATION
AND DEVELOPMENT**



EX.CL/313 (X)

ANNEX III

JOINT AFRICA-EU DECLARATION ON MIGRATION AND DEVELOPMENT

TRIPOLI, 22-23 NOVEMBER 2006

JOINT AFRICA-EU DECLARATION ON MIGRATION AND DEVELOPMENT

TRIPOLI, 22-23 NOVEMBER 2006

MINISTERS FOR FOREIGN AFFAIRS, MINISTERS RESPONSIBLE FOR MIGRATION AND MINISTERS RESPONSIBLE FOR DEVELOPMENT FROM AFRICA AND EU MEMBER STATES AND AU AND EC COMMISSIONERS AND OTHER REPRESENTATIVES GATHERED IN TRIPOLI AT THE KIND INVITATION OF THE GREAT SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA FROM 22-23 NOVEMBER 2006,

RECOGNISING that the fundamental causes of migration within and from Africa are poverty and underdevelopment, aggravated by demographic and economic imbalances, unequal terms of global trade, conflicts, environmental factors, poor governance, uneven impact of globalisation and humanitarian disasters;

ACKNOWLEDGING that migratory movements occur essentially within Africa and also towards developed countries and that every country has become either a country of origin, transit or destination or a combination of the three;

EMPHASISING the need to work together in the spirit of mutual partnership for better management of migration for our two continents in a comprehensive, integrated and holistic manner;

RECOGNISING that the effective protection of the rights of migrants, including those of female migrants and children is one of the major components of managing migration which requires stringent application of the relevant provisions of the human rights instruments, particularly those relating to migrants and that management of illegal or irregular migration should not compromise human rights;

EMPHASISING the need to ensure effective protection for refugees and internally displaced persons, including due access to asylum processes;

RECOGNISING that illegal or irregular migration cannot be addressed by security considerations only but should be based on broader development frameworks and on mainstreaming migration in development strategies;

REAFFIRMING that the prevention and control of illegal and irregular migration must be strengthened in a cooperative and comprehensive way and that all EU and African countries have a duty to cooperate fully;

AGREEING that well-managed migration can promote closer ties between countries of origin, transit and destination, help meet existing and future labour needs and contribute to the development of all countries;

AGREEING that well-managed migration is of benefit to both Africa and the EU and, within the wider EU-African partnership, can help with the achievement of the Millennium Development Goals;

RECOGNISING that approaching migration as a common challenge for Europe and Africa, for which solutions can best be found together and also that meeting the concerns and interests of countries of origin, transit and destination alike, as well as the migrants themselves is an essential part of migration management;

RECOGNISING that selective migration approaches in developed countries could constitute an additional threat to African social and economic development and **CONCERNED** about the loss of heavy investments made by African Governments in training and human resource development in priority sectors and the negative impact of the brain drain on these sectors;

UNDERLINING the necessity to encourage skilled workers to remain in Africa in order to contribute to the attainment of the Millennium Development Goals (MDGs);

BEARING IN MIND that pro-poor economic growth through productive investments, trade, employment, labour migration and effective social and economic policies can help reduce migration;

CONSCIOUS of the huge economic developmental potential which exists in Africa particularly in the agricultural, industrial and service sectors;

UNDERSCORING the importance of various African development initiatives such as AU's NEPAD programmes which contribute to the solution of many of the root causes of migration, in promoting socio-economic development (human resource development including reversing the brain drain), good governance and the Ouagadougou Extra-ordinary Summit Declaration and Plan of Action on Employment and Poverty Alleviation;

RECALLING commitments made by the EU and its Member States towards Africa's development in general and towards Africa's capacity to better manage migration for development, including the December 2005 European Council conclusions on the 'Global Approach to Migration: Priority actions focusing on Africa and the Mediterranean';

UNDERSCORING that African inter-state cooperation and dialogue can strengthen the capacity of States in migration management including the development of common approaches towards harmonisation of policies, laws and strategies on migration;

RECALLING the decision of the 1st Ordinary Session of the AU Executive Council held in July 2002 in Durban, South Africa that called for the involvement of the African Diaspora in the programmes of the Union and **FURTHER RECALLING** the July 2003 Maputo Summit decision which amended the Constitutive Act to provide for the participation of the African Diaspora in the building of the AU;

RECALLING that the AU Assembly of Heads of State and Government in Khartoum, Sudan from 23-24 January 2006 expressed its concern over the magnitude and impact of migration on development and over the growing number of migrants in Africa and beyond, and the brain drain syndrome, particularly towards the developed countries;

RECALLING the recommendation of the 23rd Assembly of Heads of State and Government of Africa and France in Bamako on 03 and 04 December 2005 inviting Member States to conclude agreements or conventions on border management, residence conditions and the granting of work permits;

RECALLING the commitments such as those announced in the plan of action adopted at the Africa-Europe Summit held in Cairo on 3 and 4 April 2000;

RECALLING the importance that State parties attach to existing agreements for example the Cotonou Agreement and Euro-Mediterranean Agreements. **RECALLING** also the importance that State parties attach to UN Conventions and other international instruments such as the UN Convention on the Rights of Migrant Workers and their families;

WELCOMING the African Common Position on Migration and Development adopted in Algiers, Algeria from 3-5 April 2006 to enable Africa to ensure that Africa's concerns are properly reflected at the Africa/Europe dialogue and other international fora as endorsed by Banjul AU Assembly of July 2006 ;

NOTING THE IMPORTANCE OF:

- The outcome of the UN General Assembly High Level Dialogue on Migration and Development;
- The outcome of the Euro-Africa Ministerial Conference on Migration and Development held in Rabat on 10-11 July 2006;
- The EU strategy for Africa adopted in 2005, and the shared commitment to work towards a joint EU-Africa Strategy for Africa;
- The shared commitment to convene the 2nd Europe -Africa Summit in Lisbon in 2007;
- The ongoing Euro-Mediterranean dialogue on Migration and the Ministerial Meeting to be organized in 2007

HEREBY:

Commit to a partnership between countries of origin, transit and destination to better manage migration in a comprehensive, holistic and balanced manner, in a spirit of shared responsibility and cooperation;

Agree that the partnership between the EU and Africa consists of a broad set of political commitments and concrete actions that are based on a common understanding of the opportunities and challenges that migration brings_and that appropriate policy responses can best be found together;

And agree to start taking the following measures within the framework of our common efforts, and where in line with national and regional policies, to address, within the framework of partnership for development, the migration phenomenon and the opportunities and challenges posed by it in the following key areas for cooperation:

1. Migration and development

- Considering how migration issues can be made an essential part of poverty reduction strategies (PRSPs) or other national development and co-development strategies of African countries;
- Agreeing that well-managed migration can have a positive development impact for countries of origin, transit and destination;
- Creating and sustaining societies where citizens, in particular the youth, can build a future;
- Considering mechanisms and channels that facilitate circular migration as well as recruitment policies that take into account the specific needs of countries of origin and destination;
- Addressing the root causes of migration and refugee flows, including through efforts aimed at eradicating poverty and realising the Millennium Development Goals and NEPAD objectives, focusing especially on improving the living conditions and livelihoods of the poorest, including resolving and preventing conflict;
- Encouraging and promoting Foreign Direct Investment in order to generate employment and reduce migration outflow;
- Effectively addressing the root causes of migration and notably the lack of employment through better targeted development policies, as well as by ensuring that policies in the area of trade, agriculture and fisheries produce a positive impact on the socio-economic situation of African countries;
- Supporting RECs and the process of regional economic cooperation and integration in Africa as one of the effective means of ensuring economic growth and combating poverty;
- Supporting, as need be, African countries to ensure intra-African freedom of movement of labour and migratory flows in the spirit of the Abuja Treaty;
- Facilitating the role of diasporas in order to contribute to the sustainable development of their countries of origin through, for example, supporting Diaspora networks and building the capacity of Diaspora organisations; enabling Africans in the Diaspora, especially those in highly technical fields and high demand, to carry out some of their professional activities in their home countries as well in the entire continent without necessarily needing to give up their employment abroad;

- Promoting equal treatment and assistance in the creation and registration of associations by migrant communities in host countries;
- Helping set up mechanisms, services and effective financial products to facilitate the transfer of remittances, to reduce the costs of these transfers and to make them conducive to development, bearing in mind the private nature of remittances;
- Working towards mutual recognition of academic qualifications and professional certificates through the conclusion of bilateral agreements or by other means;
- Ensuring implementation and follow up of the 2004 Ouagadougou Declaration and Plan of Action on Employment and Poverty Alleviation in Africa, and ensuring expert advice to and in support of ongoing developments of regional frameworks for integrated policy programmes in Africa, to address the huge unemployment problem facing most African countries and its attendant consequences of illegal migration, drug abuse, crime and other social repercussions; and emphasizing the need to address issues of unemployment, particularly for youth; underlining the two key priorities for further cooperation on employment and social policy, which have a strong link with migration and development;
- Improving African access to European and regional markets inter alia by working towards agreeing Economic Partnership Agreements (EPAs) by 2008, which are instruments of development, promote poverty reduction, reinforce economic integration processes in Africa and Africa's integration in the global economy; redoubling efforts to achieve an EU-Mediterranean Free Trade Area by 2010.

2. Migration management challenges

- Finding concrete solutions to the problems posed by illegal or irregular migratory flows by regulating the influxes of migrants from Africa within the context of genuine partnership that ensures the eradication of poverty, unemployment and diseases thereby achieving comprehensive and sustainable development;
- Pursuing a holistic approach, ensuring a balanced response and concerted action in the area of migration;
- Providing assistance to African countries for the management of both South-South and South-North migratory movements;
- Developing regional initiatives appropriate to different migration routes both within Africa and from Africa to Europe, fostering close links between the respective regional organisations and deepening action as appropriate, as initiated for example by the Rabat conference;

- Addressing possibilities of generating policy coherence at international, regional and national levels, e.g. through promoting better integration of the impact of migration into development policies in respect of developing countries, and developmental aspects into migration strategies. Non-state actors at all levels should also be consulted;
- Meeting the concerns and interests of countries of origin, transit and destination alike, as well as the migrants themselves;
- Addressing illegal or irregular migratory flows, which are currently taking serious dimensions that can undermine stability and security and must be adequately addressed through a comprehensive approach;
- Creating an enabling environment in the countries of origin through good governance and the respect for the rule of law, elimination of corruption, promotion and protection of human rights.

3. Peace and security

- Agreeing that conflict is a root cause of forced displacement, and that displacement caused by conflict has destabilising effects on national and regional security, with adverse consequences for the ability of host nations to provide protection to refugees and security to their own nationals;
- Agreeing that large spontaneous and illegal or irregular migratory flows can have a significant impact on national and international stability and security, including by hindering states' abilities to exercise effective control over their borders, and creating tensions between origin, transit and destination countries in Africa and within local host communities;
- Strengthening cooperation in crisis management operations and supporting the building of Africa's capacities for conflict prevention, peaceful resolution of conflicts and post-conflict reconstruction, including through implementation of the AU Policy Framework on Post-Conflict Reconstruction and Development with special attention to the situation of women and children;
- Providing logistical support to the African Regional and Sub-Regional mechanisms for conflict prevention and consolidation of stability as well as ensuring the flow of funds in a predictable manner, in support of peace-keeping operations, and as a contribution to post-conflict reconstruction.

4. Human resources and brain drain

- Promoting concrete and tailor-made policies and reforms to address skills shortages caused by brain drain;
- Supporting programmes which foster the mobility and temporary return of members of the diasporas with the necessary skills in their countries of origin, in order to contribute to capacity building;

- Encouraging common innovative instruments to enable countries of origin to benefit fully from skilled African workers based in host countries;
- Strengthening African educational systems and adapting them to the needs of each African country; improving the working conditions of researchers (and other teachers) and encouraging the use of local consultants for different development projects;
- Encouraging the movement of skilled African labour between host countries and countries of origin through the creation of centres of excellence and partnerships between EU and African institutions;
- Exploring options to mitigate the effects of large scale departures of highly skilled African professionals in critical sectors.

5. Concern for human rights and the well-being of the individual

- Protecting the human rights of all migrants, particularly of women and children, including through implementation and non-discriminatory application of core human rights instruments;
- Promoting the dissemination of information regarding human rights, especially for women and children;
- Recognizing the usefulness of measures to fight against racism and xenophobia and the need to ensure the respect of the dignity and the protection of the rights to which migrants are entitled under the applicable international law, especially the right to equal treatment based on the principle against discrimination;
- Deepening cooperation on issues of the reciprocal integration of legal migrants and recognising the role of national and local authorities in promoting integration activities and exchange of good practices;
- Incorporating into all policies and programmes on migration and development the increasing feminisation of migration and the vulnerability of female migrants and children to exploitation and abuse in the migration process and the need to reduce this vulnerability and safeguard their human rights;
- Creating measures to prevent abusive practices and to promote decent and productive work for migrants;
- Enhancing the role of civil society, especially in promoting integration and employment and preventing discrimination.

6. Sharing best practices

- Supporting one another in capacity-building so as to better manage migration and asylum;
- Sharing information and exchanging best practices on the broad migration agenda to the fullest degree possible, in particular via meetings between the EU and the AU, and AU RECs, Commission to Commission meetings, Euro-Med Migration Cooperation and bilateral meetings between EU and African states;
- Further developing dialogue in the framework of the Global Forum to be organised as a part of the follow-up to the UN High Level Dialogue on Migration and Development, including further work on migration and development within the UN system;
- Establishing a research network that brings together existing research institutions across the different regions of Africa and the EU, in view of creating a migration observatory network so as to better inform policy on migration and development;
- Supporting joint research on migration and development, including the collection of statistical data;
- Developing twinning arrangements and exchange of personnel between national administrations as well as between the EU and Africa.

7. Regular migration opportunities

- Studying the possibilities of harnessing the benefits of regular migration between countries of origin and countries of destination in order to better manage migration;
- Discussing simplified entry procedures for specific categories of people, thus allowing smoother regular migration flows;
- Giving support to the existing initiatives that encourage regular migration and commit ourselves to provide assistance to relevant projects in countries of origin;
- Developing means of facilitating seasonal temporary migration between countries of origin and destination while taking into consideration the needs and rules of the labour markets and the protection of migrant labour;
- Assisting African states to build capacity to develop national policies on mobility and migration, including measures regarding the employment of migrants and the implementation of regional free movement arrangements;

- Cooperating in carrying out information campaigns directed towards potential migrants on legal migration and employment opportunities concretely available in the countries of destination.

8. Illegal or irregular migration

- Extending support for building institutional capacity and developing projects in countries of origin and transit to combat illegal migration, migrant smuggling and trafficking in human beings;
- Enhancing efforts to criminalise trafficking and smuggling in national legislation, to combat criminal organisations and to punish the perpetrators involved in smuggling and trafficking of human beings, as well as to offer protection and rehabilitation to the victims of trafficking in particular by implementing the relevant protocols of the UN Convention on transnational organised crime;
- Implementing the Joint Africa-EU Action Plan to Combat Trafficking in Human Beings, Especially Women and Children;
- Encouraging cooperation in all domains in the fight against illegal or irregular migration, including reaching agreements on the issues of return and readmission of illegal migrants to their country of origin within the context of existing agreements, instruments and arrangements and bilateral and multi-lateral agreements;
- Cooperating to develop border control measures, including via cooperation between different national and regional bodies, training of border guards, recognition of the important role of the immigration liaison officers; and addressing the need for swift contacts between the EU and Africa in exceptional situations;
- Cooperating in carrying out information campaigns, directed in particular towards the local population and youths in regions with high migration potential, on the risks and dangers of illegal migration and exploitation by trafficking networks.

9. Protection of refugees

- Ensuring effective protection for refugees and internally displaced persons, including via regional protection, implementation of relevant international and regional conventions relating to the status of refugees, and respect for the principle of non-refoulement;
- Creating favourable conditions for the voluntary return of refugees and displaced persons to their homes, including by investing in post-conflict stabilisation and reconstruction programmes, and taking into account intra-African flows;

- Ensuring those in mixed migratory flows in need of international protection are identified quickly, in co-operation with relevant international organisations;
- Ensuring due access to asylum processes, including special attention to the vulnerable groups, especially to women and unaccompanied minors.

Financing

- Implementing the commitments made by the European Union to support the development efforts of countries of origin or transit, and within the wider framework of contributing to the achievement of the Millennium Development Goals (MDGs) and the EU commitment to collectively increase ODA to 0.56 % of GNI by 2010 and 0.7 % by 2015, and to allocate at least 50 % of the agreed increase to Africa;
- Examining the feasibility of setting up a fund to implement measures set out in this Declaration. To this end the two sides decide to set up a Joint Working Group comprising representatives of AU and EU Commissions. The Joint Working Group will report to their respective Councils.

Follow-up mechanism

- The follow-up to this joint declaration should take place in the context of the Joint EU-Africa strategy and joint implementation matrix. This should include:
- Regular expert level troika meetings on migration and development issues;
- Emphasis on exchanges of experiences and information on respective policies developed at the bilateral, regional and continental level by African states and organisations and on relevant policy initiatives and concrete actions by the European Union and its Member States within existing structures for dialogue in order to ensure coherence with other fields of co-operation;
- Mandating the AU and EU Commissions to develop an implementation Roadmap for the Joint Declaration.
- EU-Africa Ministerial Conference on Migration and Development should take place within three years to provide an initial review of migration and development in the context of the overall Africa-EU Dialogue;
- Further developing dialogue in the framework of the Global Forum to be organised as a part of the follow-up to the UN High Level Dialogue on Migration and Development, including further work on migration and development within the UN system.

EX.CL/313 (X)
Annex IV

**OUAGADOUGOU ACTION PLAN
TO COMBAT TRAFFICKING IN HUMAN BEINGS, ESPECIALLY
WOMEN AND CHILDREN AS ADOPTED BY THE MINISTERIAL
CONFERENCE ON MIGRATION AND DEVELOPMENT**



EX.CL/313 (X)
ANNEX IV

**OUAGADOUGOU ACTION PLAN TO COMBAT TRAFFICKING IN HUMAN
BEINGS, ESPECIALLY WOMEN AND CHILDREN AS ADOPTED BY THE
MINISTERIAL CONFERENCE ON MIGRATION AND DEVELOPMENT,
TRIPOLI, 22-23 NOVEMBER 2006**

OUAGADOUGOU ACTION PLAN TO COMBAT TRAFFICKING IN HUMAN BEINGS, ESPECIALLY WOMEN AND CHILDREN

The European Union and African States:

Reaffirming their commitments to, among others, the following relevant International and Regional legal instruments:

- The Universal Declaration of Human Rights (1948);
- The UN Convention on the Elimination of all Forms of Discrimination against Women (1979);
- The Beijing Declaration and Platform of Action (1995);
- The UN convention on the Rights of the Child (1989);
- The UN Convention against Transnational Organised Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000);
- The Declaration of the World Summit for Children (1990);
- ILO Convention on worst form of child labour (1999);
- A World Fit for Children- UN General Assembly Special Session on Children (2002)

Having due regard to:

- The Constitutive Act of the African Union (2002);
- The African Charter on Human and Peoples Rights (1981) and its Protocol relating to the Rights of Women (2002)
- The African Charter on the Rights and Welfare of the Child (1990);
The African Common Position on Children (Declaration and Plan of Action 2001);
- The African Common Position on Migration and Development (2006);
- The Treaty on the European Union (1992)
- The European Convention on Human Rights (1950)
- The Brussels Declaration on Preventing and Combating Trafficking in Human Beings (2002)

-The EU Council Framework Decision on combating trafficking in human beings (2002);

-The EU Plan of best practices, standards and procedures for combating and preventing trafficking in human beings (2005);

-The EU Strategy for Africa (2005);

Recognising that women and children occupy unique and privileged positions in the society and are entitled to all rights and require legal protection in conditions of freedom, dignity and security;

Concerned that the situation of women and children remain critical, in particular in Africa, due to the socio-economic situation and harmful cultural traditional practices;

Also deeply Concerned about the increasing phenomenon of sex tourism and other sexual exploitation and abuse of women and children;

Conscious that effective actions to prevent and combat trafficking in human beings, especially in women and children, require a comprehensive regional and international approach involving countries of origin, transit, and destination, that includes measures to prevent such trafficking, punish traffickers and to protect the victims of trafficking, including of their human rights;

Convinced that reinforcing the UN Convention against Transnational Organised Crime with a joint international Framework for Action between Europe and Africa for the prevention, suppression and punishment of trafficking in human beings, particularly women and children, would be useful in preventing and combating the crime;

Determined to deal, through effective cooperation, with aspects of the problem of trafficking in human beings, especially women and children;

Have resolved therefore to adopt the following Action Plan:

GENERAL PRINCIPLES

- Trafficking in human beings, within and between states, is a scourge which states are determined to address.
- Measures to prevent and combat trafficking in human beings should be based on respect for human rights including protection of victims, and should not adversely affect the rights of victims of trafficking. Special attention should be given to the United Nations Protocol to Prevent, Suppress and Punish trafficking in persons, especially women and children. The best interest of the child, including as recognised in existing international conventions, shall be considered paramount at all times.
- The empowerment of women and girls through national policies is an important part of combating trafficking. A gender perspective should be applied when adopting and implementing measures to prevent and combat trafficking in human beings.

- Poverty and vulnerability, an unbalanced distribution of wealth, unemployment, armed conflicts, poor law enforcement system, degraded environment, poor governance, societies under stress as well as non-inclusive societies, corruption, lack of education and human rights violations including discrimination, increased demand for sex trade and sex tourism are among the root causes of trafficking in human beings and must be addressed.

I. Prevention and Awareness Raising

States should:

- Ensure education and training, including life-skills, awareness raising and counselling, as key preventive measures to combat trafficking in human beings.
- Endeavour to provide viable employment or other livelihood opportunities for youth in general and in particular for young women at risk, especially in regions prone to trafficking.
- Promote the empowerment of girls and women in their national policies.
- Adopt specific measures to promote the rights of the child and protect children from trafficking.
- Raise awareness about trafficking in human beings through engagement of the mass media and information campaigns;
- Promote training of those in key positions, in particular the police authorities in African countries, and capacity building to combat trafficking in human beings.
- Take measures to improve the registration of births and the provision of identity documents.
- Take measures to improve the economic and living conditions of families and extended families.
- Mobilise support of families, NGO:s, local communities, other members of civil society and businesses to combat trafficking in human beings and promote best practices.
- Establish rehabilitation centres to assist victims of human trafficking, especially women and children and ensure their safety, protection and facilitate their recovery and social reintegration.
- Take measures to reduce the demand for services involving the exploitation of victims of trafficking in human beings.
- Take measures to eliminate harmful customs and traditional practices and to counter cultural stereotypes, which can lead to trafficking in human beings.
- Commission further research and information, including on the extent, forms and root causes of trafficking.
- Collect and exchange information on the means and methods used by the traffickers.

II. Victim Protection and Assistance

States should:

- Base their policies, programmes and other measures for victim protection and assistance on international human rights instruments, including those relating to the rights of the child and of women, forced labour, child labour and trafficking in human beings.
- Identify victims of trafficking so as to provide them with appropriate assistance and protection, taking fully into account their special vulnerabilities, rights and needs.
- Find the most appropriate measures to ensure protection and assistance to victims of trafficking, especially for children and their families, taking into account, in particular, the rural and urban divide.
- Adopt appropriate measures for the protection of victims of trafficking and provide them with information on their legal and other rights in the country of destination as well as the country of origin in case of repatriation.
- Encourage victims of trafficking to testify in the investigation and prosecution of cases of trafficking in human beings, by giving due consideration to the safety and security of victims and witnesses at all stages of legal proceedings, in particular with regard to children.
- Adopt specific measures to avoid criminalisation of victims of trafficking, as well as stigmatisation and the risk of re-victimisation.
- Endeavour to provide victims of trafficking with short- and long-term, appropriate, psychological medical and social assistance in order to promote their full recovery.
- Consider adopting legislative or other appropriate measures that permit victims of trafficking to remain in their territory, temporarily or permanently, and give appropriate consideration to humanitarian and compassionate factors.
- Take special measures to address the plight of children-headed households, especially girls.
- Promote an HIV/AIDS sensitive approach and protect the dignity and human rights of victims of HIV/AIDS, taking the special needs of children into account.

III. LEGISLATIVE FRAMEWORK, POLICY DEVELOPMENT AND LAW ENFORCEMENT

Legislative Framework

States should:

- Sign, ratify and fully implement the UN Convention against Transnational Organised Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the Convention, as well as other relevant regional and international legal instruments
- Adopt and review, as appropriate, legislation, policies and programmes to implement the above mentioned Convention and Protocol and other relevant regional and international legal instruments.
- Take measures to combat criminal organisations involved in trafficking in human beings.
- Ensure the effective prosecution of those suspected of involvement in trafficking in human beings, and deterrent penalties for those found guilty of trafficking.
- Introduce, where it does not exist, a comprehensive legislative and institutional framework that cover all aspects of trafficking in human beings in line with the UN Convention against Transnational Organised Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.
- Amend or adopt national legislation in accordance with regional and international legal instruments so that the crime of trafficking is precisely defined in national law and ensure that all practices covered by the definition of trafficking are also criminalised.
- Consider legislation to provide for administrative, civil or criminal liability of legal persons or their representatives for trafficking offences in addition to the liability of natural persons.
- Make legislative provisions for confiscation of instruments and proceeds of trafficking and related offences.
- Consider legal measures which would provide victims of trafficking the possibility of obtaining compensation for damage suffered.
- Adopt legal provisions to severely punish traffickers/offenders and for the protection of victims of trafficking.
- Adopt policies for the protection and support of victims of trafficking and protection from harm by traffickers, criminal networks and pimps.
- Ensure that their laws and administrative practices provide information to victims about the status of relevant criminal and other legal proceedings, and that the status of these proceedings are considered prior to any repatriation of the victim.

- Encourage victims of trafficking to testify in the investigation and prosecution of cases of trafficking in persons by giving due consideration to the safety and security of victims and witnesses at all stages of legal proceedings, in particular with regard to children.
- Adopt legislation to prevent recruitment and use of children in armed conflicts, demobilise all combatants aged below eighteen; and develop programmes for their rehabilitation and social reintegration.

Policy development

States should:

- Initiate or expand efforts to gather and analyse data on trafficking in human beings, including on the means and methods used, on the situation, magnitude, nature, and economics of trafficking in human beings, particularly of women and children. Systematic research and effective methodologies for such data collection and exchange of information should be advanced.
- Consider developing a National Action Plan which, in a comprehensive manner, outlines all necessary measures to combat trafficking in human beings.
- Consider establishing a multi-disciplinary National Task Force on trafficking in human beings, to formulate and implement National Action Plans. The National Task Force should bring together relevant ministries and agencies to formulate policy and take action against trafficking, and in this regard involve Inter-Governmental Organisations, Non-Governmental Organisations, and other representatives of civil society, as appropriate.
- The National Task Forces could also monitor and report through their respective governments to the appropriate regional and international bodies on the progress of the implementation of the National Action Plans.
- Include trafficking in human beings in the poverty reduction strategies at national level and allocate the necessary budget for combating this crime.

Law Enforcement

States should:

- Consider creating special units, within existing law enforcement structures, with a specific mandate to develop and effectively target operational activities to combat trafficking in human beings, as well as establishing special national focal points.
- Consider establishing direct channels of communication between their competent authorities, agencies and services, including special units and focal points. They should further, where appropriate, establish joint border patrols trained in the prevention of trafficking in human beings and strengthen existing ones.
- Consider the establishment of joint investigation units and enact laws for the extradition of the traffickers /offenders.
- Provide and strengthen training for law enforcement personnel, customs and immigration officials, prosecutors and judges, and other relevant officials, on the prevention of trafficking in human beings. The training should focus on the methods used in preventing such trafficking, prosecuting the traffickers, and protecting the rights of victims, including protecting the victims from the traffickers. This training should encourage co-operation with non-governmental organisations and other elements of civil society.

IV. CO-OPERATION AND CO-ORDINATION

States should:

- Enhance multi-disciplinary co-ordination and co-operation at the national and regional level with a view to ensure an integrated approach to victims of trafficking, taking into account the specific needs of adult and children victims.
- Enhance and exchange documentation of experiences and lessons learned regarding recovery, repatriation and reintegration, in order to develop and provide appropriate short- and long-term assistance to the victims of trafficking.
- Enhance bilateral and multilateral co-operation between European and African countries, countries of origin, countries of transit and countries of destination, regarding identification, assistance, protection, repatriation and reintegration of victims.
- Develop and facilitate co-operation between governments, inter-governmental, international and non-governmental organisations and relevant actors of civil society in order to strengthen the overall capacity to assist the victims, including by educational measures and/or work opportunities for the empowerment of victims.
- Consider the creation of focal points at national and regional levels to collect, analyse and distribute information on trafficking in human beings, and to co-ordinate efforts to prevent trafficking.
- Encourage co-operation at bilateral, regional and sub-regional levels on all aspects of trafficking in human beings, including prevention, investigation, prosecution and protection of and assistance to victims, fully reflecting the important role of inter-governmental organisations, NGO:s and other members of civil society.
- Encourage development of Regional Action Plans to combat trafficking, taking into account the need for international, regional and bilateral co-operation, in addressing the transnational dimensions of trafficking in human beings. Regional and sub-regional organisations may consider establishing a specialised unit for the co-ordination of the efforts to combat trafficking in human beings.
- Develop collaborative efforts between governments, international, inter-governmental and non-governmental organisations to mobilise resources to combat trafficking in human beings.
- Establish a mechanism at regional levels, in collaboration with governments, international, inter-governmental and non-governmental organisations and the civil society to follow- up on implementation of the Action Plan.

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