



PARLIAMETARY INTERVENTIONS TO
COUNTER HUMAN TRAFFICKING
IN SIERRA LEONE

Exploring Current
Realities & Opportunities



PARLIAMENTARY INTERVENTIONS TO COUNTER HUMAN TRAFFICKING IN SIERRA LEONE

Exploring Current Realities and Opportunities

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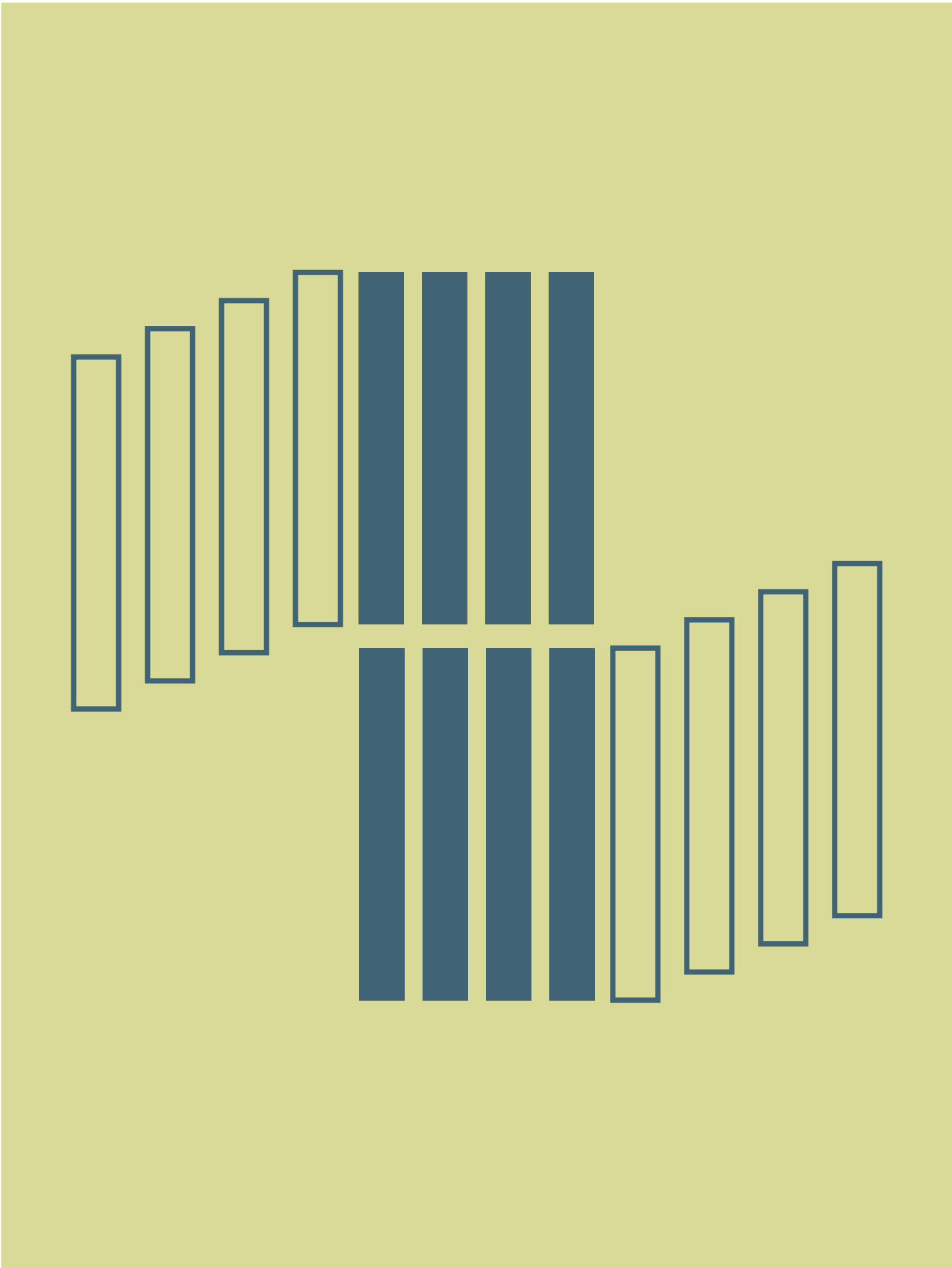
The **Center on Human Trafficking Research & Outreach (CenHTRO) at the University of Georgia (U.S.A.)** is a collaborative, cross-disciplinary, and international research hub in the global effort to combat human trafficking. CenHTRO conducts research and programming in Sierra Leone and across the world. Learn more at cenhtro.uga.edu.

ABSTRACT

This policy paper provides concise conceptual and practical linkages between parliamentary engagement in the making of laws and policies and their application to anti-human trafficking interventions. It discusses the institutional arrangements of the Sierra Leone parliament and the operational realities and opportunities for the newly established parliamentary trafficking in persons working group; and, offers eight actionable entry points in the implementation of ATIP initiatives across parliamentary constituencies in the short, medium and long term in Sierra Leone.

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INTRODUCTION

After more than a decade of advocacy by state and non-state actors for the review and development of a new anti-trafficking in persons (ATIP) legislation in Sierra Leone, the country's national parliament finally enacted the new Anti-Human Trafficking and Migrant Smuggling Act in July 2022.

The new amendment Act represents a renewed commitment by the government to respond to the problem of human trafficking in all its forms through the establishment of new institutional, legal and policy frameworks. The Act provides legitimacy to policy agendas set by ATIP stakeholders and stimulates new thinking in the design of their interventions. It is hoped that the Act will strengthen effective inter-institutional engagements among Ministries, Departments and Agencies (MDA) and their partnership with non-state actors on protection, prevention and prosecution of the crime of human trafficking across the country.

Recognizing the institutional capacities for intervention on ATIP related matters that the Sierra Leone Parliamentary body and its membership can exact, the Center on Human Trafficking Research and Outreach (CenHTRO) at the University of Georgia (U.S.A.) officially launched the Sierra Leone Parliamentary Trafficking in Persons Working Group (PTIPWG) in February 2024.

The purpose of this body is to strengthen parliamentary inter-sectoral and ministerial coordination and increase access to knowledge and expertise for Members of Parliament to amplify their voices in combating trafficking in persons (TIP) in Sierra Leone.

The PTIPWG membership is composed of 16 parliamentarians drawn from across various political parties. Their experiences are closely aligned to ATIP interventions, social welfare and social justice issues; with local advocacy on issues related to child protection, human rights, women's empowerment; and with non-governmental organisations and other private sector institutions in Sierra Leone. Members of Parliament (MPs) who are representing constituencies and districts (i.e., Kenema, Kambia, Kono, Kailahun and Western Area) with high prevalence rates of human trafficking will be given a voice in the PTIPWG. Also included are Paramount Chiefs who serve as MPs and engage with Community Welfare Committees and Village Parent Groups.

For the purpose of effective program coordination and operationalization of the PTIPWG, it includes a leadership structure consisting of a chairperson and deputy chairperson. One of these positions is occupied by a female MP. The chairperson provides strategic direction and leadership and oversees all meetings and programme activities of the PTIPWG. Furthermore, the chairperson leads inter-sectoral and ministerial coordination and ensures priority programmes of the PTIPWG are implemented and integrated within the parliamentary calendar and operations. The deputy chairperson supports the chairperson to deliver on the key responsibilities and deputises him on all operations. Additionally, the committee clerk from the parliamentary service provides administrative support to the PTIPWG.

However, the development and operationalization of the PTIPWG rests on the commitment of MPs to be engaged across the political divide. MPs must put aside differences in political interests and focus on building a common platform to collectively engage through advocacy, oversight, monitoring and educating their local constituencies on all matters related to TIP in the county. As a reflection of this vision, the chair and deputy chairpersons are from different parties in parliament (i.e., the Sierra Leone People's Party and the All People's Congress political parties, respectively).

In this regard, this policy paper provides an analysis of current realities and opportunities to inform the engagement of the working group, as well as realistic and actionable entry points for implementation of ATIP policies and programmes in the short, medium and long term in Sierra Leone.

¹The full text can be viewed at: <https://www.parliament.gov.sl/uploads/acts/ANTI-HUMAN%20TRAFFICKING%20AND%20MIGRANT%20ACT2022.pdf>

²See more details on Lewis, R. (2023). *The New Anti-Human Trafficking and Migrant Smuggling Act of Sierra Leone: Implication for Policy and Practice*. Center for Human Trafficking Research and Outreach, University of Georgia, Athens, GA, USA.

³Adapted from CenHTRO and Antobert Consultancy Services Terms of Reference for the Parliamentary TIP Working Group.

⁴Ibid

KEY HIGHLIGHTS

EDUCATE

Parliamentarians across various political constituencies have the duty to amplify public education programmes on all TIP related matters across national and local platforms.

LOBBY

Parliamentarians have the right political capital to lobby MDAs and their related parliamentary committees to include ATIP programmes on various topics.

PIONEER

Sierra Leone Parliament and the PTIPWG is well positioned to pioneer the review of legislative codes as a way to combat trafficking. They can also spearhead the process of amending any legislation that may not be aligned with the spirit of ATIP initiatives.

OVERSIGHT

The PTIPWG has a duty to monitor and evaluate progress in the implementation of various policy initiatives on TIP including the implementation of the Sierra Leone National Action Plan on TIP, the National Referral Mechanism on TIP and the Trust Fund for Victims of Trafficking.

COOPERATE

Through the PTIPWG, Sierra Leone MPs can leverage opportunities for cooperation with civil society structures and non-governmental organisations on measures for protection, prosecution and long-term prevention.

PRIORITISE

The PTIPWG must prioritise passage of new regulations to increase funding for ATIP initiatives including advocating for state funding of the trust fund for victims of trafficking through the country's national budget.

AMPLIFY

MPs must amplify the voices of their constituencies on TIP related matters, such as community owned and led initiatives to counter human trafficking in provinces, districts, chiefdoms and villages across the country.

PROMOTE

The PTIPWG must continue to work with MPs across the political divide to promote international cooperation on TIP by taking steps to establish jurisdiction on extraterritorial basis, extradition, mutual legal assistance, law enforcement and information exchange.

SIERRA LEONE NATIONAL PARLIAMENT + PARLIAMENTARIANS

A STRUCTURAL OUTLOOK

National Parliaments in every sovereign state represent one of the key pillars of government and the governance architecture of the state. They also stand as the primary expression of the people's will. Parliaments set out the legislative framework in which societies operate and provide a platform for oversight on rules, procedures and resources around a wide array of government programmes.⁵ What happens in parliament is of wide interest as it affects the relationship between the state and its citizenry.

In Sierra Leone, the constitutional mandate for the country's parliament is described in section 73 (3) of the 1991 constitution which states that: "there shall be a legislature of Sierra Leone which shall be known as parliament" where all legislative power and authority is rested. However, the core functions/role of the parliament of Sierra Leone are delineated as follows:

- i Representative role – speaking on matters of public importance in which members of parliament discuss important current issues; presenting petitions on behalf of citizens.
- ii Legislative role – Proposes, debates, passes, amends, and rejects laws.
- iii Oversight role – monitor and check the activities of the government through Parliamentary Committees and Working Groups.
- iv Approving State budget – Parliament has the authority to approve or reject the national budget from the executive arm of the government.⁷

As noted above, the legislative function of parliament entails the enactment of laws that support the interests of all people in the country. The executive presents proposals of changes in laws or new laws to parliament for consideration, which parliaments may approve, amend, or reject. In the area of oversight, MPs have to consider the needs of the people, the state's budget, the constitutional framework, and the political environment of the country.

MPs are directly and indirectly elected representatives who meet to debate, amend, and pass laws for the good governance of the country. Currently, the Sixth Parliament of the Second Republic has a composition of 149 Members. Each of the country's fourteen districts is represented by Paramount Chiefs from these 14 administrative districts, whilst 135 members are directly elected concurrently through the proportional representation system in the 2023 multi-tier elections. The administration of the Parliament of Sierra Leone is headed by the clerk of parliament. They are assisted by a deputy clerk, the director general and 14 heads of department that are responsible to provide technical, administrative support and advisory services to enable MPs to effectively and efficiently execute their constitutional mandate.⁸

Subsection 1 of Section 93 of the 1991 Constitution of Sierra Leone provides for the development of Parliamentary Committees. These committees are usually a small group of MPs empowered by parliament to perform a specific task. They are drawn from various political parties in parliament based on their representation, and enjoy the power, privileges, and protection that Parliament has under the constitution. Furthermore, Sub-section 2 of Section 93 provides for the establishment of oversight committees to oversee the affairs of MDAs, investigate or inquire into the activities and administration of such MDAs, review laws, policies and strategic plans governing the operations of MDAs geared toward good governance of the state.⁹

In the case of parliamentary working groups, they are considered subcommittees that include a coalition of MPs who are members of the same or different political parties working on a particular agenda. They conduct technical investigations, oversight, monitoring, and assessments processes to inform effective political, legal, procedural and policy intervention on context-specific issues in any of the thirty-one (31) oversight parliamentary committees in Parliament. Therefore, the working group has been established to serve as catalyst to promote the political and policy agendas related to ATIP intervention within parliament and across parliamentary constituencies throughout the country.

PARLIAMENTARY INTERVENTIONS WITHIN THE CONTEXT OF TIP

Trafficking in Persons is considered as a crime against a person. Therefore, the United Nations Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children (commonly known as the Palermo Protocol) “requires that the crime of trafficking be defined through combination of the three constituent elements, i.e., act, means and purpose, though in some cases these individual elements will constitute criminal offences independently”.¹⁰

In a nutshell, TIP means “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 other person, for the purpose of exploitation”.¹¹ Exploitation shall include, at a minimum, the exploitation or 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.

Forced Labour is a key element of exploitation. According to the International Labour Organization Forced Labour Convention, 1930 (No.29), forced or compulsory labour is “all work or services which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily”.¹² Furthermore, it is a situation in which a person(s) are coerced to work through the use of violence or intimidation or by more subtle means such as accumulated debt, retention of identity papers or threat of denunciation to immigration authorities.¹³

⁵Musuka, G., Chingombe, I., (2007). Building Equitable People-Centred National Health System: The Role of Parliament and Parliamentary Committees on Health in East and Southern Africa. Regional network for Equity in Health for East and Southern Africa. p.9. <https://equinet africa.org/sites/default/files/uploads/documents/KNparlMUSUKA130207.pdf>

⁶See more details on the 1991 Constitution of Sierra Leone and the Parliamentary Act 2023, Part IV, Section 22. <https://www.parliament.gov.sl/acts-2023-40.html>.

⁷Ibid.

⁸See more details here: <https://www.parliament.gov.sl/understanding-parliament.html>.

⁹Ibid.

¹⁰The full text can be found here: <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>.

¹¹ Article 3 of the Protocol to the United Nations Convention Against Transnational Organized Crime, (UNTOC), 2000.

¹² See more details on ILO Forced Labour Convention, 1930 (No. 29). <https://www.ilo.org/topics/forced-labour-modern-slavery-and-human-trafficking/what-forced-labour#:~:text=According%20to%20the%20ILO%20Forced,offered%20himself%20or%20herself%20voluntarily.%22>.

¹³ See more on <https://www.ilo.org/resource/article/meanings-forced-labour>

Parliament is a key institution for addressing social determinants related to social injustice and insecurities among its vulnerable constituents. This can take the form of violations of fundamental human rights as well as various crimes against the persons; and, institute measures for protection, enforcement of rules and long-term prevention. Therefore, legal or policy interventions to address human trafficking should be cognizant of:

- i The definitions of all forms of TIP in accordance with the new ATIP law and their interaction with prevailing cultural and social structures across communities in the country.
- ii The three elements of trafficking and the challenges thereof in both prosecution and conviction of culprits.
- iii Review and harmonise national legislations in a way that clearly distinguishes the crime of human trafficking from other forms of organised crimes such as transnational smuggling.
- iv Review existing laws to ensure the consistency and conformity of domestic legislations related to international and regional TIP legal instruments.

Although the new ATIP Act of 2022 provides rigorous measures to enforce prosecution and convictions of the crime of TIP, the PTIPWG can pioneer legislative dialogues across various parliamentary constituencies for the harmonisation and enactment of legislations to enhance child protection, including birth and adoption (menpikin) registration laws as well as laws addressing violence against children. Additionally, the PTIPWG can advocate for the enactment of legislations that prevent social risk and vulnerabilities to related crimes of trafficking, and work with the private sector to develop and enact codes of ethical

conduct concerning victims of trafficking, sex and labour exploitation.

Furthermore, the primary role of parliamentarians is to provide representation by amplifying the voices of their constituencies in all matters related to their well-being and social livelihoods. However, local needs and interests vary across constituencies. Homogenous communities in Africa grapple with different sets of political, social and economic realities. These realities are manifested in parliamentary representation within committees and subcommittees as well as working groups. In the context of human trafficking, parliamentary constituencies across communities hold different narratives to the crime of TIP. Context, approaches and mindsets around the causes and effects of TIP may be different across communities. Therefore, national parliaments and parliamentarians have the responsibility to represent their constituencies by amplifying these different narratives in a manner that informs a broad range of context-specific response by legislative authorities.

Similarly, the national parliament has an oversight role wherein MPs monitor and check the activities of government through parliamentary committees, subcommittees, and working groups. In the context of the PTIPWG, an opportunity is created to integrate TIP issues in all oversight processes. Such a working group is well positioned to monitor the response of MDAs on TIP issues; work with ATIP agencies on budget allocation; and monitor institutional response within the national referral mechanism for the protection of victims of trafficking.

The process of budget allocation and approval is the responsibility of the national legislature. This means the PTIPWG is best positioned to lobby the finance committee in parliament to increase budget allocation to support ATIP related activities in the country. Increased budget to ATIP enables greater and effective response to counter human trafficking across the national referral pathway covering

identification and rescue, protection and assistance, safe return and reintegration and participation in criminal matters including issues of compensation and other victim redress measures. These financial allocations provide more leverage for the PTIPWG to lobby MDAs to factor ATIP initiatives in their institutional agendas and activities.

As representatives of various political constituencies throughout the country, parliamentarians and the PTIPWG can support community prevention programmes by mobilising the broader national civil society community to undertake public education and community awareness programmes across their local constituencies. Such outreach provides platforms for knowledge exchange on local context-specific issues related to TIP across different communities and the specific legislative response needed to enable long term prevention of the crime of TIP.¹⁴

The Palermo Protocol recognises that “effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights”.¹⁵

At the continental level, in Africa, the Ouagadougou Action Plan of 2006 to Combat Trafficking in Human Beings and especially Women and Children was adopted by African leaders. It calls on African governments to take appropriate action to prevent all crimes related to human trafficking, raise awareness about the dangers of human trafficking, provide assistance and protection for victims of trafficking, take steps to implement and enforce international legal instruments and establish systems for cooperation and coordination in the fight against TIP.¹⁶ At the sub-regional level, the ECOWAS Policy on Protection and Assistance to Victims of

Trafficking was instituted in 2018, as well as a policy on protection of victim-witnesses.

There are other related international legal and policy instruments that have been adopted over the years with provisions that address TIP matters and constitute commitments on the part of state parties to combat this through national legislations. Therefore, the national parliament and the PTIPWG have the duty to monitor the government’s fulfilment of its obligations under the Palermo Protocol and other related international human rights protection regulations. However, in the process of developing and implementing national legislations, parliamentarians must ensure “compatibility between anti-trafficking laws and other related national legislation, including anti-money laundering laws, anti-corruption laws, laws on international cooperation and procedural laws on the confiscation of the proceeds of TIP crimes and protection of witnesses”¹⁷.

Finally, parliamentary response should include promoting accountability and transparency of government institutions by engaging in regular evaluations of government programmes in relation to TIP matters; and, consult with anti-corruption bodies, ombudspersons, the Human Right Commission, the ATIP Task Force secretariat, auditing agencies and other MDAs as well as local and international non-governmental organisations (INGOs) to monitor levels of corruption connected with TIP in the country.¹⁸

¹⁴ See more details on: *Combating Trafficking in Persons: A Handbook for Parliamentarians, Inter-Parliamentary Union and United Nations Office for Drugs and Crime (UNODC), 2009. p.24 and p.86. https://www.agora-parl.org/sites/default/files/agora-documents/UN_Handbook_engl_core_low.pdf.*

¹⁵ Adopted by the United Nations General Assembly under Resolution 55/25 on 15 November 2000 and came into force on 25 December 2003. A useful overview of the Protocol can be viewed at: https://www.unodc.org/documents/treaties/Special/2000_Protocol_to_Prevent_2C_Suppress_and_Punish_Trafficking_in_Persons.pdf

¹⁶ The full text of the Ouagadougou Action Plan can be viewed at: https://au.int/sites/default/files/pages/32899-file-3_ouagadougou_action_plan_to_combat_trafficking_en_1.pdf.

¹⁷ Op. cit. *Combating Trafficking in Person: A Handbook for Parliamentarian. p.6.*

¹⁸ Ibid.

TRENDS OF TIP IN SIERRA LEONE

Sierra Leone has been identified as a source, transit and destination country for human trafficking.¹⁹ This state of affairs has continued to worsen with new trends of internal and external trafficking reported to the Sierra Leone ATIP Task Force Secretariat.

This include new evidence of child exploitation for labour in the eastern region of the country,²⁰ and the use of deceptive international labour recruitment programmes, in addition to others.

According to the latest U.S Department of State Trafficking in Persons Report (TIP Report), Sierra Leone has been in Tier 2 for the past two years on the global trafficking ranking system.²¹ Internal trafficking has been more prevalent in the country as “women and children are trafficked from rural provincial villages and towns to district headquarter towns and cities and in mining areas”.

As noted in the Sierra Leone ATIP Task Force report, a common means of trafficking young men and women across borders is through “resettlement programmes” to mainly Europe and America.²³ In this situation, victims are promised opportunities of better life but upon their arrival are trapped into trafficking syndicates in these foreign countries where they are exploited for sex, labour and domestic servitude.

Furthermore, traffickers exploit victims from neighbouring West African countries in forced begging, forced labour and sex trafficking in Sierra Leone, and traffickers exploit Sierra Leoneans in neighbouring countries, including Guinea, Mali, Niger and Liberia for forced labour and sex trafficking.²⁴ The 2022 TIP Report noted that adults from Sierra Leone voluntarily migrate to other West African countries, including Mauritania and Guinea, as well as to the Middle East and Europe, where traffickers exploit some into forced labour and sex trafficking.²⁵

¹⁹AMNeT (2019), *Report of a Baseline Study on Combatting of Human Trafficking and Protecting the Rights of Children, Migrants and Women Victims through Community Engagement Action*. Freetown, Sierra Leone.

²⁰See more details on the CenHTRO baseline prevalence estimate of child trafficking in the Eastern province of Sierra Leone. https://cenhtro.uga.edu/resources/documents/SL_Baseline_Summary_Final.pdf.

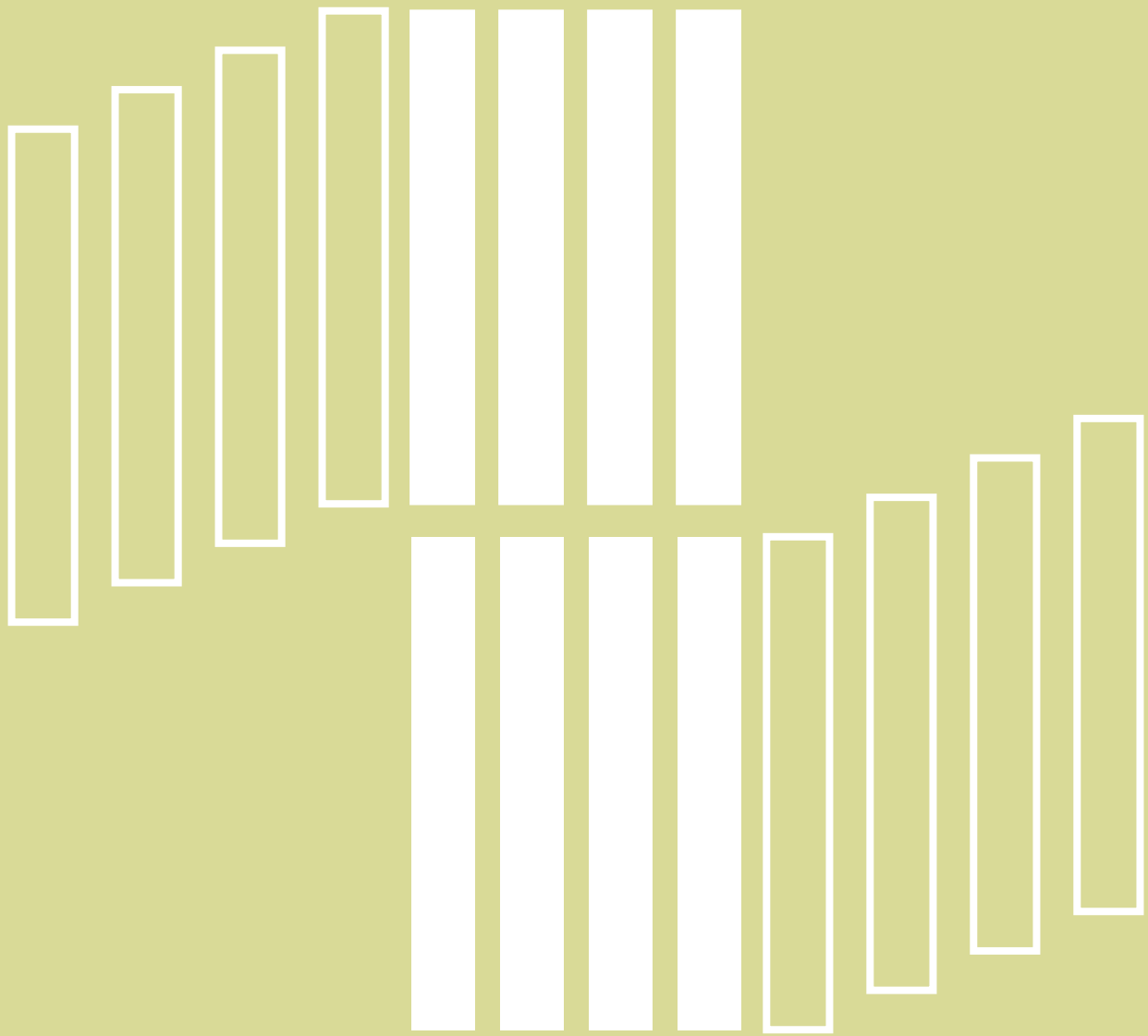
²¹SUS. Department of State (2022), *Trafficking in Persons Report*. United States Federal Government. <https://www.state.gov/reports/2022-trafficking-in-persons-report/sierra-leone/>

²²Ibid

²³Courtesy of Interview with the Executive Director of the Anti Trafficking Agency, Ministry of Social Welfare, Government of Sierra Leone, Freetown, 6th June 2023.

²⁴Ibid

²⁵See more details on 2022 Trafficking in Persons report: Guinea, US Department of States. <https://www.state.gov/reports/2022-trafficking-in-persons-report/guinea/>



8

ENTRY POINTS FOR PARLIAMENTARY INTERVENTION TO CURB TIP IN SIERRA LEONE

- EDUCATION AND PUBLIC AWARENESS
- ADVOCACY FOR INCLUSION AND IMPLEMENTATION OF ATIP POLICIES AND PROGRAMMES
- PIONEER THE REVIEW AND HARMONIZATION OF OTHER LEGISLATIONS FOR LONGTERM PREVENTION
- INTEGRATE TIP ISSUES ON PARLIAMENTARY OVERSIGHT PROCESSES
- PARTNERSHIP WITH CIVIL SOCIETY AND OTHER NON-STATE ACTORS
- PRIORITISE ADVOCACY ON INCREASED ALLOCATION OF BUDGET FOR ATIP RESPONSE
- AMPLIFY THE VOICES OF THEIR CONSTITUENCIES ON TIP RELATED MATTERS
- PROMOTE INTERNATIONAL COOPERATION TO COMBAT TIP

The enactment of a new anti-human trafficking legislation by Sierra Leone's Parliament in 2022 is a significant step in the fight against TIP in Sierra Leone. It is a testament to the institution's commitment to create the enabling political environment required for state and non-state actors to respond through implementation of policies and enforcement of laws to support protection and long-term prevention efforts. It represents opportunities for partnership and cooperation among ATIP partners and led to the formation of the PTIPWG, which now has the responsibility to promote ATIP efforts across local constituencies and scale up political commitment, oversight, monitoring and programming throughout the country. In this regard, the analysis below provides eight entry points for parliamentary intervention to curb TIP. It is based on extensive review of related literature on TIP and parliamentary intervention processes as well as key informant interviews with senior personnel on ATIP intervention programmes in Sierra Leone.

1

EDUCATION AND PUBLIC AWARENESS

Education is an important entry point for prevention of TIP in Sierra Leone. A large majority of communities across the country do not understand the problem of TIP, the dangers it presents to every individual in violation of their human right or as a crime against the person. The ATIP Task Force Secretariat at the Ministry of Social Welfare has already begun a national public education campaign bringing on board other MDAs. In this regard, the PTIPWG can build on these opportunities by amplifying public education programmes on TIP and TIP-related matters across national and local platforms. The working group can partner with other parliamentarians especially those who are representing constituencies with high prevalence rate of TIP to conduct public education programmes in these communities. Partnership with other local and community stakeholders, such as Provincial and District ATIP Task Forces, as well as Community Welfare Committees and Village Parent Groups, should be amplified in education campaigns across local communities.

Furthermore, the working group can engage with the Parliamentary Committee on Education and the Ministries of Education with an aim to include formal and informal education programmes on human rights, child protection, and TIP matters in the extracurricular activities of primary and secondary school pupils and university students. This includes various social clubs in schools and colleges. It is important for young people to know about the modus operandi and dangers presented by trafficking crimes, the grave risk to their lives and livelihood and opportunities for legal recourse.

2

ADVOCACY FOR INCLUSION AND IMPLEMENTATION OF ATIP POLICIES AND PROGRAMMES

Beyond the successful enactment of the new amendment Act by Sierra Leone's Parliament, there is a need to translate these legislations into operational policies and programmes within relevant MDAs as well as other non-state actors. Policies and programmes that are responsive to ATIP endeavours are vital to the reduction of the prevalence of TIP across communities. The PTIPWG has the right political capital to lobby MDAs and their related parliamentary committees to include ATIP programmes on a variety of issue areas including child protection within traditional "menpikin" practices, gender based violence, domestic violence, document fraud, border management and security, as well as effective implementation and coordination of the National Referral Mechanism for the Protection of Victims of trafficking in Sierra Leone.

The PTIPWG must scale up engagement with security sector actors and border management stakeholders on the implementation of measures for identification and rescue of victims of trafficking (VoTs) at the country's borders as well as lobby government and non-state partners to allocate resources for the establishment of temporary shelter for protection of VoTs. Similar endeavours are required with the recently established Trust Fund for Victims of Trafficking in the medium to long term.

3

PIONEER THE REVIEW AND HARMONIZATION OF OTHER LEGISLATIONS FOR LONGTERM PREVENTION

Considering the fact that TIP involves a variety of related social phenomena which must be addressed if it is to be effectively prevented, a comprehensive framework of prevention requires that the laws pertaining to those phenomena must reflect a similar commitment to eradicating the crime. For instance, since TIP involves exploitation of labour, institutionalisation of labour codes to protect VoT are important. Additionally, because trafficking can be dangerous to individuals and public health, laws governing health and related subjects are relevant. Furthermore, as child protection laws are relevant to reduce the vulnerability of children to trafficking, prevention is well served when laws governing marriage and birth registration are well structured and enforced towards protection and prevention of TIP.²⁶

Therefore, the PTIPWG is well positioned to pioneer the review of legislative codes through the prism of an effort to combat trafficking in a multi-dimensional way and spearhead the amendment of any legislation that may be in contradiction with the spirit of ATIP initiatives. These include laws related to immigration, labour, money laundering, organised crime, child protection, tourism, marriage etc.²⁷

4

INTEGRATE TIP ISSUES ON PARLIAMENTARY OVERSIGHT PROCESSES

One of the key roles of parliament and parliamentarians is to provide an oversight role by holding the executive arm of government accountable for its actions and for ensuring that it implements policies in accordance with the laws and budget passed by the parliament. Common oversight tools include parliamentary questions to ministers and senior officials of government; commissions of inquiries; and interpellation that involves formal procedures to require the justification of a certain policy instituted by one or more executive arm of government or an individual member of government. This can be followed by a vote of no confidence.

With these tools at its disposal, the PWG can monitor and evaluate the implementation of the Sierra Leone National Action Plan on TIP, monitor generation of revenue and allocation of fund within the Trust Fund for Victims of Trafficking and request information from the ATIP Task Force secretariat in order to assess progress in the implementation of various policy initiatives on ATIP.

5

PARTNERSHIP WITH CIVIL SOCIETY AND OTHER NON-STATE ACTORS

The Palermo Protocol stipulates that state parties must cooperate with non-governmental actors in adopting prevention measures to combat TIP and measures of assistance and protection. In this regard, civil society is a critical partner in all prevention, protection and prosecution efforts. In Sierra Leone, civil society organisations help the government identify victims of trafficking and offer direct services, such as legal assistance, medical care and psychological aid throughout court proceedings, and contribute to a dignified process of safe return and reintegration of VoTs into society. Therefore, civil society participation is a crucial component of any comprehensive approach to combating TIP.

The PTIPWG has a readily available sector of civil society stakeholders and non-governmental organisations (NGOs) to work with on ATIP matters across the national referral pathway for VoTs in Sierra Leone. This means it can consult civil society structures on related parliamentary oversight processes on TIP; hold public hearings at which civil society groups and NGOs can offer their opinions on measures for identification and rescue, protection and assistance and formulation of policies towards long-term prevention; and use civil society to mobilise public support to back government policies for combating TIP.

²⁶Op. Cit. Adapted from 'Combating Trafficking in Persons: A Handbook for Parliamentarians'.

²⁷Ibid.

6

PRIORITISE ADVOCACY ON INCREASED ALLOCATION OF BUDGET FOR ATIP RESPONSE

As mentioned in the previous section, a key function of parliament is the approval of the national budget that is usually presented by the Ministry of Finance. At the same time, the parliamentary committee on state financing provides oversight of state funding and budgetary procedures and processes. This functional role provides opportunities for the PTIPWG to advocate and lobby for more allocation of state funding to support the implementation of ATIP initiatives such as operationalization of the new ATIP Agency, the trust fund for victims of trafficking and the measures for protection and assistance within the national referral pathway for VoTs. The newly established PTIPWG is best positioned to spearhead these advocacy engagements within its parliamentary constituency including the finance appropriation committee.

Currently, CenHTRO is partnering with Antobert Consultancy Services to implement an advocacy project. The focus of this project is to provide the required competencies of the PTIPWG to advocate for more allocation of budget lines on TIP programming and interventions by the government. Also, the working group has an opportunity to work with the budget advocacy network on TIP response initiatives that will be sustainable in the long term.

7

AMPLIFY THE VOICES OF THEIR CONSTITUENCIES ON TIP RELATED MATTERS

The Parliamentary Working Group has the duty to work with other members of parliament to amplify the voices of their constituencies on TIP related matters. As representatives of their people, they have the responsibility to consult with members of their constituencies on ATIP intervention programmes that would be most effective in mitigating the causes of vulnerabilities of potential victims to TIP. They can also push for such initiatives to be implemented by the anti-trafficking agency within the Ministry of Social Welfare, related MDAs and non-state actors. Therefore, it is important for members of the working group and other parliamentarians to hold regular meetings with ATIP stakeholders in their communities such as community welfare committees to discuss emerging issues on TIP in order to effectively represent their views in the review and harmonisation of laws related to TIP.

Periodic meetings with members of local constituencies should be undertaken by parliamentarians to gather first-hand information and insight on TIP matters in order to engage in advocacy related activities and be able to represent the voice of those directly affected by TIP in Parliament.

8

PROMOTE INTERNATIONAL COOPERATION TO COMBAT TIP

The Palermo Protocol stipulates that state parties “shall take or strengthen measures, including through bilateral or multilateral cooperation to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunities”²⁸. International, multilateral and bilateral cooperation can play an important role in combating trafficking activities. Such cooperation is critical between countries involved in different stages of the trafficking cycle²⁹. In this regard, the Parliamentary Working Group and other MPs can take steps to establish jurisdiction on extra territorial basis, extradition, mutual legal assistance, law enforcement and information exchange especially with Sierra Leone’s neighbouring countries. Additionally, the working group can develop and ratify bilateral and multilateral agreements to protect, assist and repatriate VoTs in and out of Sierra Leone.

CONCLUSION

The current institutional, legal, policy and operational realities on ATIP interventions in Sierra Leone represent a groundswell of opportunities for state and non-state actors to respond to TIP. The establishment of the PTIPWG is an opportunity to foster partnership between the executive arm of government (including MDAs and the ATIP Task Force Secretariat), the broader parliamentary community and other non-state actors. These potential partnerships are useful to provide public education and outreach programmes on TIP; to conduct oversight processes in the operations of the National Referral Mechanisms on TIP, manage advocacy for the ATIP trust fund, engagement with MDAs in the implementation of ATIP policies and programmes and work with other MPs to review and harmonised related national legislations to enable long-term prevention of the crime of TIP.

Through its global advocacy programme, the CenHTRO is providing initial support to the working group to facilitate training and knowledge exchange, conduct oversight field visits on ATIP related matters with CSO representatives and other parliamentary committees. Similarly, it provides opportunities for networking with national ATIP stakeholders in order to amplify the voices and concerns of their local constituencies on TIP matters. Therefore, the working group needs to initiate a plan of actions with clear activities that are in sync with these entry points for long term prevention in the country. As MPs, it is hoped they will leverage their political capital to earnest the institutional support needed from all MPs across various parliamentary committees including Paramount Chiefs as traditional leaders and their local constituencies to take action now to end the scourge of TIP in all its forms in Sierra Leone.

²⁸Article 9 of the Palermo Protocol

²⁹See more details on OHCHR Recommended Principles and Guidelines on Human Rights and Human Trafficking. <https://www.ohchr.org/sites/default/files/Documents/Publications/Traffickingen.pdf>.



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