



# Генеральная Ассамблея

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**Поощрение и защита всех прав человека,  
гражданских, политических, экономических,  
социальных и культурных прав,  
включая право на развитие**

## Посещение Гвинеи-Бисау

**Доклад Специального докладчика по вопросу о торговле людьми,  
особенно женщинами и детьми, Шивон Маллалли\***

### *Резюме*

Специальный докладчик по вопросу о торговле людьми, особенно женщинами и детьми, посетила Гвинею-Бисау с 4 по 14 ноября 2024 года.

Специальный докладчик приветствует приверженность борьбе со всеми формами торговли людьми и в своем докладе представляет рекомендации по эффективному предотвращению всех форм торговли людьми посредством укрепления институтов, отправления правосудия и верховенства закона, подотчетности и эффективного доступа к правосудию для лиц, ставших жертвами торговли людьми.

\* Резюме настоящего доклада распространяется на всех официальных языках. Сам доклад, содержащийся в приложении к резюме, распространяется только на том языке, на котором он был представлен.



## Приложение

### **Доклад Специального докладчика по вопросу о торговле людьми, особенно женщинами и детьми, Шивон Маллалли о посещении Гвинеи-Бисау**

#### **I. Introduction**

1. The Special Rapporteur on trafficking in persons, especially women and children, conducted an official visit to Guinea-Bissau from 4 to 14 November 2024 to assess the situation of trafficking in persons, especially women and children. The Special Rapporteur is grateful to the Government of Guinea-Bissau for the cooperation shown before, during and after the visit. She commends the cooperative approach of all authorities and the willingness to engage in an open and constructive dialogue.

2. During the visit, the Special Rapporteur met with the President of Guinea-Bissau, the Prime Minister, the Minister for Foreign Affairs and the Ministers of Agriculture, Public Health, Public Administration, and Tourism. She also met with the President of the Institute for Women and Children and other government officials, and representatives of the Supreme Court, the judicial police and the National Guard, as well as with civil society, women's organizations, youth leaders, lawyers, traditional leaders and communities, sex workers, religious leaders and representatives of the National Human Rights Commission. In addition, she met with the Prosecutor General, the Vice-President of the Supreme Court and representatives of the Bar Association. She visited a detention centre in Bissau, presently being used as a prison, and shelters for the accommodation of child victims of trafficking in Bissau, Bafatá and Gabú. The Special Rapporteur met with the Governors of Bafatá and Gabú and with regional authorities. During the visit, the Special Rapporteur met with members of the diplomatic community and with colleagues in the United Nations entities. In addition to Bissau, she visited Bafatá, Gabú and Cambaju.

3. The Special Rapporteur is grateful to the United Nations country team, in particular the Office of the United Nations High Commissioner for Human Rights colleagues in Guinea-Bissau, for the excellent support during the visit and to colleagues in the United Nations entities who facilitated meetings and arranged visits.

4. Throughout her visit, the Special Rapporteur met with human rights defenders, civil society and victims/survivors of trafficking in persons for all purposes of exploitation. She is particularly grateful to the victims/survivors of trafficking in persons who met with her and whose testimonies of serious human rights violations inform the analysis and recommendations presented in the report.

#### **II. Background and trends in trafficking in persons in Guinea-Bissau**

5. Despite commitments to transformative and inclusive governance, peacebuilding and sustainable development, continuing political instability and weak institutions undermine the rule of law and progress towards sustainable development. The Special Rapporteur highlights that effective action to prevent trafficking in persons and combat the drivers of trafficking is essential to achieving the objectives of the United Nations Sustainable Development Cooperation Framework, the 2030 Agenda for Sustainable Development and Agenda 2063 of the African Union. The dissolution of the National Assembly following a presidential decree of 4 December 2023, continuing political instability and the paralysis of State institutions undermine capacity for legislative and policy reforms and urgently needed action to strengthen the rule of law, the administration of justice and State institutions. Such instability and the failure of democratic governance further exacerbate the drivers of trafficking, in particular corruption, weak institutions, extreme poverty, unemployment, gender inequality, limited access to education and weak child protection systems. Poor

infrastructure, weak and often non-existent public services severely hinder action to combat the drivers of trafficking in persons. The Special Rapporteur notes that extreme poverty contributes to high risks of trafficking for all forms of exploitation. These risks are further exacerbated by severe limitations in the administration of justice and the rule of law, leading to widespread impunity for all forms of trafficking, particularly affecting children. The prevalence of drug trafficking and the status of Guinea-Bissau as a major hub and entry point into West Africa for drug trafficking add further to the challenges of strengthening the rule of law, the administration of justice and accountability. Against this background, and combined with the prevalence of other illicit economies, trafficking in persons also persists. A peace-centred development agenda, one that fully embraces the 2016 Conakry Agreement on the Implementation of the Economic Community of West African States Road Map for the Resolution of the Political Crisis in Guinea-Bissau and the stability pact, could provide for a new path towards sustainable development and peace.

## A. Trafficking in children and the rights of the child

6. Trafficking in children is an urgent and serious concern in Guinea-Bissau. Trafficking in children, particularly children in situations of extreme poverty, for the purposes of exploitation in begging is the most reported form of trafficking in children; it occurs particularly in Qur'anic schools, where there is limited oversight and an absence of child protection measures. Children trafficked for the purposes of exploitation in begging and forced labour in street vending are also at high risk of sexual exploitation. The Special Rapporteur notes the attention that has been paid to combating this form of trafficking and the efforts that have been made to establish a dialogue with religious leaders, Qur'anic teachers and regional authorities to strengthen action to prevent such forms of trafficking and ensure child protection. She also notes awareness-raising initiatives led by civil society and community leaders. However, such measures are ad hoc and not systematic. Children continue to be at serious risk of exploitation in Guinea-Bissau and during cross-border movements to Senegal. Despite widespread reports of child trafficking and an absence of child protection measures in some Qur'anic schools, no prosecutions or convictions for child trafficking have been recorded. Corruption and impunity for this serious human rights violation and serious crime allow child trafficking to persist, affecting the most vulnerable children.

7. Limited information was available on trafficking in children for the purposes of forced criminality, particularly linked to drug trafficking. Given the prevalence of drug trafficking in the country, and the role of Guinea-Bissau as an entry and transit State, it is likely that children, particularly adolescent boys, are at high risk of trafficking for forced criminality in Guinea-Bissau and in cross-border areas. The limited awareness of or attention paid to such risks is of very serious concern, given the impact of such serious crimes on child rights and protection.

8. Children, in particular girls, are exposed to the risk of child marriage and of child trafficking for the purposes of domestic servitude. Both of these forms of child trafficking are prevalent and rooted in gender discrimination patterns that are pervasive in the country. Girls in impoverished households are sent from rural to urban areas to work in domestic households in a practice known as "*minus de criaçon*". Given the weak and largely absent child protection systems, girls are at high risk of being exploited in these informal "foster family" arrangements and are also at high risk of sexual exploitation.

9. Trafficking in children for the purposes of sexual exploitation in the growing tourism sector is also a concern, particularly in the Bijagós Islands and in some areas in the north of the country (São Domingos). The Special Rapporteur notes initiatives being taken by the Ministry of Tourism to promote responsible tourism and the adoption of a code of conduct. She also notes initiatives led by the United Nations Children's Fund (UNICEF) on training for the hospitality sector on preventing child trafficking for the purposes of sexual exploitation. However, despite the regional attention paid to child trafficking for the purposes of sexual exploitation and indicators of such exploitation occurring in the islands, there is limited information on investigations or prosecutions to ensure accountability or on access to justice for victims. Data was not available on the identification of child victims or referrals

for assistance and protection, despite indicators of the exploitation of adolescent girls and boys. In addition, the limited presence of law enforcement authorities in the islands and the absence of a functioning formal justice system lead to impunity. Victims and their families frequently resort to traditional justice mechanisms, which may reinforce gender inequality and discriminatory and harmful stereotypes.

10. Drivers, such as child poverty, food insecurity and limited access to quality education, contribute to the serious risks of child trafficking. Guinea-Bissau has implemented important measures, such as the establishment of the National Committee for the Elimination of Harmful Practices, to address practices such as child marriage, child begging and female genital mutilation. Despite these efforts, weak child protection systems and widespread impunity for all forms of violence against children enable child trafficking to persist. Resources for preventive action to combat trafficking in children continue to be insufficient. The high numbers of out-of-school children contribute to heightened risks of all forms of child trafficking.<sup>1</sup> Limited access to education, particularly in rural areas, increases the risks of child trafficking for domestic servitude, child marriage and sexual exploitation, particularly for girls.

11. Ensuring universal birth registration is a critical child protection measure, particularly for the prevention of child trafficking. The Special Rapporteur welcomes the collaboration between the Civil Registry and the Ministry of Public Health to facilitate registration at hospitals and during vaccination campaigns. However, the limited presence of civil authorities and public health officials throughout the country severely limits the impact of such efforts.

12. Children in street situations are particularly at risk of trafficking. Girls engaged in street vending are at risk of sexual exploitation. Sexual exploitation of boys is less visible but is also a serious risk for boys in street situations, where they are separated from families or guardians and are not attending school.

13. In the agricultural sector, children may be at risk of trafficking for forced labour, particularly during the cashew harvest period, and are at high risk of other serious human rights violations, including the health and safety risks associated with hazardous work. Families in situations of poverty include children in their income-generating activities, particularly in places where school feeding programmes and other child protection measures are absent. School dropout rates during harvest season are a concern, as children frequently do not return to school and are thus at greater risk. While the Worst Forms of Child Labour Convention, 1999 (No. 182), of the International Labour Organization (ILO) has been ratified by Guinea-Bissau, a national list of the worst forms of child labour has not yet been adopted.

14. Despite the suspension of intercountry adoptions by the Government of Guinea-Bissau, the Special Rapporteur is concerned at reports that illegal intercountry adoption is continuing, raising very serious risks of child trafficking, given the absence of effective child protection measures and weak administration of justice. Guinea-Bissau is not a signatory to the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and the conditions necessary for such signature have not yet been met.

15. The underreporting of child trafficking and the diverse forms of exploitation are of serious concern. The Special Rapporteur is also concerned at the lack of child-friendly justice measures to strengthen access to justice for children and the limited availability of victim and witness protection measures in criminal justice proceedings. Despite consistent reports of child trafficking and the initiation of investigations, the Special Rapporteur is concerned that investigations are not effective and that impunity persists. Investigations do not progress to prosecution due to corruption in law enforcement and in the administration of justice.

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<sup>1</sup> See <https://www.unicef.org/guineabissau/access-learning#:~:text=Guinea%20Bissau%20has%20a%20primary,per%20cent%20in%20rural%20areas>.

## **B. Gender inequality and risks of trafficking**

16. Gender inequality, discrimination in access to and control over land and natural resources and discrimination in employment and education contribute to heightened risks of trafficking in women and girls, particularly for forced labour, domestic servitude, child, early and forced marriage, and sexual exploitation. The prevalence of sexual and gender-based violence further contributes to a climate of impunity in relation to trafficking in women and girls.

17. Trafficking in persons occurs through informal networks, often involving family and community members. Single, divorced or separated women and widows are often at greater risk, given the absence of social protection and lack of access to sustainable livelihoods. The prevalence of women in the informal economy, particularly in agriculture, street vending and domestic work, exacerbates the risks of exploitation.

18. Access to reproductive and sexual health services, including contraception and safe and legal abortion, is extremely limited. These services are inaccessible to most women and girls. The Special Rapporteur welcomes measures such as a programme on girls' rights implemented by the Ministry of Education, in collaboration with the United Nations Population Fund, aimed at raising awareness among girls aged 13 to 15 years of their rights and of sexual and reproductive health issues.<sup>2</sup>

19. Economic empowerment initiatives, including those led by the Ministry of Agriculture, to enhance access to credit for women in rural areas are welcome but their scope and reach are limited. Other promising initiatives include the training of women in agribusiness and targeted measures to improve literacy rates among women and girls. However, harmful and discriminatory practices limit women's access to equal inheritance of land and property, further increasing dependency and economic inequality.

20. The need for gender-sensitive and trauma-informed criminal justice procedures is evident. Notwithstanding current efforts, including the existence of gender focal points in the police force, continued efforts are needed to strengthen access to justice, particularly in rural areas, and to realize the right to gender equality. The Special Rapporteur was impressed by the work and advocacy of women's associations in seeking to combat all forms of trafficking in persons and promote gender equality, despite limited resources or support from the State or the international community.

## **C. Trafficking in persons for the purposes of forced labour**

21. The prevalence of the informal economy and the high concentration of workers in the informal sector contribute to the high risks of trafficking for forced labour. Limited capacity for the protection of workers' rights and weak enforcement of labour laws increase the risks of trafficking for forced labour, particularly in high-risk sectors, such as domestic work, agriculture, fisheries and mining, where regulation and enforcement are particularly limited. The normalization of exploitative practices in affected sectors also hampers identification of trafficking in persons and intersects with widespread discrimination on the basis of gender, migration status and socioeconomic status.

22. The limited capacity for inspections and enforcement of the rights of agricultural workers contributes to risks of exploitation, including trafficking for forced labour. Exploitation in the agricultural sector primarily affects women and children. While women constitute the primary workforce in agriculture, wages are frequently paid to male heads of households only. In the agricultural sector, seasonal migrant workers arriving from neighbouring countries, particularly from Guinea, have limited or no access to social protection and are often recruited through informal networks of intermediaries, with limited or no oversight of working conditions.

<sup>2</sup> United Nations Population Fund, document DP/FPA/CPD/GNB/7, paras. 31–37.

23. While several initiatives are under way in the Ministry of Agriculture to improve the conditions of agricultural workers, implementation remains limited.<sup>3</sup> There are anecdotal testimonies of risk practices in logging, including in logging facilitated through government contracts with foreign companies. Limited information was available on the status of such contracts or on the terms and conditions in relation to the protection of workers' rights or the recruitment and status of migrant workers.

24. In the fisheries sector, confusion over jurisdiction, competence and enforcement of the labour rights of fishers, including the lack of regulation and formalization of work contracts, contributes to impunity and increased risks of trafficking for the purposes of forced labour, particularly in the context of illegal fishing. Allegations of trafficking in persons in the fisheries sector include abusive practices by recruitment agents, who act with impunity given the absence of regulation and effective law enforcement. Transparency over and comprehensive attribution of responsibilities to the labour inspectorate to effectively monitor the protection of fishers' labour rights and coordination among relevant authorities, including the Ministry of Fisheries, the Ministry of Transportation and the National Guard, is key to combating trafficking for the purposes of forced labour or illegal fishing. The ratification by Guinea-Bissau of the Maritime Labour Convention, 2006, of ILO and its forthcoming entry into force, on 10 June 2025, provide an excellent opportunity to develop the capacity of the inspectorate and clarify the roles and competences of the relevant entities. In this context, the Special Rapporteur notes that cooperation agreements with the European Union and China concerning the fisheries sector must ensure the effective protection of the rights of fishers and all other workers in the fisheries sector.<sup>4</sup> She notes similar concerns regarding the risks of the forced labour of migrant fishers who are nationals of Guinea-Bissau in the context of mixed migration in the West African region.

25. The role of civil society, particularly domestic workers' associations and trade unions, is critical to the prevention of trafficking for forced labour. The Special Rapporteur is particularly impressed by human rights advocacy work in support of domestic workers. She is deeply concerned by the serious human rights violations, including trafficking in persons for the purposes of domestic servitude, endured by domestic workers. The sector is defined by highly gendered informality and abuses of workers' rights, including through the withholding of wages and the failure to provide contracts of employment. Concerns were raised during the visit regarding the lack of application of specific provisions of the Labour Code to regulate the employment of domestic workers and the need for training of labour inspectors.<sup>5</sup> Women and girls are particularly at risk. Forced labour coexists with the high risk of sexual exploitation of domestic workers. Despite important legislative developments, enforcement of labour protections is weak and widespread abuses of domestic workers persist with impunity. The limited capacity of the labour inspectorate and the normalization of labour exploitation in the domestic work sector serve to limit the identification of victims of trafficking or persons at risk of being trafficked.

#### **D. Trafficking in persons for the purposes of sexual exploitation**

26. Limited data is available on the prevalence of trafficking for sexual exploitation, despite consistent reports of the incidence of this form of trafficking, particularly affecting women and girls. The Special Rapporteur received information concerning foreign national women, including those trafficked for sexual exploitation in Bolama Island in the context of mixed migration towards Europe. Other information received highlighted the risks of trafficking of women of Guinea-Bissau for the purposes of sexual exploitation abroad, in particular to the Gulf region. Women are recruited under false pretences for work abroad.

<sup>3</sup> See, for example, Food and Agriculture Organization of the United Nations, "Distress kills. Living in constant dependence on men leads many women to death. A slow death", 7 May 2023.

<sup>4</sup> See, for example, the agreement with the European Union, available at [https://oceans-and-fisheries.ec.europa.eu/fisheries/international-agreements/sustainable-fisheries-partnership-agreements-sfpas/guinea-bissau\\_en](https://oceans-and-fisheries.ec.europa.eu/fisheries/international-agreements/sustainable-fisheries-partnership-agreements-sfpas/guinea-bissau_en).

<sup>5</sup> Guinea-Bissau, Act No. 7/2022 of 19 July 2022, section IV, on domestic employment contracts, arts. 287–300.

Other identified means of the recruitment of women for the purposes of sexual exploitation is through online contact, either in the form of study abroad offers or online grooming.

27. Sex workers may be at increased risk of trafficking for the purposes of sexual exploitation, as they encounter additional obstacles when seeking access to justice and assistance and protection from law enforcement authorities due to discriminatory attitudes and stigma.

## **E. Trafficking in the context of mixed migration**

28. The Special Rapporteur is deeply concerned at the risks of trafficking in persons in the context of mixed migration and the little attention that this issue has received. During her visit, the Special Rapporteur met with migrants currently in Guinea-Bissau and with returned migrants who are nationals of Guinea-Bissau. The Special Rapporteur is concerned at the risks of trafficking in the context of irregular migration, particularly in transit towards Libya. The limited access to safe, regular migration pathways for employment contributes to higher risks of trafficking in persons. Young people pay large sums of money to seek employment opportunities in Europe and are frequently tricked into taking risky journeys by land and sea, at the risk of sexual exploitation and forced labour. Reports of kidnapping for ransom are increasing. Limited assistance is available to victims of trafficking on their return, and access to justice, accountability and effective remedies for trafficking in the context of migration are non-existent. While international organizations, civil society and voluntary organizations seek to provide support, measures of assistance and reintegration are extremely limited. Some efforts to provide local employment opportunities for young people, including with international support (from Italy) and involving the diaspora, are being made, but a lack of government funding is a concern and jeopardizes these initiatives. The lack of employment opportunities in the country was identified as a driver of migration. There is also high dependence on remittances.<sup>6</sup>

29. Women are also trafficked abroad for the purposes of forced labour in domestic households, particularly to the Gulf region. Recruitment occurs online and through recruitment intermediaries and informal networks, which use misleading offers of study abroad or regular employment opportunities. The lack of accountability and oversight of such recruitment allows trafficking in persons to continue with impunity.

30. Of particular concern is the situation of migrants stranded in Bolama Island. Migrants from neighbouring countries can find themselves in Bolama, a first stop in the smuggling route towards Europe. In Bolama, where their stay can be extended for months without any means to move further on in the route towards Europe, they are exposed to risks of forced labour and sexual exploitation. Despite these concerns, there is very limited care and protection available, including access to justice, in the island or in the region.

31. Another concern is the limited border controls, together with the porosity of borders and the limited resources of the National Guard border police. There is no data collection at borders, and a high turnover of staff limits the effectiveness of training. In addition, concerns were raised regarding the availability of false documentation, further facilitated by the limited functioning of the Civil Registry. This is particularly concerning when it comes to identified risks of trafficking in children for the purposes of adoption. The Special Rapporteur welcomes some of the efforts made, such as the visa facilitation programme among Portuguese-speaking countries, which has facilitated regular migration paths within those countries. However, poor technical education in Bissau primarily relegates prospective migrants to low wage jobs and poorly regulated sectors, where the risks of trafficking for forced labour are higher in countries of destination.

32. There is limited or no support available through consular services abroad. The unavailability of consular services has exposed migrants from Guinea-Bissau to human rights violations in contexts such as arrest for illegal entry into a country of destination. The lack of consular support is also a concern when it comes to ensuring access to justice abroad for

<sup>6</sup> According to World Bank data, remittances represented 10.1 per cent of gross domestic product in 2023. See <https://data.worldbank.org/country/guinea-bissau?view=chart>.

victims from Guinea-Bissau. The Special Rapporteur notes the measures that have been taken by the Government, such as the cooperation agreement with Cabo Verde on migration issues, signed in 2021. Further international cooperation to ensure the provision of consular assistance and services is an essential component of effective action to prevent trafficking in persons and to provide assistance and protection, including repatriation.

33. While the Special Rapporteur welcomes the work of international organizations in supporting the voluntary return of migrants, this must be followed and accompanied by long-term measures and investment in labour market access in Guinea-Bissau. The Special Rapporteur notes that the Government organized a mission to Libya, in 2019, to facilitate the identification of stranded migrants and issue laissez-passer to those without identification documents so as to facilitate their return to Guinea-Bissau.<sup>7</sup> Concerns remain, however, that migrants from Guinea-Bissau continue to be at risk, particularly in transit through Libya. The Special Rapporteur heard distressing accounts of returned migrants who had been victims of serious human rights violations, including trafficking for forced labour, while seeking to migrate abroad following false offers of employment and safe transit.

#### **Refugees and stateless persons**

34. The Special Rapporteur welcomes the measures taken to uphold the rights of refugees and combat statelessness. Risks of de facto statelessness remain, however, due to limited access to birth registration, the limited capacity of the Civil Registry and the weakness of civil authorities in remote regions, including the Bijagós Islands. In this regard, the Special Rapporteur stresses the need for continuing action to eliminate statelessness, as it may increase vulnerability to trafficking in persons.

### **III. Legal policy and institutional frameworks for combating trafficking in persons in Guinea-Bissau**

#### **A. International legal framework**

35. Guinea-Bissau ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime on 10 September 2007 and is a State Party to the core human rights treaties.

36. Guinea-Bissau has also ratified the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), and the Worst Forms of Child Labour Convention, 1999 (No. 182), of ILO. It has not, however, signed key conventions in relation to areas of risk in the country, such as the Domestic Workers Convention, 2011 (No. 189), of ILO.

#### **B. Trafficking in persons: domestic legislation and national policy and data**

37. Limited data on the prevalence of trafficking in persons is available, and there is a lack of capacity to provide disaggregated data. There is no centralized repository for disaggregated data regarding the number, gender, age or purpose of exploitation of victims of trafficking.

38. There have been significant developments with regard to legislative and policy frameworks. However, implementation in practice is weak, particularly in rural areas.

39. The Special Rapporteur highlights developments in the legislative framework of Guinea-Bissau. In addition to the prohibition on slavery enshrined in article 106 of the Criminal Code, a specific law on combating trafficking in persons was adopted in 2011:

<sup>7</sup> Guinea-Bissau, “National voluntary report on the implementation of the Global Compact for Migration for the International Migration Review Forum 2022”, 2022.

Act No. 12/2011. In addition to establishing a definition of trafficking in persons, the Act sets out measures, in chapter IV, for the early protection of victims and, in chapter V, for social inclusion. Article 20 establishes protection measures during criminal proceedings and recognizes the principle of non-punishment of victims of trafficking. It also recognizes that special protection can be afforded if the victims are in an irregular situation, are pregnant, are HIV-positive, have a disability or are children. Article 20 also provides that such special protection can be given to persons who, given their circumstances, may be more vulnerable to trafficking in persons.

40. Measures of protection outlined in article 21 of Act No. 12/2011 include the right to emergency shelter, appropriate accommodation, psychological support, medical assistance, counselling, legal aid and vocational training. The law also provides for the establishment of a system for monitoring and supporting victims' recovery and reintegration. Under article 22, temporary residence permits can be provided to foreign victims in Guinea-Bissau who agree to cooperate with authorities and are in State care.

41. Article 23 of the Act ensures the protection of whistle-blowers and witnesses from disciplinary measures or professional retaliation. Social organizations and individuals can also act as complainants; any retaliation against them is punishable by law. In addition to these measures, article 23 provides for the protection of witnesses or anyone participating in any criminal proceedings related to trafficking in persons.

42. In addition to the specific legislation on trafficking in persons, article 106 of the Criminal Code provides for penalties of between 5 and 20 years' imprisonment for the offence of slavery, with increased penalties for aggravating circumstances, such as if the victim is under the age of 16 or intended for sexual exploitation. Article 133 of the Criminal Code outlines the penalties for rape; article 134 criminalizes sexual abuse, which is defined as the sexual exploitation of someone aged between 12 and 16 years of age. The Children's Act of 2009 prohibits all forms of forced child labour and trafficking in children and establishes penalties of between 3 and 10 years in prison for perpetrators. In the Civil Code, child marriage is criminalized between persons under 16 years of age (art. 1,601) and between minors aged 16 to 18 years without parental consent (art. 1,597). The Special Rapporteur commends the efforts made to improve legislative and institutional frameworks to combat trafficking in persons, such as in the area of child protection, for example, through the creation of a policy on the comprehensive protection of children. However, current legislative and institutional frameworks are not sufficient to effectively monitor and protect the rights of the child.

43. The establishment of the National Committee for Preventing and Combating Trafficking in Human Beings is an important measure for the coordination and implementation of policy and strategy at the national level. The National Committee was established by Ministerial Order No. 05/2008. The Committee is coordinated and managed by the Institute for Women and Children. The latter's role includes organizing meetings, preparing agendas and facilitating information exchange. The Committee includes both governmental and non-governmental organizations, as well as international organizations that work actively to combat human trafficking. The objective of the Committee is to guide, coordinate and oversee activities to combat human trafficking in four key areas, namely prevention, victim identification and assistance, accountability of perpetrators, and repatriation and reintegration of victims. Unfortunately, according to information gathered during the visit, the Committee cannot, in practice, respond to situations of trafficking in persons. In the Bafatá Region, there is a regional committee on the monitoring and reintegration of vulnerable children, which becomes active particularly during official reintegration ceremonies for repatriated children; it is suggested that this committee could become a regional coordination mechanism for anti-trafficking and child protection activities.

44. The Special Rapporteur welcomes the adoption of the National Strategic Plan to Prevent and Combat Trafficking in Human Beings, which provides for collaboration by the Government of Guinea-Bissau with United Nations entities and civil society on the protection of and provision of assistance to victims of human trafficking. Efforts include measures for proactive identification and awareness-raising. In the National Strategic Plan, challenges in investigating trafficking cases and their impact on accessing support are recognized, as is the

need to ensure that first responders and those who are in contact with potential victims are able to recognize trafficking indicators and offer protective responses, building trust and providing comprehensive services, such as medical care, housing, education and legal support.

45. The strategic priorities are focused around creating a national referral system for trafficking victims by strengthening existing networks and services. Key actions include developing training programmes, coordinating government and civil society efforts, establishing procedures for the care of victims and engaging in regional collaboration. Regular inspections of shelters, the provision of support for victim centres and the allocation of emergency funding are also emphasized, alongside the expansion of infrastructure for social protection services. However, continuing political instability is undermining democratic governance and the rule of law and limiting the capacity to achieve key objectives of the National Strategic Plan, as well as to ensure justice and security sector reform, access to justice for victims and accountability, particularly with regard to children. The political instability has also contributed to legislative paralysis, including on important legislative initiatives such as the Comprehensive Child Protection Code. Revision of the Labour Code is also needed, including of the definition of a minimum wage and of measures to protect the rights of workers in the informal economy.

#### **IV. Assistance for and protection of trafficked persons**

46. There are no national services available for victims of trafficking in persons in Guinea-Bissau. Despite national legislation and plans, only limited accommodation and protection services are available for child victims, provided by civil society. In addition, there is no State budget to finance any support or assistance for victims. Where assistance or support programmes are provided by civil society, funding is severely limited and ad hoc. In any case, financial resources are very limited, entirely dependent on external aid and programmes, and lack sustainable funding plans. The lack of assistance for all victims of trafficking, including safe accommodation and access to medical and psychosocial assistance, is a very serious concern. Social and medical services are equally almost non-existent, especially in rural areas. The Institute for Women and Children is severely underresourced. It has no regional presence, and there are no social workers outside the capital. Given the limited funding that the Institute receives, there is a high turnover of human resources, limiting further the capacity of the Institute to respond to the needs of victims. In addition, its limited resources are mostly dedicated to combating trafficking in children for the purposes of begging in the context of Qur'anic schools.

47. Adult victims, particularly young women, are frequently accommodated in child shelters, including in situations where serious risks of violence and intimidation exist, as no other support or assistance are available. There are no accommodation or support structures for male victims. Urgent action is needed to develop support structures, safe accommodation and programmes of assistance and protection for adults and children, with sustained funding and implementation across the State. The long-term social inclusion and reintegration of victims must be prioritized. Assistance must be made unconditional and adapted to each victim's needs.

48. Regarding the identification of victims, the lack of social and health services throughout the country leaves the role of first responders to the law enforcement agencies. The Special Rapporteur welcomes the training of border officials on identification of trafficking in persons and their efforts to identify and refer children to available services, often at their own economic expense and by their own personal means. However, given that law enforcement also has limited resources and that there is unequal access to training, identification of victims is regrettably very low. The Special Rapporteur reminds the authorities that identification is a positive obligation of the State, pursuant to article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and that measures and mechanisms need to be put in place to allow for and improve the capacity of first responders to identify and refer victims and persons at risk to the appropriate support services. The provision of these services is also an obligation of the State;

while cooperation and coordination with civil society is desirable, especially when civil society actors have the capacity and skills, the funding of such services should be guaranteed by the State. Measures and resources need to be made available so as to provide sustainable funding to assistance structures and services and reinforce partnerships with civil society.

### **Assistance for and protection of child victims**

49. Assistance is dependent on voluntary support provided by community members and is difficult to sustain. The lack of an institutional assistance response to trafficking in persons puts victims, especially children, at severe risk of being re-trafficked. Efforts are made by civil society to provide support and carry out best interest determinations in cases of child trafficking. Children are usually reintegrated into their families after evaluation by civil society or service providers and with the promise from families that children will not be put at risk, including through awareness-raising measures about the risks of trafficking in persons, including for sexual and economic exploitation. However, the lack of an institutional response, including resources, puts children at risk of being re-trafficked if reintegration into the family is not accompanied by appropriate economic resources and awareness-raising measures. Children are often rejected by their own families, stigmatized and labelled as disobedient or as having transgressed social mores. If they are not sent back to their families, however, they are at risk of long-term institutionalization in under-resourced centres.

## **V. Effective investigations and access to justice**

50. Law enforcement authorities have limited capacity to investigate trafficking in persons and ensure access to justice for victims. During her visit, the Special Rapporteur met with members of the judicial police and the public order police. The judicial police is a specialized unit, under the Ministry of Justice, dedicated to the investigation of criminal activities, including trafficking in persons. The Special Rapporteur was impressed by the efforts of the judicial police to conduct effective investigations into cases of trafficking in persons; however, the judicial police has a very limited presence outside the capital, Bissau. According to information received during the visit, the judicial police outside Bissau is represented by a mobile team that can, in principle, move to different regions if a case is identified; however, in practice, the mobile unit remains inoperative due to limited financial and material resources. In rural areas and outside the capital, where the judicial police does not operate, the public order police has very limited capacity to investigate and little understanding of issues such as trafficking in persons.

51. During the visit, concerns were raised over the discriminatory attitudes of law enforcement entities regarding the sexual exploitation of women in sex work and violence, including trafficking in persons, against lesbian, gay, bisexual and transgender persons. The limited understanding or recognition of trafficking in persons among the public order police leads to failures of identification, assistance and protection, and the normalization of serious human rights violations. Gender-based discrimination contributes to impunity for trafficking for the purposes of child marriage or domestic servitude (*mininus de criação*).

52. Concerns were also raised about the lack of gender-responsive and child-sensitive procedures in evidence-gathering, leading to the re-traumatization of victims. A lack of investigation and judicial procedures that are victim centred, gender responsive and child sensitive weakens the effectiveness of investigations and of accountability. The lack of procedures and resources to ensure victim and witness protection remains a serious concern.

53. Despite limited efforts to enhance judicial police capacity and specialized investigation teams outside the capital, rural areas with a high prevalence of forms of trafficking, such as trafficking in children for the purposes of child marriage, begging, child labour, or child sexual exploitation in the tourism industry, are particularly affected by the lack of financial and human resources for law enforcement. Of particular concern are the Bijagós Islands, where, despite growing concerns over the rise in sexual exploitation of children in the tourism industry, there is a very limited public order police presence; moreover, police officers receive limited or no training on identification of potential victims

of trafficking in persons, especially of trafficking in children for sexual exploitation. This lack of resources and capacity leads to impunity and a lack of accountability and forces families and victims to resort to traditional forms of justice at the local level. In addition, information was shared regarding concerns about high levels of corruption within law enforcement and an absence of inspection bodies to ensure transparency, accountability in operations and compliance with the rule of law.

54. The limitations regarding access to justice outside the capital was a general concern, notwithstanding efforts made by the judicial police to ensure that effective investigations were carried out, in cooperation with the public order police and the National Guard. The justice system outside the capital includes regional courts, but these are still insufficient to cover vast rural areas where transportation is difficult. In addition, section courts do not function. Another concern raised was the absence of juvenile courts and the lack of child-sensitive procedures incorporating a gender perspective. The family and children's court does not have a sufficient level of specialization or capacity, and the legislation applicable regarding support for children in judicial procedures – Decree No. 417/71, the Statute on Legal Assistance for Overseas Minors – is outdated.

55. The Special Rapporteur welcomes the Government's commitment to international cooperation, including through the International Criminal Police Organization, to identify and assist trafficked children, in particular, and to ensure accountability.

56. Despite the growing use of social media networks and the increase in technology-facilitated trafficking in persons, the capacity to investigate the use of digital technologies in trafficking is limited or non-existent, as is the capacity to present digital evidence.

57. There was limited knowledge or capacity for implementation of the non-punishment principle as it applies in the context of trafficking in persons, thereby increasing risks that trafficked persons may be punished rather than receive assistance and protection. These risks are prevalent in the context of forced criminality and, in particular, investigations into drug-related offences, wherein people in vulnerable situations may be exploited as part of criminal activity. Failure to apply the non-punishment principle undermines the right to a fair trial and impedes accountability, as investigations are not targeted at the perpetrators of serious crimes and serious human rights violations.

58. The conditions in the detention centre in Bissau, currently being used as a prison, are inhumane and are not in compliance with international or regional human rights standards. Training on the identification of trafficked persons and on assistance measures has not been implemented and is urgently required. The Special Rapporteur notes the commitment of the prison authorities to facilitate access to lawyers for prisoners. There was limited evidence of engagement with civil society or of rehabilitation programmes for inmates. A model police station initiative has been implemented in Gabú, with an intention to replicate it throughout the country. Conditions at a prison in Bafatá were reportedly overcrowded and severely underresourced, with limited access to food and exposure to health hazards.

59. The Special Rapporteur commends ongoing efforts in the areas of justice reform and improving access to justice, such as through the centres for access to justice, an initiative that is aimed at increasing awareness-raising on victims' rights and avenues for access to justice, including referral to available services, especially in areas outside the capital. There are currently seven centres for access to justice in the country: two in Bissau and one in each of the five administrative regions. Each centre has three technicians, which is insufficient to meet the demands of the population, and there is an absence of expertise in key areas of intervention, including gender-based violence and trafficking in persons. In addition, the centres for access to justice are not well resourced and they lack the means to fully respond to people's needs, leading to a certain level of distrust and a lack of recognition by key stakeholders. In addition to weak institutional capacity and sustainability, other concerns were raised during the visit regarding their coordination with major stakeholders, such as the Bar Association, the Public Prosecution Service, the Institute for Women and Children and the courts.

60. More needs to be done on awareness-raising among communities and on facilitating access to justice in rural areas. Currently, in practice, impunity persists in rural areas owing

to difficulties in gaining access to law enforcement and the courts. Despite the existence of regional courts, victims need to travel long distances, which often they cannot financially afford. This is especially concerning in the islands, where access to transportation to engage with specialized units of law enforcement or attend court proceedings is more difficult. In this regard, the Special Rapporteur commends a Bar Association initiative to establish a roster of public defenders to provide free legal aid to victims of trafficking in persons. The roster is currently a pro bono programme; while funding has been ensured by the United Nations Development Programme, this is not sufficient to cover the needs of the country.

61. Access to compensation is non-existent, including in the context of trafficking for forced labour and domestic servitude. Collaboration with traditional justice mechanisms could be explored to improve access to effective remedies for victims and restorative justice; however, mechanisms must be put in place to ensure that traditional justice processes comply with international human rights law obligations, particularly on the rights of children and on gender equality.

### **Independence of judges and lawyers, administration of justice and the rule of law**

62. The Special Rapporteur highlights that the independence of judges and lawyers is crucial to combating trafficking in persons and ensuring access to justice for victims and accountability for serious human rights violations and the serious crime of trafficking in persons. During her visit, she was concerned at allegations of corruption, which undermines the effective administration of justice and the rule of law and contributes to a climate of impunity for perpetrators of trafficking in persons.<sup>8</sup> Concerns were repeatedly raised in relation to the high risks of corruption and interference in the investigation of cases of trafficking in persons, contributing to impunity. These allegations have also contributed to a generalized lack of trust in the justice system and, in particular, the Supreme Court. The Special Rapporteur calls for urgent measures to be taken to strengthen the administration of justice and the independence of judges and lawyers. To restore confidence in the judicial system, it is important that the courts hand down effective, dissuasive and proportionate sentences and combat impunity and corruption.

## **VI. Youth and peace and security**

63. During her visit, the Special Rapporteur met with members of the National Children's Assembly and commended efforts made in fostering youth empowerment through this process and engaging wider civil society. Combating all forms of trafficking in persons, particularly affecting young people, must be central to the youth and peace and security agenda, including by implementing effective prevention measures and promoting access to employment, decent work, quality education and training. Trafficking in persons in the context of migration particularly affects young people. The prevalence of child trafficking has a continuing and long-term impact on young people, which is exacerbated by the lack of recovery and protection programmes. Given the prevalence of drug trafficking through Guinea-Bissau, the risk of young people being trafficked for forced criminality is high. However, little attention to or awareness of the risk to young people was evident.

## **VII. Women and peace and security**

64. Recalling that development, peace, security and human rights are interlinked and mutually reinforcing, the Special Rapporteur notes the continuing need for urgent attention to be paid to inclusive peacebuilding and inclusive political processes. Actions to combat all forms of trafficking in persons and to ensure the rights of trafficked persons must be central

<sup>8</sup> See communications GNB 1/2024, GNB 1/2023, GNB 3/2022 and GNB 2/2020 (in French). All communications mentioned in the present report are available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

to the women and peace and security agenda and associated national action plan on the implementation of Security Council resolution 1325 (2000). The Special Rapporteur notes the limited attention being given to the women and peace and security agenda, despite the continuing fragility of the State and the peacebuilding process, systemic gender-based violence and gender inequality.

## **VIII. Role of civil society, human rights defenders and social leaders**

65. During her visit, the Special Rapporteur witnessed the resilience of civil society in providing assistance to victims of trafficking in persons, particularly children, despite a severe lack of funding and other resources. In the absence of an institutional response, civil society organizations have not only filled the assistance gap but have also developed a wealth of experience in addressing the needs of children in vulnerable situations, including by drafting manuals on reintegration and alternatives to institutionalization. In moving forward, institutional responses are needed to ensure that partnerships with civil society are fully resourced and that the skills and capacities that have been developed are not lost. During the visit, the Special Rapporteur was impressed by the commitment of civil society, despite the economic and institutional difficulties. Assistance programmes are essential, including for survivor-led and survivor-centred organizations.

66. The Special Rapporteur visited several shelters and residences supporting child survivors of trafficking in persons. She was concerned to learn that some of the organizations providing support had been doing so without any resources or financial support for long periods of time. There is a critical need to strengthen civil society and ensure an enabling environment for civil society and trade unions. The Special Rapporteur stresses the critical importance of partnerships with civil society to prevent trafficking and provide assistance for victims, and she is concerned at reports of shrinking civil society space and the lack of sustainable funding for civil society. Support for civil society, especially regarding access to justice initiatives, also needs to be strengthened outside the capital. A fundamental challenge for civil society organizations is the lack of adequate capacity and know-how in the area of advocacy and fundraising, which hampers their capacity to ensure sustainable long-term programmes and achieve long-lasting results.

67. The Special Rapporteur also met with religious leaders in Bissau, Bafatá and Gabú. While she welcomes the commitment of some leaders to making efforts towards solutions aimed at protecting children from exploitation by Qur'anic masters, she notes that these efforts are not widespread and highlights the urgency of combating impunity for religious leaders involved in child trafficking.

68. The Special Rapporteur also met with representatives of the National Human Rights Commission. The current Commission does not meet the requirements of the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), thus hindering the effectiveness of its efforts to highlight trafficking in persons as a serious human rights violation – one that particularly affects children. The Special Rapporteur highlights the importance of strengthening the independence and effectiveness of the Commission, ensuring it has sufficient financial and human resources.

## **IX. Rights of persons with disabilities**

69. The Special Rapporteur commends the ratification of the Convention on the Rights of Persons with Disabilities and highlights the urgency of its implementation as an important measure for reducing the risks of exploitation faced by persons with disabilities and ensuring effective access to justice. She welcomes initiatives to improve the availability of disaggregated data on disability as an important measure to strengthen policies on disability rights and social inclusion.<sup>9</sup> She also welcomes the development of a national strategy for the inclusion of persons with disabilities and an action plan on inclusive education, which has

<sup>9</sup> See <https://www.undp.org/guinea-bissau/news/launch-database-persons-disabilities-guinea-bissau>.

resulted in students with disabilities being exempted from school fees until the twelfth grade. However, during the visit, concerns were raised at the lack of support for families of children with disabilities and associated risks to the life and physical integrity of children with disabilities. Children with disabilities may be at greater risk of trafficking, including for the purposes of exploitation in begging, given the limited access to inclusive education and services. In addition, there is no specialized assistance to accommodate the specific needs of persons with disabilities who have been victims of trafficking in persons, nor are there any procedural accommodations to enable their effective access to justice and remedies. The Special Rapporteur notes that the participation and leadership of people with disabilities in the design and implementation of such measures is crucial to achieve a human rights-based model of disability inclusion. Current efforts in justice reform are also an opportunity to strengthen access to justice for victims with disabilities.

## X. Climate change

70. As a small island developing State, with extensive lowland coastal areas and fragile ecological systems, Guinea-Bissau is particularly affected by climate change and is recognized as being one of the most vulnerable countries to climate change, according to various indexes, including the Climate Change Vulnerability Index, which ranks Guinea-Bissau as the second most vulnerable country in the world.

71. The impact of climate change and environmental degradation is contributing to the loss of livelihoods, food insecurity and the displacement of communities, particularly from rural to urban areas. These negative changes particularly affect women and children. In the context of weak child protection mechanisms and limited access to education, children who are displaced are at increased risk of exploitation. Due to their more limited access to employment and livelihood opportunities, and more limited control over resources and decision-making within families, women who are displaced are also at increased risk. Risks to women are also exacerbated by gender inequalities in land tenure.

72. The Special Rapporteur notes some promising initiatives of the Ministry of Agriculture, in collaboration with international agencies, including programmes to retain young people in rural areas most affected by floods through improvement of agricultural conditions, both in terms of seasons and responses to flooding. The Special Rapporteur welcomes initiatives and adaptation measures being implemented to improve resilience in the agricultural sector and highlights the need for attention to be paid to the gendered impacts of climate change in adaptation planning and to the particular risks of exploitation faced by displaced children, who are out of school, and by women, in the absence of social protection.

## XI. Rights of lesbian, gay, bisexual and transgender persons and persons of diverse gender identities

73. The Special Rapporteur is concerned at the prevalence of discrimination against lesbian, gay, bisexual and transgender persons and persons of diverse gender identities, as it limits their access to justice and healthcare, as well as to assistance and protection services. Due to more limited access to employment, lesbian, gay, bisexual and transgender persons may be at risk of trafficking in persons. Given the limited visibility of this community, these risks and the prevalence of discrimination are not acknowledged or addressed in anti-trafficking measures.

## XII. Conclusions and recommendations

74. **The Special Rapporteur is gravely concerned at the prevalence of trafficking in children and the lack of effective investigations into and accountability for this serious crime and serious human rights violation. The limited capacity of State institutions and law enforcement and the lack of independence of the judiciary, combined with weak child protection systems and extreme poverty, contribute to the particularly high risks faced by children. Limited capacity for the protection of the rights of workers and the**

concentration of workers in the informal sector increase risks of trafficking for forced labour, particularly in high-risk sectors, such as domestic work, agriculture, fisheries and mining, where regulation and enforcement are particularly limited. The normalization of exploitative practices in affected sectors hampers the identification of potential victims of trafficking in persons and intersects with discrimination on the basis of gender, migration status and socioeconomic status. The continuing political instability hinders the strengthening of institutions and the administration of justice. Corruption remains a serious concern, undermining the rule of law, access to justice and effective action to ensure accountability and the protection of victims.

75. With regard to the independence of judges and lawyers, the administration of justice and the rule of law, and recognizing that the rule of law and the administration of justice are essential to accountability for trafficking in persons, the Government should strengthen measures to combat corruption in the administration of justice, thereby ensuring accountability, and ensure the independence of judges and lawyers.

76. With regard to peacebuilding and strong institutions, the Government should integrate action to combat all forms of trafficking in persons, particularly affecting children, young people and women, into peacebuilding measures, recognizing the destabilizing impact of this serious human rights violation and serious crime.

77. With regard to the rights of the child and trafficking in children, the Government should:

(a) Strengthen, in line with target 16.9 of the Sustainable Development Goals, birth registration campaigns to ensure that all children are registered, allowing for further collaboration with local communities to ensure child registration at birth through different mechanisms adapted to local contexts together with the Civil Registry Office;

(b) Strengthen, in accordance with the Global Compact for Safe, Orderly and Regular Migration, measures to reduce statelessness, including by facilitating the registration of children whose parents are not nationals of Guinea-Bissau or who lack identity documents;

(c) Implement current initiatives regarding sexual exploitation in tourism, such as the national code of conduct for the protection of children against abuse and sexual exploitation in the tourism sector, including by establishing and developing agreements with the private sector in the hospitality industry and affected communities to implement and operationalize the code of conduct;

(d) Enhance, in line with the Goals, in particular Goal 4 and target 4.1, the national school system nationwide, and especially in rural areas, by implementing policies to ensure universal and free education for children in primary and secondary education. Ensure that education is accessible to children with disabilities;

(e) Accompany universal education policies with awareness-raising campaigns about children's right to education and the importance of children attending school, especially in at-risk areas where children dropping out of the school system is more prevalent. Include specific awareness-raising programmes to combat harmful practices, in particular in relation to misconceptions regarding child marriage, exploitation in domestic servitude (*mininus de criaçon*) and child labour;

(f) Take urgent action to combat child trafficking in Qur'anic schools, in particular for the purposes of exploitation in begging, through engagement with religious and community leaders, women's associations, human rights defenders and police and prosecutors. Ensure effective inspections and monitoring of all schools to ensure compliance with child protection standards and prevention measures and effective investigations and prosecutions of cases of child trafficking;

(g) Establish partnerships with private sector stakeholders and agricultural producers to address child and forced labour, prevent labour trafficking in agriculture and increase understanding of and prevention strategies on the worst forms of child labour.

78. With regard to social and health services and the identification and protection of potential victims of trafficking, the Government should:

(a) Establish, in line with the national policy on the comprehensive protection of children, a national multisectoral network or coordination mechanism for child protection that can work at national, regional and local levels, including by strengthening and expanding the presence of social workers in all regions to help in identifying families who are at risk and more vulnerable to trafficking in children for all purposes, especially child begging, child marriage and child labour, and families with children with disabilities in order to combat discriminatory attitudes;

(b) Expand the presence of health actors in rural regions and collaborate with civil society and international organizations in the delivery of trauma-informed, child-sensitive and gender-responsive training to identify risk factors for all forms of trafficking. Ensure that protocols are in place with local social services for the exchange of information and proper referral to law enforcement and social services;

(c) Institutionalize assessment mechanisms in best interests of the child determinations regarding the reintegration of children into their families in order to minimize the risk of revictimization, in collaboration with civil society;

(d) Support child survivors and, as appropriate, their families through long-term reintegration programmes that are focused on ensuring children's attendance at school and avoiding stigmatization of returned children, in particular girl victims of child marriage or victims of sexual exploitation.

79. Regarding access to justice and effective investigations, the Government should:

(a) Take effective action to combat impunity for religious leaders engaged in child trafficking;

(b) Strengthen effective investigations and access to justice for child victims and their families, ensuring child-friendly justice measures and victim and witness protection measures;

(c) Ensure the non-punishment of child victims of trafficking, including in cases of trafficking for forced criminality.

80. Regarding assistance for and protection of victims of trafficking, the Government should:

(a) Ratify and implement the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, develop the capacity of the national preventive mechanism to identify victims of trafficking who are in detention and ensure that referrals are made for assistance and protection;

(b) Enhance and support the collaboration of State social services institutions with civil society to provide early support to victims of trafficking, including accommodation, medical and psychosocial support, and access to legal services, understanding that the support and protection of victims/survivors is a responsibility of the State and that funding for that purpose must be ensured;

(c) Ensure that early protection measures, such as accommodation, can be tailored to different types of exploitation and to the needs of all types of victims, and establish a sustainable funding mechanism to institutionalize victim support and long-term reintegration;

(d) Enhance data-collection capacity regarding cases of trafficking for all forms of exploitation in order to support the development of evidence-based strategies to combat identified forms of trafficking. Anecdotal evidence of cases of the sexual exploitation of children in tourism and exposure to sexual exploitation of child street vendors and children and women in domestic work must be further analysed. The data collected must be disaggregated by gender, age, and form and purpose of trafficking, among other aspects;

(e) Design, develop and implement, in collaboration with civil society and local community leaders, awareness-raising campaigns, tailored to the specific risks identified in each area or region, on issues such as children in forced begging, child marriage, exploitation in tourism and street vendors and on the use of technologies, including the risk of recruitment through fraudulent offers on social media;

(f) Improve or enhance the labour inspectorate's capacity to identify and refer cases of exploitation, in particular by developing and implementing training and specific strategies tailored to at-risk sectors such as agriculture, fisheries and domestic work.

81. With regard to trafficking in the context of migration, the Government should:

(a) Expand safe and regular migration opportunities, in line with the Global Compact for Migration, and strengthen the protection of migrants in countries of destination and the capacity of consular and embassy officials abroad to prevent trafficking and protect victims;

(b) Strengthen the regulation of recruitment agencies and intermediaries, increasing the capacity of inspectorates and oversight mechanisms to identify fraudulent offers, in particular in the context of the recruitment of women migrant workers, and ensuring effective investigations and prosecutions of all those involved in trafficking in persons for all forms of exploitation in order to combat impunity;

(c) Invest in developing young people's access to the labour market through the creation or improvement of vocational training and skills development programmes and partnerships to promote entrepreneurship, in cooperation with the private sector and trade unions and in line with objective 2 of the Global Compact for Migration;

(d) Develop and implement awareness-raising activities on the risks of irregular migration, especially in rural areas, in coordination with local social actors and leaders, and include information on the specific risks of fraudulent job offers, including those on social media, and information on regular migration pathways, including on country-specific immigration laws and policies, visa requirements, application formalities, fees and conversion criteria, employment permit requirements, professional qualification requirements, credential assessment and equivalences, training and study opportunities, and living costs and conditions, in order to inform the decisions of migrants (Global Compact for Migration, objective 3);

(e) Improve and enhance border controls, including through appropriate financing and the provision of human rights and trauma-informed training in order to facilitate and standardize the identification of victims of trafficking in persons or of any form of exploitation and abuse, especially of children, in particular unaccompanied or separated children, and ensure prompt referral to appropriate protection services, in collaboration with State authorities and civil society actors;

(f) Improve and reinforce consular services abroad, especially in main destination countries, and train consular officers on the risks and indicators of trafficking in persons;

(g) Establish bilateral agreements and joint training programmes with neighbouring countries to strengthen cross-border cooperation and improve victims' access to assistance and justice, as well as repatriation and judicial cooperation.

82. Regarding access to justice, effective investigations and the rule of law, the Government should:

(a) Strengthen the independence of the judiciary and safeguard the independence of lawyers;

(b) Ensure effective investigations and prosecutions by strengthening the administration of justice and taking action to combat corruption, which contributes to impunity for the serious crime and serious human rights violation of trafficking in persons;

(c) Ensure gender-sensitive and child-sensitive investigations of trafficking in persons for the purposes of sexual exploitation, prioritizing the rights, safety and dignity of victims;

(d) Strengthen the capacity for rights-based forensic medical examinations to support effective investigations of cases of trafficking in persons and develop best practice guidelines;

(e) Continue to expand the centre for access to justice initiative and reinforce, through sustainable funding, the Bar Association initiative on free access to legal aid, especially in rural areas;

(f) Expand and reinforce the mobile courts programme to ensure access to justice in rural areas;

(g) Establish and develop awareness-raising programmes for at-risk groups, especially in rural areas, on access to justice and available mechanisms to report cases of trafficking and any form of exploitation, in particular gender-based violence and exploitation of girls;

(h) Establish competency-based recruitment for law enforcement bodies and establish compulsory training on integrating gender-responsive policies in order to better respond to the needs of women and girls who are or could become victims of exploitation and abuse and to combat discriminatory and stigmatizing attitudes among law enforcement officials towards women and girls, especially in the context of sexual exploitation;

(i) Expand the presence and capacity of the judicial police (e.g. human resources, infrastructure and equipment), especially in the regions, and enhance its capacity to investigate cases of trafficking in persons to ensure case progression within the justice system, guarantee effective access to remedies for victims of trafficking and ensure the prosecution of traffickers in line with international obligations, and investigate and prosecute allegations of corruption in law enforcement and justice mechanisms;

(j) Strengthen the capacity to investigate and prosecute technology-facilitated trafficking and the use of digital evidence in investigations and prosecutions;

(k) Strengthen access to justice for children through the implementation of child-friendly justice measures;

(l) Ensure gender-sensitive and trauma-informed investigations and criminal justice proceedings, including in court processes, by providing specialized assistance to victims and witnesses in trafficking cases;

(m) Provide human rights-based training on trafficking in persons to all justice sector actors, including on the non-punishment principle and the right to effective remedies for trafficked persons.

83. With regard to promoting gender equality and women's empowerment, the Government should:

(a) Continue to develop and implement, in cooperation with traditional leaders and civil society actors, particularly women's associations, especially in rural areas, awareness-raising programmes on women's rights, especially in the context of access to land and property and hereditary rights, to ensure that women retain the right to land and property, including after the death of a husband or in the case of divorce;

(b) Develop mechanisms, with the support of development partners, to ensure women's access to credit in all regions;

(c) Establish partnerships with the private sector to enhance economic diversity, especially in areas most dependent on cashew nut cultivation, as well as to support (in cooperation with development partners) the modernization of agricultural techniques.

84. **The United Nations and development partners should develop and implement capacity-building activities for civil society in project development and management to ensure capacity to reach sustainable sources of funding, as well as advocacy capacity, including at international levels, facilitating access and integration into international civil society organization networks.**

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