POLICY BRIEF

Trafficking in persons in conflict contexts

What is a realistic response from Africa?

Lucia Bird and Tuesday Reitano

Summary

This brief draws on field research conducted on trafficking in persons in four protracted conflicts in Africa – Central African Republic, Libya, Nigeria and Somalia – to explore what constitutes realistic and effective responses to trafficking in persons in conflict contexts. It argues that counter-trafficking efforts should be part of broader work to enhance community resilience to organised crime and to address long-standing needs, while responses which rely on the state, or approach the issue through a criminal lens, should be treated with caution.

Key points

- Conflict acts as an amplifier of pre-existing trafficking practices.
- In conflict contexts, where resources are thinly stretched and states have lost control of elements of territory, state-centric responses are undermined.
- Seeking to address trafficking in conflict through criminal frameworks can lead to inappropriate responses which detract from efforts to meet humanitarian needs.
- There is a need to move away from securitised responses, towards development-centric approaches which prioritise fulfilling basic needs and leverage the potential of local and national non-state influencers.
- Greater understanding of factors that increase individual and community resilience to trafficking is needed to ensure support is appropriately directed.

Introduction

There was collective shock at two major incidents in 2014 – the kidnapping of the Chibok schoolgirls in Nigeria, and the genocide and mass enslavement of the Yazidi community in Iraq.[1] Both incidents, carried out by armed extremist groups – Boko Haram in Nigeria and ISIS (Islamic State) in Iraq – drew attention to extreme forms of exploitation in conflict – situations subsequently labelled trafficking in persons[2] (TIP) and a revival of slavery.[3] This label appeared particularly appropriate when ISIS categorised the captured Yazidis as *sabaya* (spoils of war) and stated in their pamphlets that 'it is permissible to buy, sell, or give as a gift female captives and slaves, for they are merely property, which can be disposed of.'[4]

Since 2015 the United Nations Security Council has issued several resolutions tasking the international community to work together to address TIP in conflict, in particular as it relates to the activities of terrorist groups such as ISIS and Boko Haram.[5]

In response to these large-scale breaches of the international norm on the prohibition of slavery, increased attention from an already large and vocal anti-trafficking movement was directed to the issue of slavery and TIP as they occur in conflict contexts. With this attention came research on the parameters of TIP in conflict and the ways that existing response frameworks, for both conflict and non-conflict situations, could be realigned to address this phenomenon. Major actors like the UN Office on Drugs and Crime (UNODC), International Labour Organization, International Organization for Migration, US Department of State and Walk Free Foundation began drawing attention to trafficking in conflict in their high-profile reports on the state of TIP around the globe.[6]

This policy brief, which seeks to draw together, analyse and question existing response frameworks for TIP in conflict, was produced by the ENACT programme, an EU-funded research project working to enhance knowledge of and responses to transnational organised crime in Africa. It draws on research on TIP in four diverse yet protracted conflicts – in the Central African Republic (CAR), Libya, Nigeria and Somalia. These case studies were selected to include two of the most publicised cases of TIP in Africa (Libya and Nigeria), where TIP is least understood (Somalia), and arguably where it is most neglected (CAR).

The research included desk studies, rapid-assessment field research and remote interviews conducted in 2018, together with a literature review of existing analyses of TIP in conflict contexts. Field research consisted of interviews with humanitarians, representatives of the United Nations and other international organisations, members of local civil society groups and NGOs, community members, law enforcement and medical personnel, lawyers and journalists. Due to the security situation in Libya, consultations and requests for information were conducted remotely (from Tunisia and Malta), and through people known to the Global Initiative against Transnational Organised Crime (the 'Global Initiative') living in Libya. In-person and telephone interviews were also conducted with independent experts who provided an international perspective on conflict-affected trafficking. The case studies were drafted by trafficking experts and investigative journalists living in and/or studying TIP in the relevant country. This brief draws upon these case studies, comparing and contrasting the dynamics found in each, and contextualising responses against international and continental discourse on TIP.

This brief centres around one key question: what are the realistic actions African states, civil society and the private sector should take to counter trafficking in conflict?

It argues that the currently accepted definitions are unhelpful in the African context, and particularly in conflict contexts. Regarding TIP in conflict, it argues that conflict does not (with the exception of enhanced demand for the services of trafficked people triggered by the presence of peacekeeping forces in fragile jurisdictions) create a new phenomenon, requiring new solutions, but simply amplifies existing dynamics.

Conflict does, however, affect the drivers for formally identifying people as trafficking victims in the eyes of the law – conflict makes it less likely that the State will be able to provide victims with the remedies to which they are entitled, but more likely that they will need protection from prosecution or stigmatisation arising from actions they committed under duress.

The brief calls for less state-centric solutions, and a move away from understanding the phenomenon of trafficking in persons through the lens of criminality, which is unhelpful and leads to the development of inappropriate responses which can detract from efforts to meet basic humanitarian needs in conflict contexts.

Definition of TIP

Confusion about TIP, and its conflation with human rights abuses more generally and human smuggling in particular, poses a challenge to crafting focussed responses. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereafter the Palermo Protocol), adopted in 2000, defines TIP.[7] But as one of the drafters of the Palermo Protocol lamented, this definition includes a number of 'vague and undefined terms.'[8]

Article 3 of the Protocol defines trafficking as (1) the recruitment, transportation, transfer, harbouring or receipt of persons, (2) by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, (3) for the purpose of exploitation.

Critically, the term 'exploitation' was left undefined, and a non-exhaustive list of practices was included, such as slavery, forced labour, and organ removal. As a result, an ever-expanding list of practices are interpreted to be exploitation, including unethical adoptions, prostitution, pornography, webcam sexual exploitation of children, forced begging, and kidnapping for the purposes of terrorism.[9] The growing list has been referred to as 'exploitation creep' whereby all exploitation becomes 'trafficking', and increasingly all 'trafficking' becomes 'modern slavery.'[10] In conflict situations, where human rights abuses often abound, this conflation occurs frequently.

TIP in Africa

Before the adoption of the Palermo Protocol, the challenges posed by TIP were largely marginalised by the international community. However, in the period following the adoption of the Palermo Protocol in 2000, trafficking rapidly took a prominent place on the international agenda. In March 2017 the UN Security Council noted that 'at a time of division in so many areas, this [the fight against human trafficking] should be an issue that can unite us'.[11] New organisations and initiatives proliferated, backed by the pledges of global leaders and celebrities. Well-known figures from Barack Obama to Bono to Pope Francis pushed for universal collaboration to combat TIP.[12]

While there have been vocal calls to eradicate trafficking in countries across the globe, the response from African policymakers has been more muted, the vocabulary used markedly different. This less strident response was reflected in Africa's lukewarm participation in the crafting of the Palermo Protocol, with poor attendance by a number of states.[13]

This did not translate into active disagreement with the Protocol, which would have had serious implications for international donor relationships. All but two countries in Africa ratified the Protocol, with over 70% of these countries subsequently drafting national anti-trafficking legislation.[14] However, the limited input in crafting the Palermo Protocol heralded the tone for continental agenda-setting, with combating human trafficking rarely a high priority among most African states.

> While there have been vocal calls to eradicate trafficking in countries across the globe, the response from African policymakers has been more muted

Instead of castigating continental policymakers for this lack of focus, the international community should consider whether the terminology of TIP, as set out in the Palermo Protocol, is appropriate for Africa.[15] Some needs-driven practices, particularly related to child work, often fall within the internationally accepted definition of TIP, reducing the willingness of states to respond to these practices as a 'crime'. In conflict contexts, where resources are stretched even more thinly, expecting states to focus on providing the remedies victims of trafficking are entitled to under international law is even less realistic.

While relabelling types of exploitation as trafficking or modern slavery has placed many formerly marginalised issues on the international policy agenda, it has also created substantial confusion over what types of exploitation do and do not amount to TIP. This has serious practical implications for States obligated to prevent and protect TIP, humanitarian and development

practitioners as well as law enforcement and criminal justice actors.

For practitioners, definitions shape opportunities to provide assistance, while public perceptions associated with different terms affect the availability of funds. Donors increasingly expect accountability, but this is often reduced to a tick-box exercise against defined project objectives. These typically require clear classification of aid recipients, even if actual needs for assistance cut across rigid definitions (for example, of migrants, refugees and trafficked persons). In emergency contexts, like in conflict situations, where people are highly vulnerable to abuse, differentiating between different types of abuse, vulnerability, exploitation and trafficking is very challenging. While this exercise may be valuable where the appropriate classification of a victim's experience has a direct effect on their legal status or access to remedies, artificial differentiation for the purposes of donor accountability is a fruitless exercise.

TIP in conflict in Africa

The relatively recent focus on TIP in conflict has been overlaid on longstanding protracted conflicts on the continent, adding an agenda item to a list that continues to grow. Studies of TIP in conflict have defined it in terms of the direction of movement (within, into or out of a conflict zone) and the type of demand it seeks to meet (such as child recruitment, organ trafficking and recruitment into combatant and service roles).[16]

To illustrate how the definition of TIP has been expanded in conflict contexts, in the Central African Republic, the range of human rights abuses treated as TIP in conflict have included the following:

- Forced recruitment of men, women and children into armed groups for the purposes of fighting, labour, sexual services or forced marriage
- Gangs and street children forcing other street children and people with disabilities to beg
- Women and girls forced (e.g. by parents or relatives) to marry non-armed actors
- Adults and children forced to work in remote diamond and gold mines
- Commercial sexual exploitation of women and children
- Domestic servitude in private homes
- Vulnerability to exploitation of potential asylum seekers and refugees from CAR in Cameroon, Chad, DRC Congo, Sudan

- Trafficking for the purposes of organ removal
- Hereditary and traditional forms of slavery perpetrated against indigenous communities

Conflating these significantly different dynamics with the TIP-in-conflict concept risks overwhelming and obscuring meaningful responses. Further, recognition of these practices, and demand for tailored responses, are overlaid onto protection agendas that are often already overwhelmed.

> Conflating these significantly different dynamics with the TIP-in-conflict concept risks overwhelming and obscuring meaningful responses

Resources available for humanitarian relief, conflict stabilisation, peacebuilding and migration management fall far short of needs; the UN's humanitarian budget for conflicts, crises and emergencies was over 50% unfunded at the close of 2018.[17] For instance, in CAR, where the length of the ongoing conflict has weakened international attention, just 13% of requested funding has been delivered.[18]

Elision of trafficking in persons and poor labour conditions

TIP as a whole remains a vastly under-prosecuted crime globally, with merely 7 000 convictions reported worldwide in 2017.[19] These negligible conviction rates pale in comparison to the estimated 40.3 million people believed to have been trafficked in the same year.[20] However, even within this context, labour trafficking constitutes a notably small proportion of successful anti-trafficking prosecutions. Of global recorded convictions, over 95% dealt with trafficking for sexual exploitation – this means that in 2017, there were less than 350 convictions worldwide for labour trafficking.[21]

The impact of convictions is diminished by the fact that those charged are almost never those controlling the operation. However, conviction rates do to some extent reflect the willingness of the state to address TIP as a crime. It is therefore telling that across the whole of

Africa, only 454 convictions for TIP were recorded; 34 for labour trafficking.[22] In CAR, where trafficking in persons is rife and highly visible, there has been no convictions for TIP (although in this case this reflects a lack of state power to prosecute as much as a lack of will).

Labour trafficking is central to the international community's conceptualisation of TIP, as shown in Sustainable Development Goal 8.7: 'Take immediate and effective measures to eradicate forced labour, human trafficking, prohibit and eliminate the worst forms of child labour including the use of child soldiers, end modern slavery, and by 2025 end child labour in all its forms.'[23] The wording of the Goal 8.7 clearly demonstrates the intrinsic link between poor labour standards, here referenced as 'forced labour' and 'child labour', and what is defined as human trafficking. What is perceived as 'forced child labour' by the West can locally be considered 'child work', a necessary and in some cases non-exploitative practice that is simply part of life. Further, the fact that often children travel away from their parents and home to work, often increases the perception that they have been trafficked. Pushing African governments to respond to all TIP dynamics through a criminal lens may lead to inappropriate approaches and in some cases can stand at odds with cultural norms, which can and has entailed lip service lacking any real enforcement.

The impact of conflict on TIP

We are very good currency.
– Mohammad, aged 23, Sudanese asylum seeker exploited in Libya, interviewed in Malta

Research has suggested that conflict has both exacerbated existing TIP trends and created new forms of TIP.[24] However, the focus should shift to the role of conflict as an amplifier of existing practices, rather than suggestions that it materially changes TIP supply-and-demand dynamics.

Amplifying demand

Child recruitment into combatant roles, and forced child marriages to members of armed groups, have been cited as two conflict-specific dynamics which meet the definition of human trafficking, and have been analysed as new conflict trafficking forms.[25] However, both can be more accurately seen as aggravations of existing practices that are deeply embedded in local culture.

In conflict contexts children are recruited into supporting roles (as cooks, lookouts or intelligence gatherers), as sexual slaves, or as combatants (traditional soldiers or suicide bombers). For instance, in CAR, all armed groups use children in their ranks; however, long before the outbreak of the civil war in 2012, several thousand children were present not only in rebel groups but in the CAR state army. The intensification of the conflict triggered armed groups to massively escalate the recruitment of children; however, this was a pre-existing practice perpetrated not only by armed groups but by the state, which built on longstanding practices of child labour in non-combatant contexts.[26]

The practices of Boko Haram in Nigeria, al-Shabaab in Somalia, and a number of armed groups in CAR, of forcing children into marriages as a way to terrorise or control the local population, and to meet the sexual demands of group members, while undisputedly a serious human rights violation, can also be traced back to pre-existing social practices. Almost 70% of girls in CAR, 44% of girls in Nigeria, and 45% of girls in Somalia, are married before the age of 18.[27] This represents the 2nd, 11th and 10th highest rates of early marriage in the world, respectively. Africa as a whole has the fastest-growing rate of child marriage in the world; 18 of the top 20 countries for child marriage are in Africa.[28]

Almost 70% of girls in CAR, 44% of girls in Nigeria, and 45% of girls in Somalia, are married before the age of 18

In contrast, although no quantitative data exist on the prevalence of early marriage in Libya, anecdotal reports suggest early marriage was not common prior to the conflict and has not become common in conflict.[29] Humanitarian actors working in Libya did not find evidence of militia groups forcibly marrying women or parents resorting to early marriage for their daughters as a negative coping mechanism. The legal frameworks reflect and reinforce accepted cultural practices, with the legal age for marriage for women in Libya set at 20, reflecting a belief that school and further studies should be completed prior to marriage.[30] Where the trafficking of children into child marriages has been reported in conflict contexts – Afghanistan, Iraq, Mali, Sudan, Syria,

and Yemen – such early marriages were an existing practice prior to the conflict, which is then exacerbated by the conflict.[31]

> **With the crisis, many young people in the neighbourhoods became Anti-balaka and took up arms. When they take power they also take the girls they want, even within their own community, and victims' families victims cannot afford to fight back.**
> *– human rights defender interviewed in Bangui, CAR, July 2018*

A new type of demand

A new form of demand for the services of trafficked people in conflict situations is from members of international peacekeeping operations.[32] Demand for trafficked women appears amplified in contexts of conflict where large groups of men are isolated from community structures and concentrated in unstable areas.[33] This dynamic can be seen in the deployment of (typically male-dominated) peacekeeping missions. Commercial sexual exploitation, including of victims of sex trafficking, by UN and other international peacekeepers have been widely reported.[34] However, it is mentioned only briefly in the UNODC's *Global Human Trafficking Report 2018*, with its special focus on human trafficking in conflict zones. Such crimes strengthen local criminal networks, destabilise the community relying on the peacekeepers and undermine the peacekeeping mission.

The presence of peacekeeping troops in conflict zones has also been seen to increase the criminality and level of organisation of TIP networks and increase cross-border TIP, particularly where the peacekeeping force is particularly large and the supply capacity of local actors is exceeded.[35] Interviews with local NGO leaders in CAR emphasised the correlation between the presence of peacekeepers and international NGO staff on one hand, and an increase in prostitution and other forms of sexual exploitation on the other hand.[36] Allegations of sexual exploitation and abuse committed by international troops in CAR include trading food and protection for sex, including with children. In 2016 and 2017 respectively, contingents from the Democratic Republic of Congo and the Republic of Congo were excluded from the UN peacekeeping force MINUSCA (Multidimensional Integrated Stabilization Mission) in the Central African

Republic following such allegations.[37] The UN has emphasised that responsibility for prosecuting soldiers for these crimes lies 'squarely' on troop-contributing countries,[38] however most countries have failed to shoulder this responsibility, merely repatriating the relevant troops.[39] In CAR, although UN peacekeepers 'have been formally accused of sexually abusing or exploiting 42 local civilians, most of them underage girls, only one criminal charge has been filed.'[40] This exacerbates the widespread sense of impunity for exploitation-based crimes.

The emergence of peacekeeping troops as a significant new source of demand has shaped trafficking patterns, changing existing routes and the characteristics of the actors involved. This not only aggravates TIP during the duration of the mission but can establish networks which diversify and solidify post-conflict, creating long-term organised crime flows which were previously unreported.[41]

The emergence of peacekeeping troops as a significant new source of demand has shaped trafficking patterns

The increased peacekeeping leadership role of the African Union – against whose peacekeeping troops similar accusations of exploitation and abuse have been levelled in both CAR and Somalia[42] – should be accompanied by the establishment of an independent monitoring and investigation capacity.

Increasing supply

Large-scale displacement triggered by armed conflict creates vulnerable populations, at times increasing the supply side of the market. In CAR, over one million people have fled the violence. Over 600 000 refugees are sheltered in neighbouring countries (countries themselves in conflict), and over 650 000 are internally displaced.[43] Escalating violence in late 2017 alone triggered an increase in the number of internally displaced people by 50% and in the number of refugees by 20%.[44]

Research by the International Organization for Migration, corroborated by field work done for the Global Initiative case studies, suggests that people on the move are at particularly high risk in informal settlements and places of employment, within host communities and in refugee camps.[45] Such people are vulnerable to exploitation both by armed groups engaged in the conflict, and by organised crime group 'opportunists'. As numbers swell in refugee camps across the continent, so does vulnerability to TIP. In the Kakuma and Dadab refugees in Kenya, older Somali women have paid smugglers to transport isolated Somali girls from refugee camps to Nairobi where they initially worked as 'tea girls' but were later forced into prostitution. Girls reportedly had little choice but to engage in sex work because they lacked the immigration documents required to work legally in Kenya and feared repercussions from the Kenyan police, including punishment for working without a permit, and traffickers threats of reporting the girl's situation to her community.[46]

The rupture of social ties severely weakens community resilience to organised crime, increasing people's vulnerability to being trafficked

The rupture of social ties severely weakens community resilience to organised crime, increasing people's vulnerability to being trafficked. In north-east Nigeria, Philip Obaji Jr, the coordinator of 'Up Against Trafficking', a Nigerian NGO working to address TIP, explained that 70% of the displaced girls approached by women with offers of work in urban areas of Nigeria were under the age of 18 and did not have a family member with them in the camp for internally displaced people.[47] This demonstrates the strategic selection of the most isolated as easy targets for traffickers. Obaji believes these women were trafficked within Nigeria, into Niger, and across to Saudi Arabia.[48]

The increased vulnerability of people in conflict zones does not appear to have catalysed organised criminal networks operating near those zones to extend their operations to take advantage of this. In non-nationwide conflicts, non-conflict-related TIP persists, yet this does not necessarily result in conflict-displaced people becoming vulnerable to this type of trafficking. Our research in Nigeria found no evidence that the sophisticated criminal groups recruiting and transporting women from southern Nigeria to Europe for commercial sexual exploitation had expanded their recruitment base to displaced women in the north-east.[49] This may in part be due to the high numbers of socioeconomically marginalised southern women willing to migrate, coupled with the fact that traffickers would not have the same social, cultural and religious ties over women from the north-east.

Increased volume or increased visibility?

The apparent intensification of TIP in conflict situations may also be partly attributable to the increased international attention on the conflict context. This is true both in terms of media coverage, and through the deployment of peacekeeping troops and international humanitarian operations. These actors can be tasked with responding to issues which may have been previously unidentified or mislabelled, effectively shining a spotlight on existing practices and creating an illusion of intensification.

While this artificial amplification doubtless occurs, some forms of demand – such as the increased demand for commercial sex services by large groups of isolated men common in conflict contexts, or the demand for combatants – are certainly amplified by conflict. Conflict can therefore rightly be perceived as one of a number of amplifiers of TIP and organised crime more broadly, both creating new opportunities and drivers for criminal organisations and weakening the power of the state to respond.[50]

When remedies are unavailable, what is the purpose of TIP victim identification?

The importance of determining whether a person is a victim of trafficking is typically predicated on the rights granted to victims under international law. In conflict zones, governments (and other actors) typically lack the resources or capacity to uphold these rights. However, for those trafficking victims who committed crimes under duress while they were trafficked, legal recognition of their victim status can shield them from prosecution or stigmatisation.

Rights and remedies

Though the Palermo Protocol fails to specify core rights and obligations, the UN Recommended Principles and Guidelines on Human Rights and Human Trafficking contain widely endorsed (if not widely enacted) principles on victims' rights. These include the right to be identified quickly and accurately, to receive immediate protection and support, to receive legal information and have the opportunity to decide whether and how to cooperate in the prosecution of their exploiters, not to be detained, not to be prosecuted for offences that relate directly to the fact of having been trafficked, to be returned home safely or to benefit from another solution if safe return is not possible, and to have an effective remedy that reflects the harm committed against them.[51]

Together these rights form an intricate net of state support ranging from financial to rehabilitative. Where victims of trafficking are identified in countries willing and able to provide this support, they can avail themselves of this raft of remedies. However, in the context of Africa, while victims of trafficking may be legally entitled to a wide array of support, translated from international law into domestic legislation, in practice resources are limited and such remedies rarely materialise. The one support option offered to many African victims identified outside their country of origin remains repatriation to their country of origin with minimal reintegration support, essentially returning victims to the same conditions that made them vulnerable to trafficking in the first place. The importance of correct identification of TIP victims is arguably diluted if the rights and remedies which are associated with that classification do not materialise.

In conflicts, resources are even more limited and victims even less likely to access the rights they are entitled to, (for example, no TIP victim support is available in CAR outside the capital city, Bangui[52]), which arguably further calls into question the importance of correct classification of victims of trafficking.

This lack of remedies is not surprising – responsibility under the Palermo Protocol falls primarily on states, whose ability to respond under conflict conditions is drastically reduced. Recognising this, commentators have suggested shifting the responsibility for providing these remedies in conflict situations to non-state actors, including international organisations.[53] However,

these organisations are already under-resourced and overwhelmed. Material remedies which rely on availability of resources are therefore less likely to be provided in conflict contexts, regardless of whether responsibility is pinned to state or international actors.

Protection from prosecution and stigmatisation

As the likelihood of remedies diminishes in conflict situations, the importance of identifying victims of trafficking in conflict situations becomes underpinned by two principles: those of non-punishment and non-stigmatisation. Although these principles apply to victims of TIP in non-conflict contexts, their importance is arguably magnified by conflict, which can blur the lines between perpetrator and victim. This is particularly true of people trafficked into combatant roles, or into providing services for armed groups. They can be perceived as perpetrators by their home communities and face problems in reintegration as well as prosecution for the crimes they have committed.

The non-punishment principle is particularly key due to the existence of multiple overlapping legal regimes in conflict contexts, which mean that perpetrators can be liable under a number of different frameworks. Some forms of TIP perpetrated by groups in conflict may constitute war crimes or the crime against humanity of enslavement, and consequently be subject to prosecution in the International Criminal Court (as well as in national systems). This is illustrated by the 2018 inclusion of six people accused of the trafficking or smuggling of migrants on the UN Security Council's international sanctions list[54] – see box below. If the perpetrator can be classified as a terrorist, other legal sanctions can come into play. Too easily the focus of these regimes can fall upon identifying the perpetrator of the crime, rather than on recognising the protections due to the victim.

A focus on trafficking purely within the conflict and terrorism contexts also risks becoming increasingly securitised, and can prioritise law enforcement efforts to the detriment of human rights.[55] In this context, identifying victims of trafficking is crucial to shielding them from prosecution. Rife impunity in many conflict zones suggests that in many cases the risk of prosecution, under any legal regime, is negligible. However, trafficking victims should not have to face this risk. Their status should also be made clear to

Box 1. Challenging Impunity? UN Security Council imposes sanctions on six people for involvement in human smuggling and trafficking activities in Libya

The UN is exploring the prosecution of perpetrators of TIP under a range of legal regimes. On 7 June 2018, the UN Security Council took the unprecedented step of imposing sanctions (consisting of a travel ban and a global asset freeze) on six individuals accused of smuggling and trafficking of migrants: Fitiwi Abdelrazak, Ahmad Oumar Al-Dabbashi, Mus'ab Abu-Qarin, Mohammed Kachlaf, Abd Al Rahman Al-Milad (also known as Al Bija) and Ermias Ghermay.[a] All were key leaders of smuggling and trafficking networks.

The inclusion of Milad, who was the commander of the Zawiya Refinery Coast Guard, on the list appears problematic as his alleged crimes and known role within the human smuggling industry are markedly less grievous than those of the other five named on the sanctions list.

The sanctions are intended to 'pierce the aura of invincibility of the targeted smugglers and send a warning to the industry as a whole.'[b] Field interviews conducted by the Global Initiative between May and December 2018, including with three people named on the sanctions list, do suggest that the imposition of sanctions has caused significant concerns among the relevant actors. However, the return of Milad to his role as coastguard in the first quarter of 2019 to some extent undermines the power of future sanctions as a material deterrent.

a United Nations, As Security Council imposes sanctions on six human traffickers in Libya, UN chief calls for more accountability, 8 June 2018, https://news.un.org/en/story/2018/06/1011751.

b M Micallef, UN Security Council brings out the big stick in Libya, Global Initiative against Transnational Organized Crime, 8 June 2018, http://globalinitiative.net/un-security-council-brings-out-the-big-stick-in-libya/.

c M. Micallef, R. Horsley and A. Bish, 'The Human Conveyor Belt Broken – assessing the collapse of the human-smuggling industry in Libya and the central Sahel', The Global Initiative Against Transnational Organised Crime, March 2019, https://globalinitiative.net/the-human-conveyor-belt-broken-2/.

the communities harmed by the same people who trafficked them and coerced them into action.

In conclusion, the remedies available to persons legally classified as victims of trafficking are typically unavailable in African, and even more so African conflict, contexts. Nevertheless, correct identification remains crucial due to the rights of non-punishment and non-stigmatisation which attach to trafficking victims, regardless of the legal regime used to seek remedy or retribution. Where resources for screenings are scarce, they should be focussed on cases where victims of trafficking may also be perpetrators, to ensure that they are not liable to prosecution.

Policy considerations

The shifting role of the state: moving away from the 4 Ps

International efforts to combat TIP must recognise the limited role that states can be realistically expected to play in responses to TIP in conflict areas, where they have by definition at least partially lost control. A number of international organisations have applied the 4 Ps (prosecution, protection, prevention and partnership), which relies heavily on the role of the state, as the framework for countering TIP, and this remains the official position of some UN agencies. These four elements are considered mutually reinforcing: prosecution should act as a deterrent, preventing the occurrence of trafficking; protection can empower victims and ensure that they are not revictimised when they re-enter society; partnerships between Government and international development organisations, and between international organisations themselves, ensure victims are identified and referred to appropriate services.

The evidence for the effectiveness of the 4 Ps approach to TIP is inconclusive, even in non-conflict states. This approach also relies heavily on well-functioning government systems with strong civil society networks and community infrastructure – schooling, healthcare, employment opportunities and effective criminal justice systems. National Action Plans and National Referral Mechanisms are central to the 4 Ps approach, both of which rely on secure government funding and input from NGOs. The structures and funds needed to support this approach are lacking in many African countries, even those not undergoing conflict.

For conflict-affected countries – often with absent or non-functioning governments; ruined infrastructure; weak, corrupt or defunct criminal justice systems; large swathes of territory outside government control; and state officials who can themselves be complicit in TIP activities, the 4 Ps approach is highly problematic, as it funnels resources into ineffective state-centric programmes and diverts critically needed funds from other areas.

Nevertheless, may international organisations continue promoting state capacity-building programmes – even in conflict-affected countries with highly transient state officials whose capacity to govern the country, let alone combat trafficking, is severely limited. For example, in CAR, 80% of the territory is run by armed militias. Despite this, counter-trafficking trainings continue to be held for local officials in the capital city, Bangui, which remains under government control.[56]

Despite the sweeping adoption of the Palermo Protocol across Africa – 50 out of 55 countries have ratified or acceded to it, 70% of which have drafted national anti-trafficking legislation[57] – the 4 Ps approach has yielded limited tangible results. For example, 28 of 55 countries

in Africa have established a National Action Plan to combat trafficking, but only three report that they have an adequate budget to carry out their plans.[58] In many cases National Action Plans remain largely cosmetic symbols of aspiration rather than practical strategies for change.

Although the lack of functional national institutions in the relevant jurisdictions have repeatedly rendered attempts to build the good governance and capacity of the 'state' ineffective, institutional capacity-building continues to be the thrust of many development programmes. This is inappropriate across many conflict areas in Africa. A number of typical responses, such as national referral mechanisms, rely on state support; where states are unable or unwilling to provide this support, their impact is severely diminished.

Taking a step back: away from securitised responses and towards fulfilling basic needs

As the dearth of convictions discussed earlier indicates, security- and law-enforcement-focused efforts to combat TIP in conflict are unlikely to be successful, although of course achievements in this regard are to

Table 1. Food insecurity in conflict contexts

Country	Conditions
CAR	• About 45% of people are food insecure.[a] • Between 65% and 75% of disposable income is spent on food. • Food distribution is disrupted by violence and security risks.
Libya	• Of internally displaced people, 60% are food insecure.[b] • Migrants report severe food shortages.
Nigeria	• In Borno, Yobe and Adamawa states, around 2.7 million people are estimated to be in need of food assistance.[c] • As at April 2019, the financing required by the UN and partners for the 2019-2021 Humanitarian Response Strategy for Borno, Adamawa and Yobe states remained 77.2% unfunded.
Somalia	• As at January 2019 over 1.5 million people face acute levels of food insecurity and require immediate assistance, projected to rise to 2.2 million by July 2019.[d] • Over 5.4 million people projected to be food insecure by July 2019. • The 2019 Humanitarian Response Plan (superseded by the Drought Response Plan) was 80% unfunded as at May 2019.

a Central African Republic, World Food Programme, www1.wfp.org/countries/central-african-republic.

b Libya, World Food Programme, 2018, www1.wfp.org/countries/Libya; interviews conducted by the GI with migrants transiting through Libya across 2018-2019.

c World Food Programme, Nigeria Country Brief, March 2019, https://docs.wfp.org/api/documents/WFP-0000105757/download/?_ga=2.232916382.1841208547.1560101288-1025020164.1560101288, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), North-East Nigeria, Humanitarian Situation Update, May 2019, https://reliefweb.int/sites/reliefweb.int/files/resources/ocha_nga_humanitarian_situation_update_20190601_0.pdf; OCHA, Nigeria, Humanitarian Funding Overview, April 2019, https://reliefweb.int/sites/reliefweb.int/files/resources/09052019_nga_ocha_fundingoverview.pdf.

d United Nations Office for the Coordination of Humanitarian Affairs Somalia, United Nations Office for the Coordination of Humanitarian Assistance, https://reliefweb.int/sites/reliefweb.int/files/resources/May%20Humanitarian%20Bulletin%20Final.pdf

be lauded. Instead, responses should focus on providing desperately needed humanitarian support.

The depth of the impact of conflict on the basic needs of affected populations is increasingly appreciated. The UN Security Council's unanimous adoption in May 2018 of a new resolution recognising the link between food insecurity and conflict echoed mounting humanitarian concern about the impact of conflict on global hunger: nearly two-thirds of the world's 815 million chronically hungry people live in conflict areas, and they are more than twice as likely to be malnourished as those living in countries at peace.[59] Armed groups have at times prevented aid from reaching deprived communities; in Somalia, for example, al-Shabaab has refused most NGOs access to the territories it controls, contributing to forced displacement.

Conflict has been seen to halt agricultural production, restrict trade routes and disrupt markets. This in turn reduces the availability of and access to food for affected populations, and inflates prices for increasingly scarce staple foods. For example, in the Chad Basin region in North-East Nigeria, where 80-90% of the population were estimated to depend on farming, fishing or livestock for their livelihood prior to the conflict, conflict has seen the prices for certain staple foods double.[60]

Conflict has been seen to halt agricultural production, restrict trade routes and disrupt markets

The sheer scale of need compared with the capacity of responders is sometimes overlooked. Interviews conducted in all four study countries highlighted overburdened humanitarian systems with severe responder fatigue. Interviewees spoke of their ongoing difficulties meeting the most basic and urgent civilian protection needs – health care, shelter, and food and water delivery – both in the country in conflict and neighbouring countries absorbing the displaced. Given such baseline needs, identifying trafficked people and managing individual cases may be impossible, or even unethical if the services that victims need do not exist.

Resources should be directed to meeting these vast humanitarian needs, rather than to securitised approaches to TIP in conflict.

> **When an attack occurs, it is chaos. We have bodies everywhere in the hospital – in the corridors, on the porch. There is blood everywhere. Sometimes we can't even keep the most basic records; everyone is too busy keeping people alive.**
> *– member of an international medical aid organisation in CAR, 2018*

Community Resilience Mechanisms

Not every civilian caught in conflict becomes a trafficking victim. A greater understanding of factors that increase individual and community resilience to trafficking would enable support to be appropriately directed. This is a promising area of focus.[61]

Despite the protracted nature of the conflict in Libya, there is little evidence (compared with CAR, Nigeria and Somalia) that significant sections of the population were vulnerable to trafficking. Displaced Libyans are employing economic coping strategies such as informal jobs (taxi driving, trade or daily labour) to supplement the aid they receive, but do not appear to experience exploitation.

Accurately identifying roots of resilience, and differentiating it from specific vulnerabilities of marginalised communities, is key in shaping responses. In Libya, ethnic Arabs do not appear to have experienced a significant increase in their vulnerability to trafficking; the vast majority of those trafficked are African migrants. This has been identified as a form of resilience among the Libyan population; however, it can more accurately be viewed as a sign of how marginalisation of communities increases their vulnerability to TIP. Here, the longstanding racial denigration of Africans by North Africans of Arab ethnicity facilitates trafficking. Similarly, in CAR the marginalisation of certain indigenous communities in the south-west of the country enhances their vulnerability to both sex and labour trafficking. These vulnerabilities should be tackled in the long term through programmes which seek to address the root causes of vulnerability (xenophobia, patriarchy, caste, class and discriminatory gender norms) and drive attitudinal change and enhanced economic inclusivity.

Within communities there are influencers who can leverage their role and power to enhance

community resilience.[62] These can include religious and spiritual leaders.[63] This is particularly true where religion is used as a justification for committing TIP crimes based on interpreted religious texts (Libya and Somalia); and as a method for psychologically controlling victims (Nigeria).

To take the latter example, many Nigerian women, before departing for Europe, sign contracts with their traffickers and participate in a ritual, conducted by a spiritual priest (also known as a traditional doctor). Their hair, clothing or fingernails are mixed with drops of their blood into a concoction they then drink. The ceremony ties the women to the trafficker, and should they breach their obligations, they and their family will be cursed.

There is preliminary evidence from Nigeria that religious leaders may become more involved in the trafficking fight. In March 2018, Oba Ewuare II, the traditional ruler of the kingdom of Benin in southern Nigeria, announced that he had put a curse on anyone who traffics people within his kingdom, whilst revoking curses placed on women before they travel. An official from the national counter-trafficking agency said, 'This belief in juju has been a strong impediment to our prosecution. [The Oba's decree] is a very strong weapon to support anti-trafficking [because the Edo people's] belief system is strongly rooted in traditional worship.' [64]

The potential contribution of religious and spiritual leaders is often overlooked in international counter-trafficking efforts, which are usually led by the global North and almost exclusively emphasise state-centric responses. In Africa, where politicians and governments are often at best distrusted and at worst deplored, this emphasis is questionable and fails to tap the potential of other local and national influencers.

Conclusion

In Africa, where many of the key risks factors to trafficking, including poor labour conditions are endemic, adopting and implementing internationally designed approaches to counter human trafficking may not be a realistic strategy. This is especially true in conflict zones, where human rights violations escalate, states have lost control of elements of their territory, and humanitarian responders are overwhelmed. An ongoing focus by international actors on human trafficking as a distinct criminal phenomenon within conflict settings may therefore be misplaced.

Conflict amplifies existing supply and demand in the human trafficking market. With one key exception, it has a more limited impact on the parameters of the market. This exception is the presence of international peacekeeping troops, which do constitute one new source of demand. This has been seen to have significant and longstanding effects on organised crime in the area, promoting the establishment of criminal networks that can last long after the conflict ends.

Counter-trafficking efforts should be part of broader work to enhance community resilience to organised crime and to address long-standing needs, while responses which rely on the state should be treated with caution.

More broadly, the Palermo definition applied to TIP in Africa, and in particular to practices falling under the definition of 'labour trafficking,' should be reviewed with appropriate consideration for existing needs-based practices. This is not to say that such practices should be endorsed; however, seeking to address them within a criminal framework may be inappropriate and counter-productive. Instead, a development-centric approach which prioritises socio-economic and attitudinal shifts should be adopted.

Notes

1   On 14–15 April 2014, 276 girls were kidnapped by the extremist group Boko Haram from their school in Chibok in north-eastern Nigeria. Some girls were forced to marry Boko Haram fighters, others were sold, and non-Muslim students were forced to convert to Islam. Boko Haram leader Abubakar Shekau declared, 'Allah instructed me to sell them. . . . I will carry out his instructions.' On 3 August 2014, ISIS fighters attacked the Sinjar region of northern Iraq, home to the Yazidi people. The Yazidis were systematically abducted, murdered and enslaved, and captured females were sold to ISIS fighters in Syria.

2   Trafficking in persons, also called human trafficking or trafficking in human beings, is the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

3   This was publicised extensively in global media outlets, including, for example, R. Callimachi, ISIS enshrines a theology of rape, *New York Times*, 13 August 2015, www.nytimes.com/2015/08/14/world/middleeast/isis-enshrines-a-theology-of-rape.html.

4   Human Rights Watch, '*Slavery: The ISIS Rules*', 5 September 2015, https://www.hrw.org/news/2015/09/05/slavery-isis-rules; United Nations Office of the High Commissioner for Human Rights, *'They came to destroy': ISIS crimes against the Yazidis*, 15 June 2016, A/HRC/32/CRP.2, www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A_HRC_32_CRP.2_en.pdf; see also Middle East Media Research Institute, Islamic State (ISIS) releases pamphlet on female slaves, *Jihad and Terrorism Threat Monitor*, 3 December 2014, http://www.memrijttm.org/islamic-state-isis-releasespamphlet-on-female-slaves.html.

5   These include resolutions 2331 (2016) and 2388 (2017). The Security Council held its first thematic debate on trafficking in persons in conflict in December 2015, adopting a presidential statement that 'condemns in the strongest terms reported instances of trafficking in persons in areas affected by armed conflict' and notes that human trafficking may form part of terrorist groups' use of sexual and gender-based violence as part of their strategic objectives. This debate built on the Security Council's ongoing attention to conflict-related human trafficking, including Resolution 2195 (2014) on terrorism and organized crime, Resolution 2253 (2015) on sanctions on the Islamic State in Iraq and the Levant (ISIL)/Daesh, and Resolution 2242 (2015) on women, peace and security. The Human Rights Council has also reviewed a number of reports by the special rapporteur on trafficking in persons in conflict.

6   See: The UNODC Global Report on Trafficking in Persons, the ILO Global Estimates of Modern Slavery: Forced Labour and Forced Marriage, the IOM counter-trafficking approach, the US Department of State Trafficking in Persons report, and the Walk Free Foundation Global Slavery Index.

7   Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, https://treaties.un.org/doc/Treaties/2000/11/20001115%2011-38%20AM/Ch_XVIII_12_ap.pdf

8   AT Gallagher, Two cheers for the trafficking protocol, *Anti-Trafficking Review*, 4 (April 2015), www.antitraffickingreview.org/index.php/atrjournal/article/view/88.

9   Ibid.

10   JA Chuang, Exploitation creep and the unmaking of human trafficking law, *American Journal of International Law*, 108:4, October 2014, 609–649, www.jstor.org/stable/10.5305/amerjintelaw.108.4.0609. 'Modern slavery' is not defined in international law; however, the term is increasingly used in advocacy and research materials—for example, the Walk Free Foundation's Global Slavery Index (www.globalslaveryindex.org/about/the-index/). In 2015, the United Kingdom became the first country to adopt a Modern Slavery Act (www.legislation.gov.uk/ukpga/2015/30/section/3/enacted), which uses the term 'modern slavery' instead of 'trafficking in persons.'

11   M Shaw, *Africa's changing place in the global criminal economy,* ENACT, September 2017, https://globalinitiative.net/wp-content/uploads/2017/09/2017-09-26-enact-continental-report1.pdf.

12   Pope Francis uses new year mass to condemn slavery and human trafficking, *The Guardian*, 1 January 2015, www.theguardian.com/world/2015/jan/01/pope-francis-new-year-mass-slavery-human-trafficking; see also Presidential proclamation – National Slavery and Human Trafficking Prevention Month, The White House, https://obamawhitehouse.archives.gov/the-press-office/2016/12/28/presidential-proclamation-national-slavery-and-human-trafficking.

13   M Shaw, *Africa's changing place in the global criminal economy,* ENACT, September 2017, https://enact-africa.s3.amazonaws.com/site/uploads/2017-09-26-enact-continental-report1.pdf.

14 Walk Free Foundation, 2018 Global Slavery Index, July 2018, www.globalslaveryindex.org.

15 T Reitano, Does 'human trafficking' need a new definition? Institute for Security Studies, 31 July 2017, https://issafrica.org/iss-today/does-human-trafficking-need-a-new-definition.

16 United Nations Office on Drugs and Crime, *Countering trafficking in persons in conflict situations*, 2018, www.unodc.org/documents/human-trafficking/2018/17-08776_ebook-Countering_Trafficking_in_Persons_in_Conflict_Situations.pdf.

17 Office for the Coordination of Humanitarian Affairs, *Global humanitarian overview 2018: at a glance*, http://interactive.unocha.org/publication/globalhumanitarianoverview/#ataglanceposition.

18 United Nations Office for the Coordination of Humanitarian Affairs, *Central African Republic*, 25 May 2018, https://unocha.exposure.co/40c7c5976007d223dc134d3341836f28.

19 M Shaw, *Africa's changing place in the global criminal economy*, ENACT, September 2017, https://enact-africa.s3.amazonaws.com/site/uploads/2017-09-26-enact-continental-report1.pdf.

20 Walk Free Foundation, 2018 Global Slavery Index, July 2018, www.globalslaveryindex.org.

21 US Department of State, *Trafficking in persons report 2018*, June 2018, https://www.state.gov/wp-content/uploads/2019/01/282798.pdf.

22 International Labour Organization, *Global estimates of modern slavery: forced labour and forced marriage*, September 2017, www.ilo.org/global/publications/books/WCMS_575479/lang--en/index.htm.

23 United Nations Sustainable Development Goals, Goal 8.7, https://sustainabledevelopment.un.org/sdg8. Goals 5.2 and 16.2 also relate to trafficking – the former specifically to sex trafficking, the latter regarding trafficking as it affects children.

24 Inter-Agency Coordination Group against Trafficking in Persons, Trafficking in persons in humanitarian crises, Issue Brief no. 2, June 2017, http://icat.network/sites/default/files/publications/documents/ICAT-IB-02-Final.pdf.

25 United Nations Office on Drugs and Crime, *Countering trafficking in persons in conflict situations*, 2018, www.unodc.org/documents/human-trafficking/2018/17-08776_ebook-Countering_Trafficking_in_Persons_in_Conflict_Situations.pdf.

26 In person interviews with NGO representatives in CAR, July 2018.

27 Ibid. Data for Libya are not available.

28 UNICEF, *State of the world's children*, 2017, https://data.unicef.org/resources/state-worlds-children-2017-statistical-tables/.

29 GI field research in Libya 2016–2018. As an exception, there have been one or two media reports on ISIS capturing and enslaving women, but ISIS is not a major militia in Libya to date.

30 Law No. 10 of 1984 sets the minimum age of marriage for females at 20 years. This established an expectation that Libyan women will complete their education prior to marriage.

31 The Global Partnership to End Child Marriage, 'Child Marriage in Humanitarian Settings', August 2017, https://www.ohchr.org/Documents/Issues/Childmarriage

32 This has been tracked by a series of research papers, including CA Smith and B Millder-de la Cuesta, Human trafficking in conflict zones: the role of peacekeepers in the formation of networks, *Human Rights Review*, September 2011, Volume 12, Issue 3, pp 287–299.

33 Ibid.

34 See for example Human Rights Watch, the Washington Post: Human Rights Watch, Bosnia and Herzegovina, Vol. 14, No. 9 (D) – November 2002; . K Sieff, Members of a U.N. peacekeeping force in the Central African Republic allegedly turned to sexual predation, betraying their duty to protect, *Washington Post*, 2016, www.washingtonpost.com/sf/world/2016/02/27/peacekeepers/?utm_term=.6aa481da09c0..

35 B Millder-de la Cuesta, Human trafficking in conflict zones: the role of peacekeepers in the formation of networks, *Human Rights Review*, September 2011, Volume 12, Issue 3, pp 287–299.

36 In person interviews with NGO representatives conducted in CAR in July 2018.

37 Al Jazeera, 'Congo peacekeepers accused of sex abuse to leave CAR', 22 June 2017, https://www.aljazeera.com/news/2017/06/congo-peacekeepers-accused-sex-abuse-leave-car-170622011227682.html; BBC, 'Congo peacekeepers to leave CAR amid sex abuse allegations', 22 June 2017, https://www.bbc.co.uk/news/world-africa-40365241.

38 UNSG, 'Secretary-General's remarks to Security Council consultations on the situation in CAR' (New York: UN, 2015), http://www.un.org/sg/statements/index.asp?nid=8903.

39 J Westendorf and L Searle, Sexual exploitation and abuse in peace operations: trends, policy responses and future directions, International Affairs 93: 2 (2017) 365–387; doi: 10.1093/ia/iix001, https://www.chathamhouse.org/sites/default/files/publications/ia/INTA93_2_07_Westendorf%20and%20Searle.pdf

40 K Sieff, Members of a U.N. peacekeeping force in the Central African Republic allegedly turned to sexual predation, betraying their duty to protect, *Washington Post*, 2016, www.washingtonpost.com/sf/world/2016/02/27/peacekeepers/?utm_term=.6aa481da09c0.

41 B Millder-de la Cuesta, Human trafficking in conflict zones: the role of peacekeepers in the formation of networks, *Human Rights Review*, September 2011, Volume 12, Issue 3, pp 287–299.

42 L Mudge, In the Central African Republic, AU peacekeepers carried out an egregious crime, Human Rights Watch, 10 August 2018, www.hrw.org/news/2018/08/10/central-african-republic-au-peacekeepers-carried-out-egregious-crime; Faarah Adan, The rape of Somali women by AMISOM peacekeepers: "'To them we are just spoils of war!", !', *Foreign Policy Journal*, 7 December 2017, https://www.foreignpolicyjournal.com/2017/12/07/the-rape-of-somali-women-by-amisom-peacekeepers-to-them-we-are-just-spoils-of-war/ .

43 United Nations High Commissioner for Refugees, Réponse Régionale à la crise des Réfugiés en République centrafricaine, June 2018, http://data2.unhcr.org/fr/situations/car#_ga=2.200197544.740249887.1531908249-2000091057.1515379699&_gac=1.250228146.1529502398.EAIaIQobChMI1N--tLDi2wIVk4KyCh18uQbUEAAYASAAEgI5JfD_BwE.

44 United Nations Office for the Coordination of Humanitarian Affairs, *Central African Republic*, 25 May 2018, https://unocha.exposure.co/40c7c5976007d223dc134d3341836f28.

45 See S Craggs et al., *Responding to human trafficking and exploitation in times of crisis: reducing the vulnerabilities of migrants in preparedness, response and recovery efforts*, International Organization for Migration, January 2016, https://micicinitiative.iom.int/resources-and-publications/responding-human-trafficking-and-exploitation-times-crisis.

46 In person interviews with Somali community members in Nairobi, Kenya, July 2018.

47 Email correspondence with Philip Obaji Jr, coordinator of 'Up Against Trafficking,' NGO working in Nigeria, June 2018.

48 Ibid.

49 Ibid. It is possible that these networks will expand northwards to capitalize on the vulnerabilities of conflict-affected communities, but this has not been observed to date, and the conflict in north-east Nigeria has been ongoing for nearly a decade.

50 M Shaw, *Africa's changing place in the global criminal economy*, ENACT, 2017, https://globalinitiative.net/wp-content/uploads/2017/09/2017-09-26-enact-continental-report1.pdf.

51 K Sieff, Members of a U.N. peacekeeping force in the Central African Republic allegedly turned to sexual predation, betraying their duty to protect, *Washington Post*, 2016, www.washingtonpost.com/sf/world/2016/02/27/peacekeepers/?utm_term=.6aa481da09c0.

52 In person interviews with NGO representatives in the Central African Republic, July 2018.

53 United Nations Office on Drugs and Crime, *Countering trafficking in persons in conflict situations*, 2018, www.unodc.org/documents/human-trafficking/2018/17-08776_ebook-Countering_Trafficking_in_Persons_in_Conflict_Situations.pdf.

54 United Nations, As Security Council imposes sanctions on six human traffickers in Libya, UN chief calls for more accountability, 8 June 2018, https://news.un.org/en/story/2018/06/1011751. Chapter VII 'Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression', Charter of the United Nations, https://www.un.org/en/sections/un-charter/chapter-vii/'

55 J Huckerby, When human trafficking and terrorism connect: dangers and dilemmas, Just Security, February 2019, https://www.justsecurity.org/62658/human-trafficking-terrorism-connect-dangers-dilemmas/.

56 In person interviews with NGO representatives in the Central African Republic, July 2018.

57 Walk Free Foundation, 2018 Global Slavery Index, July 2018, www.globalslaveryindex.org.

58 Ibid.

59 Resolution 2417 (2018) adopted by the Security Council at its 8267th meeting, on 24 May 2018, http://undocs.org/S/RES/2417(2018); 'We can't end hunger if we don't end conflict': historic UN Security Council resolution recognizes link between conflict and food insecurity, *World Food Programme Insight*, 24 May 2018, https://insight.wfp.org/we-cant-end-hunger-if-we-don-t-end-conflict-eb9514909de2?_ga=2.250274245.238153694.1531062893-1183827666.1530796635.

60 Food and Agriculture Organization of the United Nations, *Lake Chad Basin Crisis Response Strategy (2017–2019): Mitigating the impact of the crisis and strengthening the resilience and food security of conflict-affected communities*, 2017. https://reliefweb.int/sites/reliefweb.int/files/resources/LakeChadBasinCrisis_FAOResponseStrategy_shortversion_EN-march17.pdf

61 United Nations Office on Drugs and Crime, *Countering trafficking in persons in conflict situations*, 2018, www.unodc.org/documents/human-trafficking/2018/17-08776_ebook-Countering_Trafficking_in_Persons_in_Conflict_Situations.pdf.

62 Ibid.

63 Ibid.

64 Adaobi Tricia Nwaubani, A Voodoo Curse on Human Traffickers, March 24, 2018, https://www.nytimes.com/2018/03/24/opinion/sunday/voodoo-curse-human-traffickers.html

About the authors

Lucia Bird is a senior analyst at the Global Initiative Against Transnational Organized Crime. Previously she worked as legal and policy adviser to the Planning and Development Department of the Punjab Government, Pakistan, and the Ministry of Finance, Ghana working on governance, institutional reform and strengthening policy processes, contracting and legislative practices.

Tuesday Reitano is deputy director of the Global Initiative Against Transnational Organised Crime. She previously worked for 10 years in the UN System, including at the UN Office on Drugs and Crime, and the UN Development Programme, in particular focusing on issues of governance, justice and conflict transition in Africa.

About ENACT

ENACT builds knowledge and skills to enhance Africa's response to transnational organised crime. ENACT analyses how organised crime affects stability, governance, the rule of law and development in Africa, and works to mitigate its impact. ENACT is implemented by the Institute for Security Studies and INTERPOL, in affiliation with the Global Initiative against Transnational Organized Crime.

Acknowledgements

Cover image: © Albert Gonzalez Farran/UNAMID