

## Guide on good practices and recommendations

### Conclusions of the Workshop on the fight against migrant smuggling

On 24<sup>th</sup> October 2019, Côte d'Ivoire hosted a Rabat Process workshop dedicated to the fight against migrant smuggling. The delegations of the following countries participated: Benin, Burkina Faso, Cameroon, Chad, Cape Verde, Congo, Côte d'Ivoire, France, Equatorial Guinea, Gabon, Gambia, Germany, Ghana, Guinea Conakry, Italy, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Norway, Senegal, Spain, Switzerland and the United Kingdom, as well as the EU, ICMPD, UNODC, G5 Sahel and Frontex. At the end of the day, and as part of the implementation of the Marrakesh Action Plan adopted in May 2018, the following recommendations were put forward:

### Develop appropriate national legislative and institutional frameworks

*With reference to the Marrakesh Action Plan - Action 17*

1. Develop and strengthen specific legislative and institutional frameworks for prevention, detection, investigation, prosecution and protection in the fight against migrant smuggling and trafficking in persons;
2. Ensure better law enforcement by ensuring, with partners in the States concerned, that administrative and regulatory frameworks are in place and that the necessary resources (human resources, technical capacity, training) are allocated;
3. Discuss how to link activities to combat illicit migrant smuggling with anti-trafficking activities and their institutional frameworks.

### Develop national tools to combat migrant smuggling

*With reference to the Marrakesh Action Plan - Action 15*

4. Encourage the creation of units dedicated to carrying out investigations in the fight against illicit migrant smuggling and trafficking in persons, whilst ensuring complementarity in field work;
5. Enable the use of the special investigative tools which are provided for in the United Nations Convention against Transnational Organized Crime;
6. Establish specialised units to combat migrant smuggling and trafficking in persons, in order to ensure the coordination of all actors in the criminal justice system;
7. Encourage the introduction of secure documents to combat identity and nationality fraud (such as the ECOWAS - Economic Community of West African States' biometric identity card);
8. Promote the creation of interdepartmental national consultation and coordination platforms ;
9. Conduct specific monitoring of social media and networks (as tools which play a major role in the recruitment of young migrants);



10. Strengthen awareness raising on the risks of irregular migration and illicit migrant smuggling (including at community level, and with the support of civil society) and establish a coherent evaluation system to measure the impact of awareness campaigns.

#### Strengthen judicial and police cooperation at national level

11. Ensure that police and judicial practices are harmonised throughout the whole criminal justice system;
12. Ensure the coordination of actors in the criminal justice system at operational level.

#### Support regional and international cooperation

*With reference to the Marrakesh Action Plan – Actions 16 and 17*

13. Ensure coherence between the ECOWAS regime for the free movement of persons and the fight against migrant smuggling by, for example, encouraging the development of a regional approach at borders;
14. Exploit the full potential of existing Conventions and Declarations at continental and sub-regional level;
15. Develop inter-regional cooperation between West Africa - East Africa and West Africa - North Africa ;
16. Develop the sharing of experiences and good practices between States (legislation, organisation, division of responsibilities but also experience acquired in the field of the fight against trafficking in persons), bilaterally or through regional workshops;
17. Find solutions to overcome differences which exist between the legislation and the institutional structure of different States, in order to allow for better bilateral cooperation;
18. Strengthen police cooperation: (i) by using existing tools - police to police handovers, the right to prosecute, joint investigations; (ii) by linking up dedicated criminal investigation units in the fight against migrant smuggling; (iii) by improving intelligence/information sharing and supporting the development of standard protocols on intelligence/information sharing;
19. Strengthen judicial cooperation: (i) by using the West African Network of Central Authorities and Prosecutors against Organized Crime (WACAP) focal points (ii) by seconding liaison magistrates; (iii) by signing bilateral agreements to process requests for mutual legal assistance or for prevention, law-enforcement and protection actions;
20. Diversify Euro-African cooperation through the establishment of Joint Operational Partnerships (a global approach which incorporates police services and judicial authorities) ;
21. Consider assigning responsibility for national coordination in the fight against migrant smuggling to the existing ECOWAS network of national focal points on trafficking in persons, and incorporate them into relevant institutional structures;
22. Develop research, information and analysis on how smuggling networks operate and how they are organised at sub-regional level.

