



STATEMENT COMMEMORATING WORLD DAY AGAINST TRAFFICKING IN PERSONS

30th JULY 2022.

The National Human Rights Commission (NHRC) and its Thematic Committee on Vulnerable Groups join the rest of the world in the commemoration of World Day Against Trafficking In Persons. The Day presents an opportunity for the Government and national and international stakeholders, including the National Human Rights Commission, to reflect on the status and impact of trafficking in persons as one of the key human rights challenges in the country and beyond.

The theme for this year's commemoration is '*The Use and abuse of technology*'. This is a timely theme that gives the opportunity to reflect on the role of technology, especially the internet, as not just one of the major enablers of trafficking, but the potentials of its use as a strong tool in the fight against trafficking. The internet, without a doubt, has varying platforms of communication central to addressing key issues surrounding human trafficking, which include its prevention, the protection of the rights of victims and potential victims, as well as the prosecution of traffickers. Social media and other technology messaging fora are used by traffickers, recruitment agencies, individuals and other networks for the advertisement, recruitment and exploitation of trafficking victims and potential victims, making trafficking one of the most complex transnational crimes to counter. With the advent of technological applications like social media, potential victims are exposed to more direct or indirect access by traffickers, through advertisements, recruitment agencies, trusted individuals and other networks (UNODC-Global Report on Trafficking in Persons 2020).

The Gambia has made some effort in tackling trafficking coming from a Tier 2 Watch List in 2021 to a Tier 2 country this year (US Department of State 2022 Trafficking in Persons Report). However, more effort must be made to review existing laws, enact of new laws and policies, and most specifically ensure effective implementation to address the multiple dimensions of human trafficking especially those enabled by technology. While the enactment of the 2007 Trafficking in Persons Act and its 2010 Amendment and the Tourism Offences Act (as amended in 2014) make strong legal provisions for the criminalization of child, sex and labour trafficking, there remain significant gaps in sufficient legal frameworks to protect potential victims, prosecute traffickers or fulfil the rights of victims to redress. With the rapid evolution of technology, the absence of a national Data Protection Act and other internet safety legal frameworks leave vulnerable groups like

children, the poor, and migrants particularly prone to easy online recruitment and eventual exploitation by traffickers.

‘Trafficking in Persons is a heinous crime and a grave violation of human rights. The abuse of modern technology by traffickers and other criminal groups has exacerbated the vulnerabilities of victims and potential victims. It therefore calls for concerted action and multi-dimensional approaches, by the State and all relevant stakeholders, to ensure the protection of all vulnerable groups. The National Human Rights Commission stands ready to vigorously fight this menace and ensure perpetrators are found and prosecuted no matter where they are’, Emmanuel D. Joof, Chairperson, NHRC

As we reflect on the theme of this year's commemoration, the Commission calls on the Government to:

- adopt comprehensive national policies and programmes to effectively tackle the complex and varied dimensions of internet-based trafficking through security, human rights and technology based approaches;
- develop the requisite implementation plans and programmes for the effective implementation of the National Referral Mechanism for the Protection and Assistance of Vulnerable Migrants and Victims of Trafficking;
- enhance the capacity of NAATIP, the security agencies and other relevant stakeholders to address the multi-dimensional facets of trafficking, especially internet-based trafficking;
- Provide adequate resources to NAATIP, the Gambia Tourism Board and other State agencies to raise awareness across the country on the cyber based trafficking and exploitation, and strengthen capacity for effective investigation and prosecution of trafficking cases;
- review the Trafficking in Persons Act 2007 and other relevant legislation to protect vulnerable internet users and regulate labour recruitment agencies;

and finally to establish regional and international partnerships, including extradition treaties, to address trafficking as a transnational organised crime.