



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Concluding observations on the initial report of the Niger*

1. The Committee considered the initial report of the Niger (CMW/C/NER/1) at its 329th and 330th meetings (CMW/C/SR.329 and 330), held on 30 and 31 August 2016. At its 341st meeting, held on 7 September 2016, the Committee adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the initial report of the State party, which was prepared in response to a list of issues prior to reporting (CMW/C/NER/QPR/1), and the additional information provided during the dialogue by the multisectoral delegation headed by the Secretary-General of the Ministry of Justice, Maiga Zeinabou Labo, and composed of representatives of the Permanent Mission of the Niger to the United Nations Office and other international organizations in Geneva, the Ministry of Employment, Labour and Social Welfare, the Ministry of Justice and the Ministry of Internal Affairs, Public Safety, Decentralization and Customary and Religious Affairs.

3. The Committee appreciates the constructive dialogue held with the delegation. The Committee nevertheless regrets that the initial report was not submitted until 20 July 2016, which did not allow sufficient time for its translation into the working languages of the Committee or for its thorough consideration by the Committee.

4. The Committee notes that the Niger, as a country of origin of migrant workers, has made progress in protecting the rights of its nationals working abroad. The Committee also notes, however, that, as a country of transit and destination, the State party faces a number of challenges in protecting the rights of migrant workers in its territory.

5. The Committee notes that some of the countries in which migrant workers from the Niger are employed are not yet parties to the Convention, which may be an obstacle to those migrant workers' enjoyment of their rights under the Convention.

* Adopted by the Committee at its twenty-fifth session (29 August-7 September 2016).



B. Positive aspects

6. The Committee welcomes the State party's efforts to promote and protect the rights of migrant workers of the Niger abroad.
7. The Committee welcomes the State party's ratification of, or accession to, the following international instruments:
 - (a) International Convention for the Protection of All Persons from Enforced Disappearance, July 2015;
 - (b) Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, November 2014;
 - (c) Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, November 2014;
 - (d) Convention relating to the Status of Stateless Persons, November 2014;
 - (e) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, March 2012;
 - (f) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, September 2004, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, March 2009;
 - (g) International Labour Organization (ILO) Private Employment Agencies Convention, 1997 (No. 181), May 2015;
 - (h) African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), May 2012.
8. The Committee notes the adoption of the following legislative measures:
 - (a) Act No. 2015-36 of 26 May 2015 on the smuggling of migrants, May 2015;
 - (b) The Labour Code of 25 September 2012 (Act No. 2012-45), September 2012;
 - (c) Decree No. 2012-083 on the organization, composition and operations of the National Agency for Combating Trafficking in Persons, March 2012;
 - (d) Ordinance No. 2010-086 on human trafficking, December 2010.
9. The Committee welcomes the adoption of the following policy and institutional measures:
 - (a) Establishment of the National Human Rights Commission (under Act No. 2012-44 of 24 August 2012), August 2014;
 - (b) Adoption of the Five-Year National Action Plan to Combat Human Trafficking for 2014-2018;
 - (c) Launch of the second phase of a project designed to provide support for the effort to combat forced labour and discrimination, 2014;
 - (d) Establishment of the National Coordinating Commission for the Fight against Trafficking in Persons, March 2012;
 - (e) Establishment of the National Agency for Combating Trafficking in Persons, March 2012;

(f) Establishment of the High Authority to Combat Corruption and Similar Offences, July 2011.

10. The Committee welcomes the invitation extended by the State party to United Nations special procedures mandate holders in August 2012.

C. Factors and difficulties impeding the implementation of the Convention

11. The Committee recognizes the difficulties that the State party faces, including its porous borders, attacks by terrorist groups, including Boko Haram, which have resulted in the forced displacement of large numbers of people, climate change, whose effects include desertification, and crises in neighbouring countries, including Mali, Côte d'Ivoire and Burkina Faso, all of which may impede the full realization of the rights of migrant workers and members of their families under the Convention.

D. Principal areas of concern, suggestions and recommendations

1. General measures of implementation (arts. 73 and 84)

Legislation and application

12. The Committee notes that, under article 171 of the Constitution, international instruments take precedence over national laws. However, it is concerned by the delegation's statement that the Convention has not yet been invoked in national courts and that judges, prosecutors and lawyers are not sufficiently aware of the Convention.

13. The State party should take appropriate measures to raise awareness of the Convention among judges, lawyers and prosecutors in order to ensure that its provisions are taken into account by the national courts.

Articles 76 and 77

14. The Committee notes that the State party has not yet made the declarations provided for in articles 76 and 77 of the Convention whereby it would recognize the competence of the Committee to receive and consider communications from States parties and individuals concerning violations of the rights enshrined in the Convention.

15. The Committee encourages the State party to consider making the declarations provided for in articles 76 and 77 of the Convention.

Coordination

16. The Committee takes note of the information provided by the State party on the responsibilities of the National Agency for the Promotion of Employment with regard to migrant workers. However, it regrets that the State party lacks a ministry or other body tasked with ensuring intergovernmental coordination in implementing the Convention at the national level.

17. The Committee recommends that the State party consider establishing an appropriate body with a clear mandate to ensure intergovernmental coordination of the effective implementation of the Convention and the realization of the rights protected therein at the State and local levels. This body should be allocated adequate human and financial resources, and capacity-building services should be provided to the ministries and agencies that handle migration issues.

Data collection

18. While noting the statement made by the delegation that the State party is in the process of compiling statistics on different aspects of migration, the Committee is concerned about the lack of statistical data on migration flows into, out of and through the State party and on, in particular, migrant workers and members of their families in an irregular situation, migrant workers in detention in the State party, migrant workers who are nationals of the State party and who are in detention in their country of employment, and unaccompanied migrant children or children who are in the State party and have become separated from their parents. Such information would have allowed the Committee to assess how and to what extent the rights enshrined in the Convention are being exercised in the State party.

19. **The Committee recommends that the State party establish a national information system on migration to assist in the compilation of migration-related statistics and information covering all aspects of the Convention. This centralized database should include detailed information on the status of all migrant workers in the State party, including those in transit, those leaving the country and those in an irregular situation. The Committee encourages the State party to gather information and statistics disaggregated by sex, age, nationality, reason for entry to and departure from the country and the type of work performed, in line with target 17.18 of the Sustainable Development Goals, as a tool for guiding the formulation of an effective migration policy and the application of the various provisions of the Convention. When it is not possible to obtain precise information concerning, for example, migrant workers in an irregular situation, the Committee requests the State party to submit data based on studies or estimates.**

Training on and dissemination of the Convention

20. The Committee notes with appreciation that the Convention has been covered in a number of training courses for judges. It also welcomes the fact that the State party, with support from the International Organization for Migration (IOM), intends to organize training courses on the Convention and that, in collaboration with IOM, the National Agency for Combating Trafficking in Persons has organized awareness-raising and training activities targeted at State officials and civil society organizations. However, the Committee regrets that information on the Convention and on the Convention rights have not been disseminated to the general public and all relevant stakeholders, including national and local government agencies, civil society organizations, and migrant workers and members of their families.

21. **The Committee recommends that the State party develop education and training programmes on the Convention. It also recommends that such training be made available to all officials who work in migration-related areas, including at the local level. The Committee encourages the State party to ensure that migrant workers have access to information about their rights under the Convention and to work with civil society organizations to promote the Convention and disseminate information on it.**

2. General principles (arts. 7 and 83)**Non-discrimination**

22. The Committee notes that the constitutional and legislative framework of the State party includes provisions on combating discrimination in the areas of employment, health and education, among others. However, the Committee regrets that:

(a) National legislation on employment and working conditions does not cover all the prohibited grounds of discrimination enumerated in the Convention (arts. 1 (1) and 7);

(b) According to a number of reports, in practice, migrant workers are frequently discriminated against in terms of access to employment;

(c) There is insufficient protection for the rights of migrant workers in an irregular situation who are employed in the informal sector or who are in transit and those of migrant workers from the Niger working outside the country and members of their families;

(d) Discrimination against migrant women persists in all areas, including the labour market, and no legislation is in place that prohibits discrimination against women.

23. The Committee recommends that the State party take all appropriate measures, particularly by amending its legislation and stepping up its efforts to:

(a) **Ensure that all migrant workers and members of their families on its territory or subject to its jurisdiction, whether documented or not, enjoy the rights recognized by the Convention without discrimination in accordance with articles 1 (1) and 7;**

(b) **Explicitly prohibit and eliminate all forms of discrimination against women by, inter alia, putting in place a comprehensive strategy as soon as possible that has clear goals and timetables.**

Right to an effective remedy

24. The Committee notes the information provided by the State party to the effect that every person, regardless of nationality, has access to the courts and enjoys the protection of the rights guaranteed by law. However, it notes with concern that specific measures have not been taken to inform migrant workers and members of their families about the remedies available to them for violations of their rights under the Convention.

25. The Committee recommends that the State party take steps to inform migrant workers and members of their families, including those in an irregular situation, about the judicial and other remedies available to them for violations of their rights under the Convention. It also recommends that the State party take all necessary measures to ensure that migrant workers and members of their families can turn to the authorities if their Convention rights are violated without fear of reprisals because of their irregular migration status.

3. Human rights of all migrant workers and members of their families (arts. 8-35)

Forced labour and other forms of ill-treatment

26. The Committee welcomes the fact that forced labour is prohibited in the State party and that slavery was criminalized in 2003. It also welcomes the establishment of the National Committee to Combat the Vestiges of Forced Labour and Discrimination. However, it notes with concern that slavery continues to be practised. It is also concerned by:

(a) The inadequacy of the measures taken to prevent and combat slavery, including measures for enforcing the law, and the lack of information on migrant workers subjected to slavery;

(b) The fact that some migrants are subjected to forced labour.

27. **The Committee recalls the recommendations of the Special Rapporteur on contemporary forms of slavery, including its causes and its consequences (A/HRC/30/35/Add.1) and recommends that the State party:**

(a) **Take measures to ensure that Act No. 2003-25 of 13 June 2003, under which slavery is a criminal offence, is rigorously enforced and that anyone suspected of practising slavery is brought to justice;**

(b) **Conduct an independent and impartial investigation into all allegations of slavery and provide compensation to victims;**

(c) **Include statistics in its next periodic report on migrant workers who have been forced into slavery in the State party;**

(d) **Accede to the Slavery Convention of 1926 and the Protocol amending the Slavery Convention of 1953.**

28. The Committee takes note of the legislative and other measures taken by the State party to combat the worst forms of child labour, including the establishment of the Division to Combat Child Labour. However, the Committee notes with concern that:

(a) Child labour, including forced labour, remains very common in the State party and involves children from Mali and Burkina Faso, among other countries, who are panning for gold or working in restaurants or in mines, as well as children, mostly girls, coming from Benin, Mali and Togo to undertake domestic work;

(b) No convictions have been handed down for any offence relating to the worst forms of child labour;

(c) Children employed in the above-mentioned areas very often fall victim to workplace accidents;

(d) Child domestic workers are very often victims of economic exploitation, physical, verbal, sexual and gender-based violence, and discrimination;

(e) Domestic work is not regulated by law;

(f) Children from the Niger face exploitation in the form of forced labour abroad, including forced begging in Mali and Nigeria and sexual exploitation in Algeria.

29. **The Committee recalls the recommendations of the Special Rapporteur on contemporary forms of slavery and recommends that the State party:**

(a) **Increase the number of labour inspections and apply appropriate sanctions to employers who exploit migrant workers or subject them to forced labour or other abuses, especially in the informal economy, in line with target 16.2 of the Sustainable Development Goals;**

(b) **Take all necessary measures to ensure that migrant children are not employed in areas where they are at risk of workplace accidents and that they receive compensation if they do have such an accident;**

(c) **Provide adequate assistance, protection and psychosocial and other types of rehabilitation services to children, including children from the Niger abroad, who have been victims of labour exploitation and intensify its efforts to work with other countries to that end;**

(d) **Accede to the ILO Domestic Workers Convention, 2011 (No. 189);**

(e) **Adopt, without delay, the national action plan to combat child labour which, according to information provided by the delegation, is currently under review.**

30. The Committee is concerned at the practice of *wahaya*, also called *sadaka*, which entails the purchase of one or more girls to become “fifth wives” and which constitutes a form of slavery according to a 2008 judgment of the Court of Justice of the Economic Community of West African States (ECOWAS). The Committee also finds it regrettable that:

(a) *Wahayas* are subjected to sexual exploitation and multiple forms of abuse, including severe physical abuse;

(b) Persons engaging in the practice of *wahaya* are rarely prosecuted, and information is lacking on law enforcement and other measures taken to prevent and combat the practice;

(c) Information and statistics are lacking on women migrant workers who are taken as *wahayas* and on girls who are at risk of being sold as *wahayas* abroad;

31. The Committee recalls the recommendations of the Special Rapporteur on contemporary forms of slavery and recommends that the State party:

(a) **Intensify efforts to ensure the prosecution of those who organize the selling of *wahayas* and those who buy and/or exploit them and impose appropriate penalties;**

(b) **Ensure that victims of the practice of *wahaya* receive appropriate compensation;**

(c) **Include statistics and other information in its next periodic report on victims of the practice of *wahaya*, including migrant workers, on the steps taken to prosecute the perpetrators of this crime and on the compensation obtained by victims.**

Due process, detention and equality before the courts

32. The Committee notes the information provided by the State party to the effect that a migrant worker who is subject to criminal prosecution may receive free legal and judicial assistance from the National Agency for Legal and Judicial Assistance if he or she is not able to afford the assistance of a defence lawyer. However, it is concerned by:

(a) The lack of information regarding measures taken by the State party to ensure that, in criminal and administrative proceedings, including detention and expulsion proceedings, migrant workers and members of their families, particularly those in an irregular situation, are guaranteed due process on an equal basis with nationals of the State party;

(b) The existence of special holding centres for migrant workers based in Agadez, Arlit, Dirkou and Niamey and the lack of information on the conditions in these facilities;

(c) The lack of statistics on persons placed in holding centres or detention facilities due to their irregular migration status and on the measures taken to ensure access to consular assistance for migrant workers and members of their families in such circumstances.

33. In the light of the Committee’s general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families, the Committee recalls that administrative detention should be used only as a last resort and that children should never be detained solely for immigration-related reasons. It recommends that the State party consider alternatives to administrative detention. The Committee also recommends that the State party:

(a) **Include detailed, disaggregated information in its second periodic report on the number of migrant workers detained for immigration offences and the place, average duration and conditions of their detention;**

(b) **Ensure that migrant workers detained for violations of immigration law are not held together with persons accused or convicted of a criminal offence;**

(c) **Ensure that the minimum guarantees set forth in the Convention are upheld in criminal or administrative proceedings brought against migrant workers and members of their families.**

Consular assistance

34. The Committee notes the measures taken by the State party to ensure that migrant workers and members of their families have access to consular services. It also notes the establishment of the High Council of Citizens of the Niger Abroad. It is, however, concerned by the lack of information on the assistance provided by the State party to nationals of the Niger working abroad and members of their families, including those in an irregular situation, who are frequently subjected to abuse, deprived of their freedom and/or subject to expulsion. It also notes with concern that migrant workers from the Niger and members of their families abroad are not sufficiently aware of how to access consular services.

35. **The Committee recommends that the State party take the measures necessary to ensure that the consular services network responds effectively to the needs of migrant workers and members of their families for protection and assistance. These measures should include the allocation of sufficient human and financial resources and the development of in-service training programmes for consular service officials on the Convention, with emphasis on the Convention rights of women and children, on other human rights instruments and on the legislation and procedures in countries hosting migrant workers from the Niger. The Committee also recommends that the State party increase its efforts to achieve greater collaboration with host countries.**

Birth registration and nationality

36. The Committee welcomes the change in the law that allows women nationals of the Niger to transmit their nationality to their foreign husbands. In addition, the Committee notes with satisfaction the information provided by the delegation according to which birth registration has increased and the measures taken to ensure the registration of births, including the computerization of the registration system. It is nevertheless concerned by reports that a significant number of children, including children of migrant workers, are not registered.

37. **The Committee recommends that the State party step up its efforts to ensure that all children of migrant workers are registered at birth and issued with personal identity documents in line with target 16.9 of the Sustainable Development Goals and that it raise awareness about the importance of birth registration among migrant workers and members of their families, especially those in an irregular situation.**

Education

38. The Committee notes with satisfaction the information from the State party indicating that, under Act No. 98-12 of 1 June 1998 on the education system in the Niger, children of migrant workers have access to education. It is nonetheless concerned about the lack of information on specific measures for guaranteeing that migrant workers and members of their families who are in an irregular situation in the State party have access to education.

39. **The Committee recommends that, in accordance with article 30 of the Convention, the State party adopt concrete and effective measures and specific programmes to make it possible, especially for the children of migrant workers in an irregular situation, to enter and remain in the education system.**

4. Other rights of migrant workers and members of their families who are documented or in a regular situation (arts. 36-56)

Pre-departure programmes, the right to be informed

40. The Committee notes with satisfaction that the State party has established a reception, guidance and information office within the Ministry for Foreign Affairs, Cooperation, African Integration and Expatriate Affairs which informs prospective immigrants about relevant matters, including the risks involved in clandestine migration. It is, however, concerned that insufficient steps have been taken to provide comparable information to the large number of persons considering emigration, above all to the ECOWAS countries, and to migrant workers in transit and members of their families.

41. **The Committee recommends that the State party take appropriate measures to disseminate information on the rights of migrant workers under the Convention, the terms and conditions of their admission and employment, and their rights and obligations under the laws and according to the practices of States of employment. The Committee also recommends that the State party develop targeted pre-departure and awareness-raising programmes in consultation with relevant non-governmental organizations, migrant workers and their families, and recognized, reliable recruitment agencies.**

5. Promotion of sound, equitable, humane and lawful conditions in connection with the international migration of workers and members of their families (arts. 64-71)

International migrant children

42. The Committee notes the efforts undertaken by the State party to protect unaccompanied international migrant children and the efforts described by the delegation to ensure their repatriation and reunification with their families. It is concerned, however, about the significant number of unaccompanied children who remain without protection in the State party. The Committee is also concerned by the lack of information on what is being done to ensure the proper identification and protection of unaccompanied minors in transit, who risk becoming victims of violations and abuse.

43. **The Committee encourages the State party to continue focusing on the situation of unaccompanied migrant children while respecting the principle of the best interests of the child. In particular, the State party should:**

(a) **Focus on developing protection policies to address the difficulties faced by unaccompanied migrant children and on setting up mechanisms for their identification and protection;**

(b) **Strengthen cooperation with transit and destination countries in establishing protection measures for unaccompanied migrant children and ensure that unaccompanied migrant children who have been the victims of crime are properly protected and receive individual care tailored to the specific needs of each child.**

Migration policy and services

44. The Committee notes that the country's economic and social development plan (PDES 2012-2015) provides for sectoral activities that focus on migration issues. However, it is concerned about the lack of a comprehensive national migration policy that includes measures designed to address the situation of migrant workers and their family members in the State party or transiting through it and the situation of migrant workers and members of their families who are nationals of the Niger and live abroad.

45. The Committee recommends that, in accordance with article 65 of the Convention, the State party take the necessary steps to formulate and implement a migration policy to deal with the full range of international migration issues. It also urges the State party to clearly define the role of the migration authorities and to step up efforts to ensure that they coordinate their work effectively at the national and local levels, especially in border areas.

Recruitment agencies

46. The Committee notes the information provided in the report of the State party on laws that apply to the establishment of private recruitment agencies. However, it notes with concern the information provided by the delegation according to which private recruitment agencies may charge commissions that are equivalent to up to 20 per cent of applicants' monthly salaries in order to cover their costs. It is also concerned by the lack of information on measures taken to verify that private recruitment agencies do not charge excessive fees for their services or act as intermediaries for foreign recruiters who will subject employees to abusive working conditions.

47. The Committee recommends that the State party take all necessary measures, including periodic inspections, to prevent private recruitment agencies from charging excessive commissions for their services and from acting as intermediaries for unscrupulous foreign recruiters. The Committee also encourages the State party to take measures to reduce the commission that recruitment agencies can legally charge and ensure that all commissions are paid only by the employer.

Return and reintegration

48. The Committee notes with concern the high number of migrants returning to the Niger owing to various crises in their host countries, including Libya, Nigeria, Côte d'Ivoire, Mali and the Central African Republic. It notes that the State party has, by Order No. 00042/PM of 24 March 2011, set up an ad hoc coordinating committee to monitor the situation of citizens of the Niger in Libya and in Côte d'Ivoire. However, the Committee is concerned that the State party has not taken sufficient measures to help to reintegrate migrants who are returning to the country. It is also concerned by the statement made in the report of the State party that it has not undertaken, and is not considering undertaking, cooperation activities in connection with the voluntary return of migrant workers and members of their families.

49. The Committee recommends that the State party develop a programme to facilitate, in accordance with the principles of the Convention, the durable reintegration of returning migrant workers and members of their families into the economic, social and cultural fabric of the Niger and to:

(a) Conclude readmission agreements with host countries that will ensure the durable economic, social and cultural reintegration of migrants who return to the State party and that will provide for procedural guarantees and afford such migrants protection from ill-treatment if they are subject to expulsion proceedings;

- (b) **Gather disaggregated statistical data on readmitted migrants.**

Illegal or clandestine movements and employment of migrant workers in an irregular situation

50. The Committee takes note of the steps taken by the State party to prevent and eliminate irregular migration, including the establishment of an information office in Agadez to make people aware of the risks of irregular migration. However, the Committee is concerned by the lack of information on the observance of customary international law in respect of persons considering the possibility of engaging in irregular migration. It is also concerned about:

(a) The large number of migrant workers, including children, many of whom are nationals of ECOWAS member countries, who are in transit in the State party on their way to Libya, Algeria or Europe and who face difficult conditions, including dangerous desert crossings during which smugglers sometimes abandon them. This has already resulted in a large number of victims;

(b) Migrants in transit who are frequently blocked at border crossings when they do not have the money to pay smugglers and who thus often find themselves in an irregular situation because they have not obtained a residence permit, a formality that must be carried out within three months of entry;

(c) The large number of female migrant workers who are unable to cross the State party's border and who are forced to resort to prostitution to survive;

(d) The large number of clandestine routes controlled by smuggling rings.

51. **Referring to the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the situation of migrants in transit (A/HRC/31/35) and the OHCHR Recommended Principles and Guidelines on Human Rights at International Borders, the Committee recommends that the State party continue to fulfil its obligation under customary international law and international human rights law to respect the principle of non-refoulement and, to that end, to refrain from rejecting migrants at its borders or forcing them to return when that would expose them to persecution or torture or to other cruel, inhuman or degrading treatment. It recommends that the State party:**

(a) **Strengthen the capacity of law enforcement and border control officers and ensure that they are trained in human rights, improve human rights training for police officers and other law enforcement officials, judges, prosecutors, labour inspectors, teachers, health-care providers, the State party's embassy and consular personnel and the media and ensure that they are equipped to combat human trafficking and smuggling;**

(b) **Step up its efforts, in collaboration with the media and the States whose nationals cross the Niger on their way to other countries, to inform migrant workers and members of their families about the risks involved in irregular migration and in crossing the desert;**

(c) **Redouble its efforts to combat smuggling rings, ensure effective control over all the State party's territory and ensure that traffickers and smugglers are brought to justice and are subject to appropriate penalties;**

(d) **Redouble its efforts to inform migrant workers in transit of the laws relating to residence permits in the State party;**

(e) **Take all necessary measures, including the provision of essential services, to ensure that women in transit who are unable to leave the State party are not forced**

to resort to prostitution as a survival strategy and to ensure that the exploitation of prostitution is duly punished;

(f) **Step up campaigns for the prevention of trafficking of migrant workers and take appropriate measures to stop the dissemination of misleading information regarding emigration and immigration;**

(g) **Increase international, regional and bilateral cooperation to prevent and combat trafficking in persons and ensure that the corresponding cooperation agreements include safeguards to uphold the Convention rights.**

52. The Committee welcomes the major legislative and regulatory measures taken by the State party to combat trafficking in persons, including the adoption of Ordinance No. 2010-86 of 16 December 2010 on combating trafficking in persons and Act No. 2015-36 of 26 May 2015 on migrant smuggling; the establishment of the National Coordination Commission to Combat Trafficking in Persons and the National Agency against Trafficking in Persons; and the launch, in collaboration with the International Labour Office, of the second phase of the support project against forced labour and discrimination in December 2014. However, the Committee is concerned by:

(a) Reports of the trafficking of people from Benin, Burkina Faso, Cameroon, Ghana, Mali, Nigeria and Togo for purposes of sexual exploitation, forced marriage and forced labour;

(b) Reports of the trafficking of women and children from the Niger to Nigeria, North Africa, the Middle East and Europe for purposes of sexual exploitation and forced labour.

53. **The Committee recommends that, in accordance with target 5.2 of the Sustainable Development Goals, the State party step up its efforts to combat the trafficking and smuggling of persons and, in particular, to:**

(a) **Strengthen measures to ensure that the accomplices of human traffickers, including those who are government officials, are tried and sentenced accordingly;**

(b) **Step up anti-trafficking campaigns;**

(c) **Develop effective mechanisms for identifying and protecting victims of trafficking;**

(d) **Increase international, regional and bilateral cooperation to prevent and combat trafficking in persons and ensure that the corresponding cooperation agreements include safeguards for the Convention rights.**

6. Follow-up and dissemination

Follow-up

54. The Committee requests the State party to include detailed information in its second periodic report on the steps taken pursuant to the recommendations made in these concluding observations. It recommends that the State party adopt all appropriate measures to ensure that these recommendations are acted upon by, *inter alia*, submitting them to members of the Government and of the legislature, as well as to local authorities, for consideration and follow-up.

55. The Committee encourages the State party to involve civil society organizations in the implementation of the recommendations made in these concluding observations.

Follow-up report

56. The Committee invites the State party to provide it with information in writing by 1 October 2018 on the actions taken pursuant to the recommendations made in paragraphs 27, 29, 31 and 51 herein.

Dissemination

57. The Committee also requests the State party to disseminate the Convention and the present concluding observations widely to, inter alia, public agencies, the judiciary, non-governmental organizations and other members of civil society so as to increase awareness of the Convention among the judicial, legislative and administrative authorities, civil society and the public in general.

7. Technical assistance

58. The Committee recommends that the State party seek international assistance, including technical assistance, to develop a comprehensive programme for the implementation of the above recommendations and the Convention as a whole. The Committee also calls upon the State party to continue its cooperation with specialized agencies and programmes of the United Nations system and to request technical and capacity-building support from OHCHR with regard to the preparation of reports.

8. Next periodic report

59. The Committee requests the State party to submit its second periodic report by 1 October 2021 and to include therein information on the implementation of the present concluding observations. The State party may wish to follow the simplified reporting procedure whereby the Committee draws up a list of issues that is transmitted to the State party prior to the submission of its next report. The replies of the State party to that list of issues would then constitute its report under article 73 of the Convention.

60. The Committee draws the State party's attention to its guidelines for the preparation of periodic reports (CMW/C/2008/1) and reminds it that periodic reports should be in compliance with the provisions of General Assembly resolution 68/268 and should not exceed 21,200 words. In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned guidelines. If the State party is not in a position to review and resubmit the report, translation of the report for purposes of examination by the treaty body cannot be guaranteed.

61. The Committee requests the State party to ensure the extensive participation of all ministries and public bodies in the preparation of its next periodic report (or replies to the list of issues, in the case of the simplified reporting procedure) and to consult broadly with all relevant stakeholders, including civil society, migrant workers' associations and human rights organizations.
