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Trafficking in women and girls

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“TRAFFICKING IN WOMEN AND GIRLS”
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Introduction

“Trafficking in women and girls” is currently being vigorously exposed in Ghana. Although very little is known about it in Ghana, a large number of women and girls acquire visa through “connection men” and “visa contractors” and appear to travel legitimately to North American and Western European countries, especially USA, Canada, the UK, Germany, Italy and the Netherlands through family reunion, job offer and tourism arrangements. Indeed, some countries claim that they have no problems with Ghanaian women and girls entering their countries because they do not breach the immigration laws. Nevertheless, repatriation or deportation of women and girls from these countries, have escalated in recent years. Perhaps, focusing the theme on “women and children” who are globally known to be vulnerable in a variety of circumstances will enable us to include in our presentations some of the peculiar cases of trafficking that some of us have come across. As noted above, there are vigorous activities in trafficking of women and girls within and across Ghanaian borders cloaked in seeming legitimacy. However, there is also a massive trafficking of boys as well, especially within the country for different forms of labour exploitation including engagement in sexual activities in the tourist industry.

“Trafficking in women and children” therefore widens the scope of the theme and dares this presentation to explore the trafficking practice in Ghana that can be substantiated with an ongoing project to combat it. It also provides the opportunity to examine the strategies, remedies and redress for the victims particularly with regard to their repatriation or return and reintegration.

Trafficking

There are many definitions of trafficking. For our purpose, however, trafficking in persons is conceived as an action involving the systematic or organised recruitment, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, or 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 sexual exploitation (Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against transnational organized crime: Dec 2000). It also involves transportation, transfer or sale of such persons within national or across international borders in order to subject them to slavery or slave-like conditions or forced labour. Trafficking in human beings has taken on the mantle of a latter day slave trade with coercion, deception and violence underpinning its activities (Skelton, 2000). Trafficking in children portrays any illicit transporting of such children for forced labour or services, slavery or practices similar to slavery, for monetary gains.

The Traffickers

Trafficking in human beings, especially, women and children has become one of the most rewarding illegal economic activities and can be put at par with drug trafficking and arms smuggling (Salt, 2000). As a result, some criminals in recent times have identified trafficking in human beings as one of the easy sources of income and have transferred the knowledge and network they were using for their drug businesses to the trafficking business where the risk of being caught is low (FBI document 2000). Like their drug counterparts, traffickers in persons are well organized in some countries and are known to exist by names, such as the “Snakeheads” of China. In Ghana, traffickers are known as “Connection Men” or “Visa Contractors” and described as self styled business men and women who promise their victims jobs and better economic well-being if they are assisted to travel abroad (Adomako-Ampofo, 1997).

Trafficking like illegal drugs has assumed an international dimension with huge amounts of money changing hands with an international network of hidden collaborators. The increasing concern with trafficking in women and children is precisely because of the traffickers’ indifference to and gross violation of the basic human rights of their victims, the increasing infiltration of drug criminals and their international network of drug traffickers into the human trafficking business, the threat their criminal activities pose to national and international security and political and social irritation that they are creating in international relations. Traffickers earn between 5 and 8 billion US Dollars annually transporting within and outside national borders an estimated four million irregular migrants many of whom are women and children (IOM 2000).

The Victims of Trafficking

Women migrants trafficked to Western Europe and other continents come from different parts of the world. In Africa they come principally from Ghana, Nigeria and Morocco (Bimal Ghosh 1998). In Ghana the women who are trafficked or in some instances offer themselves for trafficking are no longer predominantly from the cities. The focus has shifted to the rural areas where many uneducated and semi-educated unemployed young girls are lured with the promise of lucrative job offers abroad. A mini-survey conducted by this author to identify victims of trafficking returned to their communities of origin, indicated that many of these returnees were found at Cape Coast and Swedru in the Central Region, Somanya and Accra in the Greater Accra Region, Tarkwa and Axim in the Western Region, Mampong in the Ashanti Region, Aflao in the Volta Region, Sunyani and Wenchi in the Brong Ahafo Region, Tamale in the Northern Region and Bolga in the Upper East Region. Girls trafficked from Nigeria en route to Europe come mainly from Edo State, Delta, Imo and other States in the South (IOM Dakar 2000).

Sometimes parents or relatives sell these young women to traffickers (Ghanaian Times 18-02-02). Once they unwittingly accept the services of migrant traffickers, they are firmly trapped within an illegal migration environment within which they are exposed to many forms of abuse ranging in the extreme to bonded labour and forced prostitution

against their will and dignity. The sex industry is a particular target for traffickers since it offers them great profits at the expense of trafficked migrant women, who often suffer serious violations of their basic human rights. In accordance with the 1948 Universal Declaration of Human Right (UDHR), all persons regardless of tribe, nationality or race have the right to free movement. Unfortunately, some victims of trafficking are, to a large extent, denied their basic and fundamental human rights. The traffickers often act in defiance of this basic human right by restricting and carefully monitoring the movement of their victims so as to prevent them from having any contact with the police and other concerned persons that could spell doom for their illegal activities. It is important to note that the victims of trafficking hold the key to the detection and apprehension of the traffickers and also to the provision of the needed information for controlling human trafficking especially in women and children.

The victims of trafficking are mainly females between the ages of 17-20 years with some as young as 14 years (IOM, 1996). The education levels of the trafficked vary with respect to the destination countries and the source region as well as the type of perceived jobs available. A profile of Ghanaian prostitutes in the Netherlands indicates that victims of human trafficking are young women, less educated, often semi-illiterate or illiterate who cannot speak English well and have little control over their own situation (Adomako-Ampofo, 1997). A study by the IOM (June, 1996) on the other hand indicates that, some Nigerian women trafficked to Italy have no basic education whilst others, especially the older women, have university degrees.

Researchers, individuals and institutions have shown that many women and children worldwide are trafficked across international borders each year. For instance, a report by the Thai National Statistics Office indicates that over 60% of migrants from Thailand are women and children majority of whom are victims of trafficking (IOM, 1999). Trafficking of women and children is also found to be most commonly associated with prostitution (Derks, 1999). Victims of trafficking are often sold or placed in brothels and made to engage in the sex trade either willingly or against their will in order to recover the cost incurred in transporting them to the destination area. These traffickers exercise great control over the incomes of the trafficked. Kwankye et.al. (2000) made a startling revelation of the plight of a young prostitute and a victim of human trafficking who was alleged to owe her traffickers an amount of sixty-five thousand US dollars (US\$ 65,000). This amount apparently represents her travel expenses from Nigeria to Europe via Ghana. She was therefore asked to make a weekly part payment to cover the traveling expenses. Notwithstanding the reproductive health risk that this young woman is exposed to in the face of the global threats of the HIV/AIDS pandemic, it also appears that this young woman is caught up in a perpetual bondage of dept servicing. Many of these young women are abused or battered when they refuse to comply with the orders of their “lords” to undertake a particular type of job as prescribed by the traffickers (Kwankye et.al., 2000). The travel documents of the trafficked are often taken away from them upon arrival at the destination thus, limiting their basic human right to freedom of movement.

Routes

The traffickers use different means including land and air to transport their victims to their destinations. Unlike male victims of trafficking who exhibit resilience and usually travel by land, women and children usually travel by air except where the destination is within the sub-region or there is the need to transit neighbouring countries. For example, traffickers take their victims through La Cote D'Ivoire to France, the Netherlands, or Senegal to Italy, or Togo to Germany and the US (pre-September 11, 2001 development). They also use air routes through countries in Eastern Europe such as Belarus, Ukraine, and Macedonia to reach their destinations in Europe. Routing options available to the traffickers and their victims are many and the above-mentioned are just a few.

Destination

Migration from Ghana gathered momentum especially during the 1970s onwards when political uncertainty emerged as a result of intermittent military interventions and subsequent economic decline. Ghanaian migrants were not only Europe and North America bound but also targeted their rich neighbours Nigeria and Ivory Coast as their destination. To-day, poverty, unemployment and lack of economic prospects, the absence of regular migration opportunities, parental and peer pressures, increased public awareness and misconception concerning job prospects and affluence in North American and European countries as well as the easy access to international transportation are the principal factors that are giving a strong push to the massive outflow not only of the educated elite but a large cadre of educationally and socio-economically disadvantaged groups.

Meanwhile, the international migration regime has changed. Acquisition of visa for entry has become difficult and restrictive, thus compelling potential migrants to search for and utilise alternative means of reaching their destination. In addition, European migration policy though still labour demand driven now focuses on selective specialised labour. In spite of this scenario, an increasing number of misinformed Ghanaian nationals are leaving Ghana in droves for North American and Western European countries, especially USA, Canada, Italy, Britain, Germany, the Netherlands, Spain and Belgium which they believe hold the key to their future well being and better prospects of improved quality of life. They risk their lives including traversing the Sahara Desert in order to ultimately reach their destination. It is believed that majority of the Ghanaian migrants do not reach their destination through the usual approved routes. Some are victims of a closely-knit trafficking network and they travel clandestinely without valid documents or entry visa. Some of these irregular migrants arrive there safely. Others get stranded in transit and are forced back to Ghana or are incarcerated in transit countries or even lose their lives in the process. There are 30,000 documented Ghanaian nationals in the United Kingdom, 22,000 in Germany, 19,000 in Italy and 16,000 in the Netherlands. Although it is difficult to prove it, much larger numbers are believed to be residing in these countries illegally or subterraneous.

Victims of trafficking who arrive safely in their destination country tend to try to legitimise their entry and stay by seeking asylum as a means of protection against forcible removal or deportation when and if detected. Indeed, the relationship between asylum seekers and traffickers is made closer by exploitation by traffickers of asylum loopholes as a means of circumventing normal immigration procedures. Some of the trafficked are told by their traffickers to apply for asylum on entry so that they can at least get some temporary foothold in the host country (IOM 2000). Those who apply for asylum are given the right to reside in the country legally while their applications are considered. Also those appealing against a negative decision on their asylum application are given temporary legal stay for the duration of the review. It is observed that in a growing number of cases the asylum seekers destroy their travel documents in order to conceal information about their country of origin and therefore enhance the prospects of acceptance of the request for asylum. Unfortunately, such a situation exposes the migrant to instant deportation for being in the country without valid documents and therefore illegally.

Impact On The Victims

The activity of women victims of trafficking, especially, those who go into prostitution either on their own or are forced to do so, has implications for their reproductive health and health in general. In view of the global threat of HIV/AIDS, the demand for young girls is on the increase and more and more of these are being abducted, bought, sold and trafficked across borders to serve as prostitutes. Young Ghanaian girls, for example, are alleged to be active participants in officially sanctioned prostitution in the Red Light District of Amsterdam, Holland. Popular perception has it that many young women who are trafficked from Ghana to some neighbouring West African countries, especially, La Cote d'Ivoire with the hope of undertaking some decent economic activities end up in prostitution. Notwithstanding the socio-economic consequences of prostitution, the HIV/AIDS prevalence rate for some of these destination countries, notably La Cote d'Ivoire and Burkina Faso are well above the threshold level of 5%, thus, exposing them to higher risk of contracting HIV/AIDS and other Sexually Transmitted Infections (STI) that has serious repercussions on their reproductive health. It is estimated that, to date, about two-thirds of the reported AIDS cases have been females usually between the ages of 15 and 49 years who incidentally also form part of the segment of the women population who often migrate or are trafficked. It is possible that the increase in the trafficking of women from Ghana to other countries, to a large extent, has contributed to the increase in the HIV prevalence rate of 4.0% in 1998 to 4.6% in 2000 in Ghana due to mobility of infected women victims of trafficking. At the moment, a new approach is being adopted in the fight against HIV/AIDS in Ghana following the development of a draft HIV/AIDS and STI Policy and the establishment of a National HIV/AIDS Commission.

Trafficking of humans particularly women has negative cost implications on the economies of home countries of the trafficked. Victims of trafficking are normally of low employable skills on account of their relatively lower education levels. Most of them are also trafficked on fake travel documents and hence occasionally get apprehended by the

law enforcement agencies of the destination countries leading to their forced repatriation, the cost of which is borne by their home government. The recent evacuation of some Ghanaian migrants from Libya in the latter part of 2000 is a case in point. Most often, the evacuated migrants are left on their own upon arrival in their home country. The migrants are not well oriented and rehabilitated to properly integrate them into society. As a result, some returned migrants see their perceived new environment as an opportunity to put into practice some of the negative socio-cultural practices learnt abroad that are diametrically opposed to the socio-cultural settings of the Ghanaian society.

Victims of trafficking sometimes resort to desperate behaviours when they fail to reach their destination. There are unconfirmed reports that Ghana like its neighbour, Nigeria, is both a recipient and a supplier of trafficked migrants. Occasionally, reports appear in Ghanaian newspapers of trafficking gone sour. One such publication appeared in the Ghanaian Times of Wednesday 8th September 1999. It was a report on a human trafficker who had dumped his cargo of nine Nigerians - two men and seven women - at a Neoplan Bus Station in Accra. A 28-year old Ghanaian woman was arrested by the Women and Juvenile Unit (WAJU) of the Police Service in Accra and charged with selling four Ghanaian teenage girls into sex slavery in Nigeria (The Ghanaian Times, 11 September 2002). Victims of trafficking in such situations become stranded and despondent and resort to all sorts of socio-economic activities including prostitution, illegal drug peddling and burglary. In some instances, traffickers use their victims as carriers of illegal drugs across borders. Upon sensing danger they often desert their innocent and defenseless victims to their fate. Thus, some victims of human trafficking are sentenced to serve various terms in prison on charges of drug trafficking that they have little or no knowledge of.

Trafficking in women and children has also negative socio-political implications for both origin and host countries especially where many of the women and children are let loose to practice prostitution in the open in the host country. Apart from putting a derogatory tag on the Ghanaian womanhood, it also increases pressure on the host Government to take appropriate action to remove the offensive behaviour. The temperature in the relationship between Ghana and some of its bilateral destination countries has risen in recent times and, indeed, continues to rise because of the belief of the Governments of some the destination countries that the Government of Ghana is not doing enough to reduce the flow of irregular Ghanaian migrants to their countries. They also allege that the Government of Ghana has, in addition, spurned every effort to accept the return of its nationals that must be removed from the destination countries because of breach of immigration laws.

Information

There are serious information and knowledge gaps about human trafficking especially in women and children in Ghana. The result is this conjectural and anecdotal presentation. The need for improvement through research and implementation of counter-trafficking programmes cannot be over-emphasised. Efforts that are being made to reduce our ignorance about the problem of human trafficking through data collection focus on

counter-trafficking activities in South-East Asia and East European countries. Information gathering about trafficking in Africa particularly in the West African Sub-Region, is only about beginning, thanks to the role of the media in both Ghana and Nigeria. IOM is also encouraging studies and project developments and implementation in the subject in these countries

The media has accepted the challenge to raise public awareness to this frightening development in Ghana. In the last quarter of 2000, it was reported that 180 Ghanaian women and children were stranded in Lebanon (Daily Graphic 2000). IOM and the Government of Ghana initiated action to bring them back to Ghana (IOM, 2000). A report on the situation of women in Egypt also indicated that there were a number of Ghanaian girls stranded in Cairo who needed assistance to return home (Status of Ghanaian Women in Egypt, 2000). Trafficking in persons particularly children has of late gained some notoriety in Ghanaian media. Between 13 June and 25 October 2002 the national dailies – Daily Graphic and The Ghanaian Times - recorded between them twelve major articles on child trafficking in various forms in Ghana.

These publications have revealed, for example, that there are about 800,000 Ghanaian children engaged in various forms of child labour (The Ghanaian Times 13 June 2002). This is encouraging to both national and global counter-trafficking efforts as such publications have the objective of raising public awareness of what has been described as “another social menace” (The Ghanaian Times 25 October 2002). It also has the effect of getting something done to combat and prevent the practice. Indeed, the Ministry of Manpower Development and Employment (MMDE), Ministry of Women and Children Affairs (MWCA) and the ILO/IPEC are alarmed by the increase in the number of children being trafficked within Ghana and across borders for labour exploitation. They have therefore launched a programme not only for “Combating the trafficking in children for labour exploitation in Ghana” but also for counter-trafficking awareness creation under the “Declaration on the Fight Against Trafficking in Persons” by the ECOWAS Heads of State (Dakar, December 2001)” and the subsequent “ECOWAS Initial Plan of Action Against Trafficking in Persons (2002-2003)”. In addition to the above-mentioned references, studies by Wilbert Tengey on “Child Trafficking in Ghana (Ghana Country Study)”, Emelia Oguaa-Jack Dawson, “Study on Children in Fishing in Yeji Fishing Communities” (June 2001) and Laud Kwesi Ofori Affrifa, “Ghana and the Problem of Migrant Trafficking” (August 2001) have assisted in increasing the sources of information on trafficking in Ghana.

Government’s Response

As a result of the launching of the above-mentioned programme, Government has established an inter-ministerial National Task Force made up of Chief Directors and other top officials in Government to deal with the child trafficking problem in Ghana. It has also been realized that no laws exist in the statute books to specifically punish trafficking in persons in Ghana. “Slave Dealing” (Section 314(1)) of the Criminal Code, Act 29 is the only law that bears some resemblance to a counter-trafficking legal provision. The efficacy of even this law is watered down by sub-section 2 of Section 314. Gaps in legal

provisions have therefore meant that perpetrators of child trafficking for the worst forms of labour exploitation go unpunished. However, counter-trafficking laws have now been included in the new labour laws under consideration. Efforts are also being made to amend the Criminal Code to include specific laws on human trafficking. All these would reinforce ILO Conventions 138 on the Minimum Age for Entry into Work and Convention 182 on the Worst Forms of Child Labour the applications of which are expected to stem the rising tide of trafficking in children.

The Ghana Immigration Service (GIS), the institution accredited to overseeing the in and out migration of the Ghanaian public is not trained, equipped or empowered to detect and apprehend the trafficker. At best it is only trained and equipped to check fraudulent passports or travel documents and fake visas. Cases arising in this area do not lead to the arrest of traffickers but rather the person in possession of the fraudulent travel document, which is invariably the traveler. An attempt was made by Government to stop the malpractice by the establishment of the Passport and Visa Malpractice Sub-Committee. The latter was ineffective for lack of powers to prosecute offenders or apprehend the traffickers if ever they were found (GIS 2001)

In March 2000, the Government of Ghana signed a Memorandum of Understanding (MOU) with ILO/IPEC to eliminate child labour, focusing on the worst forms which include recruitment of children for slavery, and all forms of slavery practices such as the sale and trafficking of children, debt bondage, forced or compulsory labour. To eliminate trafficking and child labour, the Government of Ghana (GOG) has found expression in the establishment of an ILO/IPEC office operating under the auspices of the MMDE. As a matter of fact, it was the activities of MMDE/ILO/IPEC which revealed the magnitude of the child trafficking problem to GOG. In addition to putting in place measures to combat trafficking through awareness creation, research and introduction of counter-trafficking legal provisions (supra), GOG is trying to rescue some children trafficked locally. It is in this area that GOG/IOM collaboration spearheaded by this author has been forged.

Return and Reintegration Assistance To Victims

Local Intervention

A project entitled “Assisted voluntary return and reintegration of Ghanaian children victims of trafficking for labour exploitation in Yeji fishing communities”, has been developed and is at the point of implementation. It aims to assist in facilitating the return and reintegration of Ghanaian children victims of trafficking for labour exploitation in three identified Yeji fishing communities in the Atebubu District in the Brong Ahafo Region in Ghana. The pilot project will assist one thousand two hundred and thirteen (1213) school going age children engaged in fishing in Jakalai No. 3, Kaduegbodzi Kope and Tonka fishing communities along the Volta Lake at Yeji to reunite with their families in different parts of Ghana, especially in the Volta, Greater Accra and Central Regions. The family unification will be consolidated through a well -integrated programme coordination that will benefit the children in their reintegration, reduce poverty of their

parents through micro-credit programmes and train the deprived fishermen to improve their fishing methods without the use of children. Major activities to be undertaken will include identification, documentation, counseling, transportation and other support activities that will facilitate the permanent reunification of the children with their parents and reintegration into their communities of origin (please see details of the project in the Annex).

International Intervention

As noted above, victims of trafficking, unsuccessful or rejected asylum seekers and other aliens in an irregular situation once they have exhausted all legal possibilities of obtaining refugee or residence status on relevant grounds would be deported or forcibly removed from the country. It is in the light of this that strategies, remedies, and other intervention measures must be found as an alternative to deportation. In this regard, a coordinated assisted voluntary and dignified return to and reintegration into the community of origin should be considered. To be successful, an articulated reintegration interventionist programme, drawing on governmental and non-governmental institutional support and operational linkages in both host and origin countries, should be developed within the framework of a well-coordinated return programme. The interventionist programme should also go beyond mere profiling of the target group and seek, through identification, documentation, counseling, training, information sharing and consensus building, to establish database on trafficking and the traffickers.

Conclusions and recommendations

There is improved awareness about trafficking in women and children in Ghana thanks to the enhanced role of the media in exposing the menace in recent times. However, this is not a substitute to the volume of researches and counter-trafficking programmes required to substantiate and improve the database on the phenomenon in Ghana. There is the need to intensify the understanding of the Ghanaian public through the organization of public fora on trafficking, workshops to train personnel of institutions dealing with migration, such as GIS, the Police, Customs, Excise and Preventive Service (CEPS) in order to sharpen their vigilance and capacity to track down women and children traffickers. In this connection the following recommendations are made:

1. International organizations such as the United Nations, IOM, etc., should support research institutions and non-governmental organizations (NGOs) to undertake country specific-research into the trafficking phenomenon in order to disseminate credible information for public consumption;
2. Government should be assisted to train, equip and empower personnel of its principal agency, such as GIS, charged with overseeing the in and out migration of its nationals with the sole aim of protecting them against the nefarious activities of traffickers;

3. Specific counter-trafficking legislation should be enacted making trafficking in women and children a felony instead of a misdemeanor;
4. Public information sharing through various local and international fora, workshops and conferences should be organized to sensitize and educate the citizenry, including law enforcement personnel and the media about the dangers and evils of trafficking in order to, at least, reduce the high incidence of trafficking in women and children;
5. Government, in collaboration with their counterpart(s) in destination countries, should share information and build consensus about the best practice to assist victims of trafficking, especially rejected asylum seekers and other migrants in irregular situation to return in safety and in dignity supported with a reasonable package that will facilitate a permanent reintegration in their communities of origin.

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