

## Recommended Draft Bylaws for INCHTMS (Mauritania)

Prepared by M Nuri Shakoor ARAC International Inc.

### Instance Nationale de Coordination de la Lutte contre la Traite des Personnes et le Trafic Illicite de Migrants (INCHTMS)

---

#### Article I: Legal Basis, Name, and Purpose

1. INCHTMS is established under **Act No. 2020-017** as Mauritania's permanent national coordinating mechanism to combat trafficking in persons (TIP) and migrant smuggling.
  2. The mandate of INCHTMS includes: coordination across agencies, oversight of the National Action Plan (NAP), policy development, victim protection, prevention, data collection, and reporting to Parliament and international partners.
- 

#### Article II: Governance and Membership

1. **Chairperson:** Minister of Justice or designated senior official.
  2. **Vice-Chairperson:** Rotating seat among Ministry of Interior, Ministry of Social Affairs, and Civil Society representative.
  3. **Permanent Secretariat:** Led by an Executive Secretary with technical staff (legal, data, victim services, training, administration).
  4. **Core Members:** Ministries of Justice, Interior, Social Affairs, Labor, Foreign Affairs, Health; Anti-Slavery Courts; National Police; Gendarmerie.
  5. **Civil Society Representatives:** Recognized NGOs (e.g., SOS Esclaves, IRA), diaspora consultant networks, and faith-based organizations.
  6. **Advisory Observers:** International partners such as IOM, UNODC, UNICEF, EU, USAID.
- 

#### Article III: Standing Committees

1. **Legal & Judicial Committee** – reviews legislation, harmonizes with Palermo Protocol, supports anti-slavery courts.
  2. **Victim Protection & Referral Committee** – oversees shelters, psychosocial aid, National Referral Mechanism (NRM) compliance.
  3. **Training & Capacity Building Committee** – certifies and trains police, prosecutors, judges, NGOs.
  4. **Data & Monitoring Committee** – manages centralized TIP database, publishes quarterly and annual reports.
  5. **Prevention & Awareness Committee** – coordinates national awareness campaigns and diaspora outreach.
  6. **Donor Coordination & Resource Committee** – manages donor engagement, ensures budget transparency, allocates grants to NGOs and regional nodes.
-

## Article IV: Powers and Authority

1. Require member ministries to submit quarterly data on investigations, prosecutions, and victim referrals.
  2. Issue binding coordination directives for implementation of the NRM.
  3. Maintain an independent budget line within the national budget and authority to disburse funds to regional committees and NGOs.
  4. Escalate cases of noncompliance to Parliament or the Presidency.
  5. Represent Mauritania in regional and international anti-trafficking and anti-smuggling forums.
- 

## Article V: Procedures and Operations

1. **Meetings:** Plenary convened quarterly; technical committees meet monthly or as needed.
  2. **Decision-Making:** Consensus preferred; majority vote if required with quorum.
  3. **Data Management:** Secure TIP dashboard with regional disaggregation, standardized reporting templates.
  4. **Transparency:** Annual public report; external audits every three years.
  5. **Regional Nodes:** Establish subnational INCHTMS committees in each wilaya, linked to local governors and NGOs.
  6. **Evaluation:** Mid-term review of the National Action Plan every two years.
- 

## Article VI: Ethical and Safeguards Provisions

1. Survivor participation in deliberations with trauma-informed safeguards and protection guarantees.
  2. Legal whistleblower protections for individuals reporting corruption or obstruction.
  3. Conflict-of-interest clauses for members, requiring disclosure and recusal when appropriate.
  4. Confidentiality and data security protocols for handling victim and case information.
- 

## Article VII: International and Diaspora Engagement

1. Secretariat serves as focal point for cooperation with IOM, UNODC, UNHCR, Interpol, and other partners.
  2. Develop Memoranda of Understanding (MoUs) with diaspora networks to strengthen reporting, prevention, and advocacy.
  3. Coordinate donor-funded programs and ensure alignment with national priorities.
- 

## Article VIII: Amendment and Review

1. These bylaws may be amended by a two-thirds majority vote of the plenary and endorsement by the Chair.
  2. Mandatory review every five years to assess institutional capacity and effectiveness.
-

**Adopted as Draft Internal Bylaws for INCHTMS, Republic of Mauritania.**