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Trafficking in Persons Report 2018 - Country Narratives - Cote d'Ivoire

COTE D'IVOIRE: Tier 2

The Government of Cote d'Ivoire does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Cote d'Ivoire remained on Tier 2. The government demonstrated increasing efforts by convicting more traffickers, including its first convictions under the 2016 anti-trafficking law; reporting data from significantly more departments; providing emergency shelter and services to 16 trafficking victims; establishing an anti-trafficking committee headed by the prime minister; and assisting potential trafficking victims returned from Libya. However, the government did not meet the minimum standards in several key areas. It did not have formal mechanisms to identify adult trafficking victims or refer trafficking victims to care; convene its anti-trafficking committee; or provide sufficient funding or resources for law enforcement or NGOs, the latter of which it relied on for the majority of victim assistance.

RECOMMENDATIONS FOR COTE D'IVOIRE

Increase funding and resources for the police anti-trafficking units to investigate trafficking cases nationwide and delineate responsibilities between the units; vigorously investigate, prosecute, and convict traffickers and apply sufficiently stringent penalties; train law enforcement and judicial officials how to identify, investigate, and prosecute trafficking cases under the 2016 anti-trafficking law, including the difference between pimping and sex trafficking; convene the anti-trafficking committee, clearly delineate responsibilities for activities in the 2016-2020 action plan, and fund its implementation; revise the existing procedures used to identify potential trafficking victims to include adults and victims among vulnerable populations, and incorporate the changes into existing trainings; establish and train officials on a standardized victim referral mechanism for use across ministries to ensure all trafficking victims receive services; increase funding for NGOs to expand shelter and services for trafficking victims, and establish victim shelters as indicated in the national action plan; direct labor inspectors to inspect the informal sector for forced labor; actively monitor agencies and middlemen that recruit Ivoirians for work abroad and investigate allegations of fraudulent recruitment; and improve data collection on anti-trafficking efforts.

PROSECUTION

The government increased law enforcement efforts. Law No. 2016-111 on the Fight Against Trafficking in Persons criminalized labor and sex trafficking and prescribed penalties of five to 10 years imprisonment and a fine for adult trafficking and 20 to 30 years imprisonment and a fine for child trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, judges also used the 2010 child labor and child trafficking law and the criminal code to convict traffickers. The 2010 law remained the primary law used to prosecute child trafficking, and it criminalized child sex trafficking with penalties of five to 20 years imprisonment and a fine and child labor trafficking with 10 to 20 years imprisonment and a fine. Articles 335 and 336 of the Ivorian Criminal Code criminalized the pimping and exploitation of adults and children for the purpose of forced prostitution with penalties of one to five years imprisonment and a fine.

The government did not have a mechanism to collect and share data between ministries, so it did not gather or report comprehensive data on anti-trafficking law enforcement efforts. However, several government entities collected data, including the police’s anti-trafficking unit (ATU); Brigade Mondaine—the police unit charged with investigating prostitution and sex trafficking; the police’s transnational organized crime unit (UCT); the Ministry of Women, Child Protection and Social Affairs (MWCPSA); and the Ministry of Justice and Human Rights (MOJ). With data from Abidjan and 33 departments—a significant increase from the previous reporting period, when Abidjan and eight departments reported data—the government reported 59 case investigations, prosecuting 27 suspects, and convicting 20 traffickers. This is an increase from 35 case investigations, 19 prosecutions, and eight convictions in the previous reporting period. Entities reported 32 sex trafficking investigations and 12 for labor trafficking, and did not report the types of trafficking for the remaining investigations; alleged traffickers included suspects from Cote d’Ivoire, Benin, Burkina Faso, China, Ghana, Nigeria, and Togo. Judges convicted traffickers under the 2016 and 2010 laws and the criminal code for trafficking, pimping, solicitation, exploitation of minors, and the worst forms of child labor; in several cases, judges convicted traffickers for two of those crimes. Sentences ranged from two months to 11 years imprisonment, and more than half of the convicted traffickers received at least five years imprisonment. Judges acquitted seven alleged traffickers, and at least 14 investigations remained ongoing at the end of the reporting period. The government did not report any cases of adult forced labor.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, official corruption and complicity in trafficking remained concerns. During the reporting period, a government official reportedly asked police to release a central suspect in one alleged trafficking case; in another potential trafficking case, NGOs alleged a government official was involved. Law enforcement did not investigate either government official for trafficking-related corruption or complicity. Authorities outside Abidjan lacked training to identify and investigate trafficking. Some judges remained unaware of the 2016 law

and continued to use the 2010 law and pimping statutes to prosecute trafficking cases, which carried lesser penalties. Nonetheless, the government did not provide any training for officials.

Limited funding and resources for law enforcement created serious gaps in the government’s ability to address human trafficking. ATU bore primary responsibility for enforcing anti-trafficking laws and investigating cases throughout the country, although it only had staff in Abidjan. The *gendarmes* under the Ministry of Defense were responsible for investigations in rural areas where ATU was not present. ATU had a budget of approximately \$4,592 in 2017, the same as in 2016. Funding levels remained severely inadequate. Resource limitations also constrained the Brigade Mondaine to Abidjan and a few regional precincts, rendering the two primary anti-trafficking units unable to cover the majority of the country. UCT became fully functional during the reporting period and had national jurisdiction over transnational organized crime, including a specialized human trafficking department. The government allocated 71.6 million West African CFA francs (FCFA) (\$127,330) to UCT in 2017, although it was unclear how much of that funding the human trafficking department received. ATU had the mandate for child trafficking, UCT was responsible for transnational trafficking, and Brigade Mondaine covered sex trafficking; however, the units lacked coordination, and no unit had a clear responsibility for internal adult labor trafficking.

PROTECTION

The government increased efforts to identify and protect victims. The government identified 57 trafficking victims and 167 victims of child labor or child trafficking during the reporting period, compared with 106 trafficking victims and 62 potential trafficking victims in the previous reporting period. Victims included child labor trafficking victims and at least 16 Chinese and Nigerian female sex trafficking victims. The government did not have formal mechanisms to identify adult trafficking victims or refer trafficking victims to care, and government ministries lacked coordination, which in some cases hindered the provision of services. Operational procedures encouraged officials to refer trafficking victims to one of 90 government-run social centers for psychological care and then to NGOs for shelter and further services. When necessary, the government used orphanages or its 36 special education centers to shelter women and child trafficking victims. The government referred all 57 trafficking victims to NGOs or government shelters for care. The government used funds from the National Solidarity Fund to provide short-term shelter and repatriation for at least 16 of the victims—the first time it used this fund to assist trafficking victims—and provided in-kind support including clothing, food, and hygiene kits to NGOs where it referred the 41 other victims. This is compared to the government providing 30 million FCFA (\$53,350) to NGOs that assisted trafficking victims in 2016. Foreign and domestic victims reportedly had the same access to care. NGOs reported that despite the provision of in-kind support, government support for victim protection and services remained inadequate, and in many cases NGOs funded and provided the majority of victim care. The lack of services, especially for adults, and lack of reintegration assistance remained inadequate and rendered many victims vulnerable to re-victimization. With donor funding, the government provided 100,000 FCFA (\$178) and hygiene and food kits to approximately 1,160

migrants returned from Libya, some of whom were trafficking victims. Government social services continued to provide income-generating assistance to the families of 41 child labor and trafficking victims identified in previous reporting periods.

Ivoirian law required the government to provide protection and assistance to victims who participated in investigations or trials against their traffickers; the government did not report whether any victims received this assistance during the reporting period. There was no mechanism for victims to obtain restitution or file civil suits against their traffickers. While victims could obtain damages from traffickers, many victims were not aware of the provision, and none reported doing so during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, due to the lack of formal identification procedures for adult trafficking victims and victims among vulnerable populations, some may have remained unidentified within the law enforcement system.

PREVENTION

The government maintained inadequate efforts to prevent trafficking. In April 2017, the government created the anti-trafficking committee, as mandated in the 2016 anti-trafficking law. The committee, under the direction of the prime minister, had the lead for anti-trafficking prevention efforts, including implementation of the 2016-2020 anti-trafficking national action plan; however, the prime minister did not convene the committee during the reporting period. As a result, poor communication and coordination among ministries continued to hinder progress, and implementing agencies did not have a clear understanding of their role in combating trafficking. For the second consecutive year, the government did not take concrete steps to implement its action plan and did not report if it had disbursed any of the 1.94 billion FCFA (\$3.4 million) that it had committed to the plan in the previous year. The National Monitoring Committee and the Inter-Ministerial Committee continued to coordinate child labor and child trafficking efforts. The government allocated 62 million FCFA (\$110,260) for implementation of the 2015-2017 child labor and child trafficking national action plan, the same as in 2016, and allocated 164 million FCFA (\$291,640) to the child labor monitoring system to analyze trends in child labor and coordinate services for children in or at risk of child labor. The government adopted regulations outlining the types of light work and hours children aged 13-16 could work, which could reduce their vulnerability to trafficking. Several government ministries organized awareness-raising campaigns on the new child labor regulations and the 2016 anti-trafficking law. The labor code regulated labor recruitment and labor migration in the formal sector but did not extend to the informal sector, including domestic work, and traffickers exploited Ivoirian women in domestic servitude internally and abroad. In addition, labor inspectors did not conduct any inspections of the informal sector—where most children worked—in 2017. The government continued to run several hotlines for vulnerable people, including trafficking victims; it was unclear if they received any trafficking reports during the reporting period. The government did not demonstrate efforts to reduce the demand for commercial sex acts but made some efforts to reduce the

demand for child labor and forced labor in the cocoa sector. It was unclear if training provided to Ivoirian troops prior to their deployment abroad as part of international peacekeeping missions included an anti-trafficking component.

TRAFFICKING PROFILE

As reported over the past five years, Cote d'Ivoire is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking, and a source for men in forced labor. The majority of identified victims are children; due to a stronger emphasis on combating internal child trafficking, the prevalence of adult trafficking may be underreported. Some Ivoirian women and girls are subjected to forced labor in domestic service and restaurants and exploited in sex trafficking. Ivoirian boys are victims of forced labor in the agricultural and service industries, especially cocoa production. West African boys, including Burkinabes, may be forced into labor in agriculture (on cocoa, coffee, pineapple, cashew, and rubber plantations, and in animal breeding) and in mining, carpentry, construction, and begging in Cote d'Ivoire. Traffickers often operate in well-established networks consisting of both Ivoirians and foreigners and, in cases of transnational trafficking, use social media, making networks difficult for law enforcement to detect. Authorities estimate there are more than 2,000 Ivoirian, Burkinabe, Malian, Nigerien, and Senegalese *talibes* (students in Quranic schools) in northern and central Cote d'Ivoire and that corrupt teachers force many of them to beg. NGOs and officials report drug traffickers use children—some of whom may be forced—to sell and traffic drugs in restaurants and nightclubs. Some Beninese and Togolese workers migrate to Cote d'Ivoire for construction and carpentry work and bring children, whom they exploit in domestic servitude. Traffickers—commonly distant relatives—bring girls from eastern Cote d'Ivoire and other West African countries to Abidjan ostensibly to go to school or receive professional training but subject them to domestic servitude. Ghanaian and Nigerian traffickers recruit women and girls from Ghana and Nigeria for waitressing jobs but subject them to sex trafficking in restaurants or massage parlors; some victims believe they are transiting Cote d'Ivoire en route to Europe. Nigerian traffickers increasingly exploit Nigerian women and girls in sex trafficking in Cote d'Ivoire's northern and western mining regions, including near gold mines in Tengrela. Nigerian traffickers bring Nigerian children to northern Cote d'Ivoire for domestic servitude. Nigerians transit Cote d'Ivoire en route to sex trafficking in Asia, the United Arab Emirates, and North Africa. Chinese traffickers forced Chinese women into prostitution in Cote d'Ivoire during the reporting period.

Ivoirian community and religious leaders, possibly working in concert with others abroad, recruit Ivoirian women and girls for work in the Middle East and Europe but subject them to forced labor in Europe, North Africa, and the Gulf, primarily Saudi Arabia, Morocco, Lebanon, and Tunisia. Traffickers exploit men and boys in forced labor on farms in Tunisia, often promising the men well-paying jobs and the boys the opportunity to play soccer. During the reporting period, officials identified an uptick in Ivoirian migrants in Libya and Tunisia who were vulnerable to trafficking. Migrants commonly depart from Daloa and proceed via airplane to Tunisia; over land via Mali and Algeria to Libya; or, to a lesser extent, via Niger to Libya. In Tunisia—specifically Sfax

and Grand Tunis—intermediaries confiscate migrants’ identity documents until they can pay for the next leg of their journey, creating vulnerabilities to trafficking. Due to their irregular status, illegal Ivoirian migrants in Algeria are vulnerable to trafficking. Authorities identified Ivoirian female trafficking victims in Iraq and Israel during the reporting period and have previously identified Ivoirian trafficking victims in Cyprus, France, and Morocco.

ecoi.net summary:

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