



2017 Trafficking in Persons Report - Benin

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BENIN: TIER 2 WATCH LIST

The Government of Benin does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying more victims, establishing an ad hoc inter-ministerial committee to coordinate trafficking efforts, and increasing training for law enforcement officials. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government decreased the number of reported prosecutions; did not report conviction of any traffickers; and did not systematically investigate allegations of trafficking of adults or provide protective services to adult victims. Anti-trafficking legislation including provisions to prohibit and penalize the trafficking of adults remained pending review by the Ministry of Justice (MOJ) for the fifth consecutive year. Inadequate funding and staffing for the Ministry of Interior's Office for the Protection of Minors (OCPM), the Ministry of Family (MOF), and the Ministry of Labor (MOL), now merged as the Ministry of Labor, Civil Service and Social Affairs (MLC SSA), continued to hinder anti-trafficking efforts. Therefore, Benin remained on Tier 2 Watch List for the second consecutive year.

RECOMMENDATIONS FOR BENIN

Finalize and enact legislation to criminalize all forms of trafficking consistent with the 2000 UN TIP Protocol; increase efforts to investigate, prosecute, convict, and adequately sentence offenders of sex and labor trafficking of adults and children, including illegal recruitment agencies; develop systematic procedures for proactive victim identification including of adults and victims of forced labor and their subsequent referral to care; train law enforcement officials on identification and referral procedures; increase funding to OCPM and MLC SSA to provide adequate support to victims; establish measures to assist adult trafficking victims; reinvigorate the efforts of the national anti-trafficking coordinating committee; improve efforts to collect law enforcement data on trafficking offenses and make it publicly available; and launch a nationwide anti-trafficking awareness campaign.

PROSECUTION

The government decreased its anti-trafficking law enforcement efforts. Existing laws do not prohibit all forms of trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking (act 2006-04) criminalizes child trafficking but focuses on movement of children rather than their ultimate exploitation and prescribes penalties of six months to two years imprisonment or fines if children are moved for the purpose of labor exploitation; these penalties are not sufficiently stringent. The penal code outlaws procuring or offering a person for prostitution and the facilitation of prostitution with punishments of six months to two years imprisonment. The labor code prohibits forced labor and prescribes punishments of two months to one years imprisonment or a fine. None of these punishments are sufficiently stringent or commensurate with punishments prescribed for other serious crimes, such as rape. Comprehensive anti-trafficking legislation that would criminalize all forms of trafficking, including the trafficking of adults, has been pending MOJ review since September 2012.

During the year, OCPM a specialized unit responsible for all criminal cases involving children investigated 48 child abuse cases, although the government did not specify how many were child trafficking cases, compared with 49 cases of child trafficking and 12 cases of exploitative child labor in the previous reporting period. The government intercepted 19 adult female victims at the Cotonou airport en route to Lebanon and Kuwait, reportedly for domestic servitude; the government arrested one suspect in connection with these cases, but a judge released him, unable to charge him under existing trafficking prohibitions. The government did not systematically investigate the trafficking of adults or take action against potential illegal recruitment agencies. OCPM referred six suspects, five of child trafficking and one of adult trafficking, to the courts for prosecution, compared with 12 suspects in the previous reporting period, though the adult trafficking case was ultimately dismissed. The government did not report the conviction of any traffickers, compared with four offenders convicted for child trafficking during the previous reporting period. Lack of a specific law to prosecute adult trafficking cases has led judges to reduce adult trafficking cases to misdemeanors in previous years. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. With assistance from a foreign donor, OCPM and the MLCSSA Office of Childhood and Adolescence trained four judges and 26 police officers on child trafficking, including the trafficking legal framework and addressing challenges in the field. Senior police officers received training in child trafficking law enforcement techniques as part of the police academy's training curriculum.

PROTECTION

The government increased efforts to protect victims. OCPM identified 223 potential trafficking victims, including 201 children and 22 adults, in 2016, compared with 131 in 2015. OCPM provided temporary shelter and legal, medical, and psychological services to all identified potential victims before their transfer to long-term NGO shelters; however, the government failed to provide financial or in-kind support to NGOs providing care. The government did not have formal written procedures to guide officials in proactive identification of trafficking victims or a formal mechanism for screening trafficking victims among vulnerable populations, including persons in commercial sex.

The MLCSSA and ministries of justice and interior worked with an international organization and NGOs to coordinate placement of child trafficking victims with host families, who provided additional care to children prior to reintegration into their home communities. Government social workers provided counseling for such children, while an NGO provided financial support to cover their basic needs. Through their general support for victims of crime and vulnerable groups, 85 centers for social promotion under the MLCSSA offered basic social services, food, and temporary shelter to trafficking victims throughout the country, particularly in rural areas where such services were scarce, and assisted with reintegration of victims into their home communities. These centers reunited an unknown number of Beninese child trafficking victims with their families or placed them in long-term shelters if their families could not be identified. During the reporting period, the government provided in-kind donations of 19 million West African Franc (CFA) (\$30,390) to OCPM to assist in providing care for all victims of crime, including trafficking victims. The government, with support from an international organization and an NGO, established two counseling and leisure centers (barques) in the markets of Zakpota and Abomey in central Benin. These centers offered counseling and education to 106 children during the reporting period, including children exposed to labor exploitation. Officials and NGO stakeholders in destination countries noted re-trafficking was an issue once victims returned to Benin, with parents often sending child victims or their siblings back to the trafficker to uphold an initial agreement. A draft cooperation agreement between Benin and Gabon on child trafficking remained pending for the third consecutive year. Benin did not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship.

The government did not make systematic efforts to identify adult trafficking victims. The government intercepted 19 potential adult victims at the Cotonou airport en route to Lebanon and Kuwait and identified three other adult victims, but did not report on protections provided to adult victims. The government acknowledged that adult sex trafficking exists in the country, but did not screen individuals in commercial sex for trafficking, which may have left victims unidentified in the law enforcement system.

PREVENTION

The government increased efforts to prevent trafficking in persons. In October 2016, the Ministry of Foreign Affairs and cooperation established an ad hoc inter ministerial committee to discuss ways to better combat trafficking and coordinate anti-trafficking efforts in Benin; the committee began meeting during the reporting period. However, the existing anti-trafficking coordinating body the Trafficking and Exploitation Technical Working Group of the National Monitoring and Coordination Working Group for Child Protection did not meet during the year. The government worked to finalize an action plan to support the implementation of the National Policy of Child Protection.

The MLCSSA conducted several prevention activities with support from an international organization. It conducted a survey in two cities on the extent of child sex trafficking. The government held a workshop to train 50 labor inspectors and child protection agents on prevention of child labor, including on how to address child labor at the community level. The MOL conducted a number of awareness raising activities on child labor including targeting religious leaders to decrease the practice of exploiting *talibes*, or Quranic school children, in forced begging. Additionally, the government began establishing civil registration centers (offices of vital records) in smaller towns and neighborhoods to encourage registration of births. The MOL's general directorate of labor conducted labor inspections in three markets during the reporting period to assess the working conditions of children and found that 1,278 children under the age of 14 were victims of exploitative labor in the markets a population that likely included many trafficking victims. However, it did not take law enforcement action to investigate or penalize labor law violations. The government made no efforts to reduce the demand for commercial sex acts or forced labor. It provided its troops with anti-trafficking training, conducted by a foreign donor, prior to their deployment abroad on international peacekeeping missions. The Ministry of Foreign Affairs has a code of conduct for diplomats that prohibits Beninese nationals deployed abroad to engage in or facilitate trafficking in persons; however, the government did not report providing anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Benin is a source, transit, and destination country for women, children, and men subjected to forced labor and sex trafficking. Most identified victims are Beninese girls subjected to domestic servitude or sex trafficking in Cotonou and across Benin's southern corridor. Some families send children to wealthier families for educational or vocational opportunities, a practice called *vidomegon*; some of these children are subjected to domestic servitude. Children from Benin and neighboring countries are forced to labor on farms, in commercial agriculture (particularly in the cotton sector), in artisanal mines, at construction sites, or as street or market vendors. A 2013 study cited more than 7,800 children subjected to labor exploitation in the markets of Cotonou, Porto-Novo, and Parakou. Togolese girls are exploited in commercial sex in Benin. Cases of child sex tourism involving both boys and girls along the coast and within the department of Mono have been reported in previous years. A 2016 survey conducted in the cities of Cotonou in southern Benin and Malanville in northern Benin indicated that girls are subjected to sexual exploitation, including potential sex trafficking, in these two cities. In northern Benin, as in other countries in the region, some unscrupulous *marabouts*, Quranic teachers, exploit Beninese Quranic school children in forced begging. Most Beninese child trafficking victims are from rural areas in the northern regions; many are recruited and transported to neighboring countries, where they are forced to labor in homes, mines, quarries, restaurants, markets, and on cocoa farms. The department of Oueme in southeast Benin was reportedly a primary area of recruitment for child trafficking victims subsequently exploited in the Republic of the Congo. Most child victims intercepted in Benin, either from Benin or other West African countries, are exploited or en route to exploitation within the country. Benin is the largest source country for trafficking victims in the Republic of the Congo; Beninese victims are also subjected to trafficking in Nigeria, Gabon, and Lebanon. West African women are exploited in domestic servitude and forced commercial sex in Benin. Young Beninese women are recruited from Benin by unlicensed Beninese and Lebanese recruiters for domestic work in Lebanon and Kuwait; reportedly, some are subjected to domestic servitude or forced into commercial sex. OCPM reports that traffickers no longer travel with child victims being moved internally or to nearby countries. Victims now travel alone and are met by traffickers or their accomplices once they reach their destination. This tactic makes investigations more difficult.

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