



2018 Trafficking in Persons Report - The Gambia

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THE GAMBIA: TIER 2 WATCH LIST

The Government of The Gambia 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 and providing services to an increased number of potential trafficking victims, assisting with repatriation of Gambian child trafficking victims exploited abroad, and continuing efforts to prevent child forced begging in Quranic schools. However, the government did not demonstrate increasing efforts compared to the previous reporting period. It did not initiate any trafficking investigations, complete any trafficking prosecutions, or sufficiently fund the National Agency Against Trafficking in Persons (NAATIP), which severely impeded its ability to investigate trafficking reports and implement the anti-trafficking national action plan. Therefore The Gambia remained on Tier 2 Watch List for the second consecutive year.

RECOMMENDATIONS FOR THE GAMBIA

Adequately fund NAATIP so it can investigate all reported trafficking cases and implement the anti-trafficking national action plan; direct and fund law enforcement to investigate all alleged trafficking cases brought forward by civil society, including cases of child sex tourism; vigorously investigate, prosecute, and convict traffickers, including complicit government officials; develop and train government officials on standard procedures to identify trafficking victims, including among people in prostitution and other vulnerable groups; train law enforcement, prosecutors, and judges to investigate and prosecute all forms of trafficking using the 2007 Trafficking in Persons Act; raise awareness of child sex trafficking among civil society, including how to report cases; amend the labor law to extend protections to domestic workers; allow trafficking victims to leave shelters at will; and increase funding and training for social workers to provide trafficking victims adequate social services.

PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. The 2007 Trafficking in Persons Act, as amended in 2010, criminalized labor and sex trafficking and prescribed penalties of 50 years to life imprisonment and a fine. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government continued investigating five suspects in one labor trafficking case from 2015 and referred two of the suspects for prosecution, but did not initiate any new investigations during the reporting period; this is compared with two case investigations last year, including the case from 2015. The government initiated two labor trafficking prosecutions and did not secure any convictions, although the two prosecutions were ongoing at the end of the reporting period. This is compared with one prosecution and one conviction in the previous reporting period. The five suspects under investigation were accused of fraudulently recruiting 59 Gambian women for forced labor in Lebanon and Kuwait. Despite NGOs referring potential child sex trafficking cases to law enforcement, officials did not investigate any suspects in these cases. With donor funding, NAATIP trained law enforcement on the 2007 act; however, authorities acknowledged law enforcement and judicial

personnel continued to lack adequate resources and training to investigate and prosecute trafficking offenses. Official corruption remained a problem. Despite reports of official complicity in human trafficking offenses under the previous administration, the government did not report any investigations, prosecutions, or convictions of former government employees for complicity in human trafficking offenses.

PROTECTION

The government maintained modest efforts to identify and protect trafficking victims. The government identified and referred at least 91 potential trafficking victims to care, compared with identifying and referring 42 potential trafficking victims to care the previous reporting period. Among the 91 potential victims, law enforcement identified 88 Quranic students from Senegal, Guinea-Bissau, and Sierra Leone living in an abandoned building. The Department of Social Welfare (DSW) and the immigration department repatriated all of the children. The lack of formal identification procedures and screening for trafficking victims remained concerns; while law enforcement would in practice refer minors exploited in commercial sex to DSW for care, officials did not screen adults in prostitution for sex trafficking. Some border control agents had knowledge of trafficking and screened for trafficking among adults traveling with several minors. DSW operated a shelter for trafficking victims, abandoned children, and victims of domestic violence. The Ministry of Health allocated two million dalasi (\$42,550) to the DSW shelter in 2017 and paid the salaries of 38 staff, the same as in 2016. The shelter offered 24-hour services, including counseling, to children, adults, males, and females; authorities did not allow victims to leave without a chaperone. The shelter could assist Gambian victims who had been exploited abroad after their repatriation, as well as both foreign and domestic victims. DSW also operated a drop-in center for street children. Shelters were concentrated around the capital, leaving some victims in rural areas without access to assistance. Many shelters lacked social workers trained to assist trafficking victims. Gambian authorities assisted with repatriation and family reunification for three Gambian children exploited in other West African countries. At the close of the reporting period, the government was in the process of securing funds to provide vocational training for nine trafficking victims repatriated from Lebanon in 2016.

The 2007 act allowed foreign victims to obtain temporary residence visas for the duration of legal proceedings, but there were no other legal alternatives provided in cases in which foreign trafficking victims removed to their countries of origin may have faced hardship or retribution. Victims could obtain restitution and file civil suits against their traffickers, but there were no reports that any such cases were filed during the reporting period. Although there were no reports that police detained, fined, or jailed trafficking victims for acts committed as a result of being subjected to trafficking, law enforcement did not screen for trafficking when detaining adults in prostitution, among other vulnerable groups, so trafficking victims could have remained unidentified in the law enforcement system.

PREVENTION

The government maintained uneven prevention efforts. The Ministry of Justice continued to allocate 150,000 dalasi (\$3,190) per month to NAATIP for salaries and administrative costs. Unlike the previous year, however, it did not provide additional funding for implementation of the 2016-2020 anti-trafficking national action plan. NAATIP met quarterly with donors and continued to rely on them for additional support. With funding from international organizations, NAATIP conducted television and radio public sensitization campaigns. The Ministry of Education continued to encourage reputable Quranic school teachers to educate students and not force them to beg by providing monthly cash transfers and food rations to 15 schools that it regularly verified did not employ forced begging. The ministry also provided science, math, and English teachers to broaden the schools' curricula, which benefited an estimated 1,000 children. During the reporting period, DSW created a sixth adolescent neighborhood watch group to monitor urban areas near tourist resorts for possible cases of child abuse or child sexual exploitation. DSW continued to lead and provide transportation allowances to all six groups; however, none of the groups reported identifying child sex trafficking victims or suspected child sex tourists. The government operated a 24-hour trafficking-specific hotline in four languages, but it did not receive any trafficking reports during the reporting period. Despite past reports of women exploited through fraudulent labor recruitment, the government did not have effective policies to regulate foreign labor recruiters or penalize them for fraudulent recruitment. Domestic laborers were not protected under the national labor law, rendering such workers vulnerable to exploitation. The government did not make efforts to reduce the demand for commercial sex acts or forced labor or to reduce the demand for child sex tourism. The government did not report providing training to its diplomatic

personnel. The government provided anti-trafficking training to Gambian troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, The Gambia is a source and destination country for women and children subjected to forced labor and sex trafficking. Within The Gambia, women, girls, and – to a lesser extent – boys are subjected to sex trafficking, forced labor in street vending, and domestic servitude. Women and children from West African countries are recruited for commercial sexual exploitation in The Gambia. Poor families may encourage their children to endure such exploitation for financial gain. Reporting from an international organization indicates the number of boys exploited in commercial sex trafficking is growing. The majority of these victims are subjected to sexual exploitation by child sex tourists, primarily from Britain, Germany, Scandinavia, the Netherlands, and Canada. Observers believe organized sex trafficking networks use European and Gambian travel agencies to promote child sex tourism. Sex traffickers increasingly host child sex tourists in private residences outside the commercial tourist areas of Banjul, making the crime harder to detect. Gambian boys attend Quranic schools in The Gambia, Guinea-Bissau, and Senegal, and some corrupt teachers force their students into begging, street vending, and agricultural work. NGOs identified Gambian children in forced labor in neighboring West African countries and Mauritania. Traffickers have allegedly exploited Sierra Leonean children as "cultural dancers" in The Gambia. Gambian women are subjected to forced labor and sex trafficking in the Middle East, including Lebanon and Kuwait. Authorities have identified Gambian trafficking victims in Egypt, UAE, and Finland. During the reporting period, an international organization repatriated at least 1,734 Gambians from Libya, many of whom were vulnerable to trafficking.

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