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## 2016 Trafficking in Persons Report - Cote d'Ivoire

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### COTE D'IVOIRE: Tier 2 Watch List

Cote d'Ivoire is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Trafficking within the country is more prevalent than transnational trafficking, and the majority of identified victims are children. Due to a stronger emphasis on monitoring and combating child trafficking within the country, the prevalence of adult trafficking may be underreported. Ivoirian women and girls are primarily subjected to forced labor in domestic service and restaurants in Cote d'Ivoire but are also exploited in sex trafficking. Ivoirian boys subjected to forced labor within the country in the agricultural and service industries, especially cocoa production. Boys from other West African countries, including Benin, Burkina Faso, Ghana, Mali, and Togo, are found in Cote d'Ivoire in forced labor in agriculture (on cocoa, coffee, pineapple, and rubber plantations), and in the mining sector, carpentry, and construction. Some girls recruited from Benin, Ghana, and Togo for work as domestic servants and street vendors are subjected to forced labor. Some women and girls recruited from Ghana and Nigeria as waitresses are subjected to sex trafficking. During the reporting period local individuals, possibly working in concert with others abroad, recruited Ivoirian women and girls for work in Saudi Arabia but subjected them to domestic servitude upon arrival; other Ivoirian females were discovered in Burkina Faso, allegedly *en route* to such exploitation in Saudi Arabia. Authorities also identified Ivoirian trafficking victims in Cyprus. In previous years, Ivoirian women and girls have been subjected to domestic servitude in France and sex trafficking in Morocco. Officials note illegal Ivoirian migrants in Algeria are vulnerable to trafficking due to their irregular and illegal status. International organizations report primarily Ivoirian traffickers fraudulently recruit Ivoirian nationals for work abroad. A lack of comprehensive data on trafficking in Cote d'Ivoire renders the full scope of the problem unknown.

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. With NGO support, the government conducted a raid of agricultural facilities and market vendors resulting in the rescue of 48 children from child labor – some of whom were victims of forced child labor – and 22 arrests, including 11 individuals on human trafficking charges. It prosecuted, convicted, and sentenced one trafficker with a sufficiently stringent prison sentence and finalized but did not adopt an anti-trafficking national action plan. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Cote d'Ivoire is placed on Tier 2 Watch List. The government reported significantly fewer

prosecutions and convictions for trafficking offenses than the previous reporting period and did not provide anti-trafficking training for law enforcement. It continued to rely almost entirely on NGOs to provide shelter and services for victims and did not have a formal mechanism to identify or refer victims to NGO care. Draft legislation to define and criminalize trafficking of adults and children remained pending ratification for the second year.

## **RECOMMENDATIONS FOR COTE D'IVOIRE:**

Reinvigorate efforts to investigate, prosecute, and convict traffickers, including of adult sex and labor trafficking, and apply sufficiently stringent penalties; enact legislation to prohibit all forms of adult trafficking, and use this and existing legislation to prosecute traffickers, including those who exploit adults in forced prostitution or forced labor; amend the established procedures to identify potential trafficking victims, to include adults and victims among vulnerable populations such as those working in cocoa, domestic servitude, and as street vendors; establish a formal victim referral mechanism for victim services, and train law enforcement and front-line responders on such protocols; increase the availability of trafficking-specific services, especially for adult victims and victims outside the capital, by allocating funding for NGOs or establishing government-run shelters; allocate more staff to the anti-trafficking police unit responsible for investigating trafficking offenses, and increase funding and resources so the unit may operate outside Abidjan; clearly delineate responsibilities among stakeholders for activities outlined in the 2016-2020 anti-trafficking action plan, and enhance interagency communication to effectively implement the plan; train child labor hotline operators on the procedures for referring reports of trafficking to regional authorities; actively monitor agencies and middlemen that recruit Ivoirians for work abroad, and investigate agencies if allegations of fraudulent recruitment arise; improve efforts to collect data on anti-trafficking actions, including cases of adult trafficking prosecuted under separate statutes in the penal code and victim protection efforts; and increase efforts to collect information on the scope of trafficking in Cote d'Ivoire and among Ivoirian nationals abroad.

## **PROSECUTION**

The government reported inadequate law enforcement efforts. Law No. 2010-272 Pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labor, enacted in September 2010, prohibits compelling children into or offering them for prostitution and prescribes penalties of five to 20 years' imprisonment and a fine ranging from 500,000 to 50,000,000 West African CFA francs (FCFA) (\$829 to \$82,900); these penalties are sufficiently stringent but not commensurate with penalties prescribed for other serious crimes, such as rape. Articles 335 and 336 prohibit pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse. The penalties for subjecting a child to forced labor or situations akin to bondage or slavery are 10 to 20 years' imprisonment and a fine, punishments that are sufficiently stringent. Penal code article 378 prohibits the forced labor of adults and children, prescribing sufficiently stringent penalties of one to five years' imprisonment and a fine of 360,000 to 1,000,000 FCFA (\$597 to \$1,660). Article 376 criminalizes entering into contracts that deny freedom to a third person, prescribing punishments of five to 10 years' imprisonment and a fine of 500,000 to 5,000,000 FCFA (\$829 to \$8,290). In November 2014, the Ministry of Solidarity began drafting legislation that defines and prescribes penalties for both child and adult trafficking, but the law was not adopted or enacted during the reporting period.

The national police's 11-person anti-trafficking unit, located in Abidjan and a few regional precincts, bore primary responsibility for enforcing anti-trafficking laws throughout the country. The government allocated 3,600,000 FCFA (\$7,000) to the unit in 2014, but the government did not report how much funding the unit received in 2015. The Office of the First Lady dedicated material support, including computers and vehicles, but funding and resources remained

inadequate, which hampered the unit's ability to investigate trafficking offenses, especially in areas outside Abidjan. The unit liaised with regional police on child trafficking investigations. The government did not report comprehensive data on anti-trafficking law enforcement efforts. In data collected from 13 of the country's 31 regions, the government reported investigating 27 alleged traffickers and prosecuting, convicting, and sentencing one trafficker to 10 years' imprisonment, a significant decrease from 25 prosecutions and 17 convictions reported in 2014. The government investigated 22 individuals for labor trafficking, three for kidnapping for the purpose of exploitation, one for sex trafficking, and one in which the type of exploitation was unknown; one investigation led to a conviction, five were dismissed for insufficient cause, 18 were ongoing at the end of the reporting period, and the status of three investigations was unknown. With NGO assistance, law enforcement units conducted raids of agricultural establishments and market vendors that led to the arrest of 22 individuals from Burkina Faso, Cote d'Ivoire, Mali, and Benin; 11 were arrested for trafficking, while the others were charged with exploitation of minors. Of the 22 arrested, authorities formally charged and imprisoned 12, who were awaiting trial; charged and freed six on provisional release pending further investigation; and released four for insufficient cause. Police reported four cases of child sex trafficking during the reporting period but launched only one investigation and did not refer the alleged trafficker for prosecution. Police reported two alleged cases of forced begging, but law enforcement did not investigate any suspects in connection with the cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, NGOs and media reports indicate corruption among police and *gendarmes* may have facilitated trafficking in 2015.

## PROTECTION

The government demonstrated inadequate efforts to identify and protect victims. It did not compile or report victim identification data; therefore, the precise number of victims identified is unknown. The government did not have a formal mechanism to identify or refer victims to the care of local NGOs. The government did not operate any formal care centers exclusively for trafficking victims and relied almost entirely on NGOs and international partners to provide victim care. During the reporting period, Burkinabe officials identified 17 Ivoirian females in Burkina Faso allegedly destined for domestic servitude in Saudi Arabia. The Ivoirian government provided logistical coordination to the Burkinabe government to assist with repatriation efforts, and NGOs provided psycho-social services to the victims upon return. Four Ivoirian girl trafficking victims were identified in Saudi Arabia and returned to their families in Cote d'Ivoire. It is unclear who identified the victims, what type of trafficking they endured, and to what degree the Ivoirian government or NGOs assisted with repatriation or provided victim services upon return. In conjunction with international partners and an NGO, Ivoirian law enforcement conducted a raid of agricultural and market establishments and removed 48 children from situations of exploitation, 11 of whom were victims of forced child labor. Law enforcement and the NGO referred the victims to an NGO for shelter, medical attention, and psycho-social services, as well as repatriation assistance for the foreign trafficking victims among the group.

While the police anti-trafficking unit provided training to *gendarmes* on general child victim protection, neither the unit nor the government provided anti-trafficking training during the reporting period. International organizations reported government ministries responsible for administering victim services lacked coordination, which hindered the provision of such services. The government had no formal policy to encourage victims to participate in investigations against their traffickers and lacked a mechanism to assist victims in obtaining restitution from the government or their traffickers through civil suits. Although foreign victims reportedly had the same access to care, in practice the government generally referred foreign victims to their respective embassies for repatriation rather than providing shelter or services. 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, the lack of formal identification procedures for adult trafficking victims may have resulted in some adult victims remaining unidentified in the law enforcement system, and some may have been deported.

## PREVENTION

The government sustained modest efforts to prevent trafficking. The National Monitoring Committee (CNS) and the Inter-Ministerial Committee, established in 2011, continued to serve as the national coordinating bodies on child trafficking issues. The CNS continued a nationwide awareness campaign that included billboards to warn the public about potential situations of exploitation and trafficking, as well as the penalties for exploiting women and children in activities such as sex trafficking. The government, with guidance from an international organization and funding from international donors, drafted a 2016-2020 action plan to address adult and child trafficking; the plan was not yet adopted at the end of the reporting period. The government committed to devoting 1.94 billion FCFA (\$3,212,000) over the next five years to implement the plan. It had not yet determined which elements of the plan these funds will support. Technical partners will fund the remaining three-quarters of the plan's budget. The government continued to fund a child labor hotline that received reports of child trafficking; however, it was reported that hotline operators did not consistently refer reports of trafficking to the proper regional law enforcement authorities. In July 2015, the government enacted a new labor code that raised the minimum working age from 14 to 16 years of age. Labor inspectors conducted 596 inspections of formal workplaces and did not report any child labor violations or remove any children from exploitative workplaces during the reporting period. The government did not demonstrate efforts to address the demand for commercial sex or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

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