

2013 TIP Report Country Narrative for Cote d'Ivoire

COTE D'IVOIRE (Tier 2)

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 victims are children. Within Cote d'Ivoire, women and girls are subjected primarily to forced labor in domestic service and restaurants, as well as to forced prostitution. Ivoirian boys are subjected to forced labor within the country in the agriculture and service sectors. Boys from Ghana, Mali, Burkina Faso, Benin, and Togo are found in Cote d'Ivoire in forced agricultural labor, including on cocoa, coffee, pineapple, and rubber plantations; in the mining sector; and in carpentry and construction. Girls recruited from Ghana, Togo, and Benin work as domestic servants, and street vendors often are subjected to forced labor. Some women and girls who are recruited from Ghana and Nigeria to work as waitresses in restaurants and bars are subsequently subjected to forced prostitution. During the reporting period, an Ivorian girl in France was identified as a victim of forced labor in domestic service. Additionally, Ivoirian women were rescued while in transit to Saudi Arabia where they were promised jobs as domestic servants; they were believed to be victims of attempted trafficking.

The Government of Cote d'Ivoire does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government took a number of tangible steps towards addressing human trafficking, including increasing efforts to investigate and prosecute traffickers, resulting in eight prosecutions and two convictions; identifying 45 victims of trafficking; and formally launching and commencing the implementation of the 2012-2014 National Action Plan on Child Labor and Trafficking. Despite these efforts, the government failed to apply law enforcement measures to the trafficking of children in the cocoa industry, did not provide adequate assistance to trafficking victims, and failed to develop a national action plan focused on the trafficking of adults.

Recommendations for Cote d'Ivoire:

Develop and enact legislation to criminalize all forms of adult trafficking, and use this and existing legislation to prosecute traffickers, particularly

those who exploit women in prostitution and men in forced labor; train law enforcement officials to follow established procedures to identify potential trafficking victims and refer them to protective services; improve efforts to collect law enforcement data on trafficking offenses, including cases involving the trafficking of adults who are prosecuted under separate statutes in the penal code, and make this data available to other government agencies and the general public; establish a formal referral mechanism between the government, NGOs, and international organizations providing care to trafficking victims; increase efforts to provide victims with appropriate services, including the dedication of specific funding for such services and the development of government-run shelters; and finalize and begin implementation of a national action plan to address adult trafficking.

Prosecution

The Government of Cote d'Ivoire demonstrated some progress in its anti-trafficking law enforcement efforts during the reporting period. Law No. 2010-272 Pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labor, enacted in September 2010, prescribes penalties for compelling children into or offering them for prostitution of five to 20 years' imprisonment and a fine; these penalties are sufficiently stringent, but not commensurate with penalties prescribed for other serious offenses, such as rape. The law's penalty for submitting a child to forced labor or situations akin to bondage or slavery is 10 to 20 years' imprisonment and a fine, punishments which are sufficiently stringent. Penal code Article 378 prohibits the forced labor of adults and children, prescribing a sufficiently stringent penalty of one to five years' imprisonment and a fine of the equivalent of approximately \$800 to \$2,200. Article 376 criminalizes entering into contracts that deny freedom to a third person, prescribing a punishment of five to 10 years' imprisonment and a fine. Pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse are outlawed by Articles 335 and 336. In December 2011, the Labor Advisory Board received a draft decree prohibiting and prescribing punishments for involuntary domestic servitude; it did not finalize or issue the decree during the reporting period.

During the reporting period, the Government of Cote d'Ivoire conducted 15 investigations, commenced eight prosecutions, and convicted two trafficking offenders, a significant increase from 2011, when the government prosecuted and convicted one trafficker. In August 2012, following a cooperative investigation by Ivorian police, INTERPOL, and NGOs in Nigeria and Cote d'Ivoire, an Abidjan court sentenced a trafficking offender

to 10 years' imprisonment under Articles 335 and 336 for subjecting Nigerian girls and women to forced prostitution; the trafficker was also ordered to pay the equivalent of approximately \$2,000 in restitution to each of the three victims from Nigeria. An Abidjan court convicted another trafficker of forced prostitution and sentenced him to 15 days' imprisonment and a fine of the equivalent of approximately \$40. Four prosecutions remained pending at the end of the reporting period, involving Malian men accused of child labor and sex trafficking, and an investigation remained ongoing involving three men apprehended in Ghana while allegedly attempting to traffic nine Ivorian women from Cote d'Ivoire to Saudi Arabia. Despite these increased efforts, there remains a lack of knowledge of the child trafficking law, and efforts are hampered by a shortage of resources and training for officers to identify, investigate, and prosecute cases of forced child labor. In collaboration with the ILO, the ministry of justice provided a three-day training to 25 magistrates in November 2012, which covered a multitude of trafficking-related subjects, including Ivorian and international anti-trafficking laws, protective services available to child trafficking victims, and the implementation of the national action plan. The Ministry of Interior operated a five-person anti-trafficking unit within the national police, which was supplemented with an additional five officers in January 2013; nevertheless, the unit's lack of resources essentially limited its reach to the capital city of Abidjan. The government did not report any investigations or prosecutions of officials for alleged complicity in trafficking-related offenses during the year; however, reports indicate that corruption among police and *gendarme* forces facilitated trafficking in 2012.

Protection

The Ivorian government demonstrated increased efforts to protect victims of trafficking during the year. It reported the identification of 54 trafficking victims in 2012, a dramatic increase from the three victims identified by the government in 2011. NGOs and international organizations in Cote d'Ivoire identified an additional 83 victims. Despite these significant efforts in victim identification, the government did not provide adequate care to victims of trafficking, providing only the equivalent of approximately \$6,600 for victim care and relying almost exclusively on services provided by NGOs and international partners. The government does not operate any formal care centers exclusively for victims of trafficking, nor does it have a formalized referral mechanism in place between itself and local NGOs. During the reporting period, the Ministry of Solidarity, Family, Women, and Children identified, rescued, and provided care and repatriation assistance to four

child trafficking victims from Benin and Burkina Faso. The government also repatriated nine Ivorian trafficking victims from Ghana and referred these victims to an NGO shelter for medical and psychological services; however, the government did not provide any financial support to the NGO shelter. The government and the NGO jointly conducted mediation sessions with the victims and their families prior to the victims' reunification. Additionally, the government identified a site in Abidjan on which to build a care facility for trafficking victims, but construction has not yet begun.

Although the Government of Cote d'Ivoire does not have a formal policy in place to encourage victims' voluntary participation in investigations and prosecutions of their traffickers, some victims did testify against their traffickers during the reporting period. While the government lacks a formal policy for repatriating foreign victims, it typically cooperated with the victim's embassy, consulate, or local community leaders of the same nationality regarding repatriation. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked.

Prevention

The Government of Cote d'Ivoire demonstrated sustained efforts to prevent trafficking during the reporting period. The National Monitoring Committee (NMC) and the Inter-Ministerial Committee (IMC), established in 2011, continue to serve as the national coordinating bodies on trafficking in persons issues within Cote d'Ivoire. Both committees continued to meet regularly and promote the issue of trafficking and child labor in an effort to secure the political will and resources necessary to implement the 2012-2014 National Action Plan on Child Labor and Trafficking, which was officially launched in March 2012. The government committed the equivalent of approximately \$7,229,400 towards the implementation of this action plan in 2012.

The NMC launched a nationwide awareness campaign in September 2012, which included TV and local radio information spots, 100 billboards, and the distribution of illustrated pamphlets in French and five local languages to explain the new child anti-trafficking law and to educate the public on how to take action against the worst forms of child labor. As part of the campaign, the government commemorated the International Day Against Child Labor in September 2012 with a series of events to raise community awareness. The government chose to hold these events in strategic locations known for a prevalence of child trafficking and forced labor. Additionally,

the first ladies of Cote d'Ivoire and Burkina Faso signed a joint declaration in October 2012 that commits each country to finalize a bilateral cooperative agreement against cross-border child trafficking by early 2013.

The lack of comprehensive data remains an obstacle in Cote d'Ivoire. The government created a monitoring and evaluation system which is designed to collect and analyze statistical data on trafficking and worst forms of child labor, coordinate the efforts of different actors involved in the fight against child labor, and provide regular reports; however, the system has yet to be launched and does not address adult trafficking within Cote d'Ivoire. The government conducted three trainings during the reporting period for journalists, regional administrators, and NMC and IMC members on the national action plan, the definition of trafficking and child labor, and the framework of relevant Ivoirian and international laws. The government did not demonstrate efforts to address local demand for commercial sex acts during the reporting period.