

2008 TRAFFICKING IN PERSONS REPORT

THE GAMBIA (TIER 2 Watch List)

The Gambia is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Within The Gambia, women and girls, and to a lesser extent boys, are trafficked for sexual exploitation, in particular to meet the demand for European sex tourism, and for domestic servitude. Boys are trafficked within the country for forced begging by religious teachers and for street vending. Transnationally, women, girls and boys from neighboring countries are trafficked to The Gambia for the same purposes listed above. Primary source countries are Senegal, Mali, Sierra Leone, Liberia, Ghana, Nigeria, Guinea-Bissau, Guinea and Benin. Trafficking of Gambian boys to Senegal for forced begging and Senegalese boys to The Gambia for the same purpose is particularly prevalent. Gambian women and girls are trafficked to Senegal for domestic servitude, and possibly for sexual exploitation. Gambian women and children may be trafficked to Europe through trafficking schemes disguised as migrant smuggling. Reports in the last two years of Gambian, Senegalese, and nationals of other neighboring countries being transported from The Gambia to Spain by boat appear to be predominantly cases of smuggling rather than trafficking.

The Government of The Gambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. The Gambia is placed on Tier 2 Watch List for a second consecutive year for its failure to provide evidence of increasing efforts to eliminate trafficking over the previous year, particularly with regard to prosecuting traffickers and providing protection to victims. The Gambia's passage of a comprehensive law against trafficking was a significant achievement. However, overall efforts to combat trafficking over the past year stalled due to the lack of trafficking prosecutions and convictions, the absence of victim rescues, and the inappropriate deportations of child victims of forced begging.

Recommendations for The Gambia: Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; ensure that foreign child victims (almudos) are provided with shelter, rehabilitation, and are safely repatriated as appropriate; train police to screen females in prostitution to identify trafficking victims; develop systems for collecting trafficking crime and victim care data; and adopt the draft national action plan.

Prosecution

The Government of The Gambia demonstrated slightly increased enforcement efforts to combat trafficking during the last year through passage of a new anti-trafficking law. The Gambia prohibits all forms of trafficking through its October 2007 Trafficking in Persons Act, which prescribes a penalty of 15 years to life imprisonment for all forms of trafficking. This penalty is sufficiently stringent and commensurate with those of other grave crimes, such as rape. The Gambia's 2005 Children's Act also prohibits all forms of child trafficking, prescribing a maximum penalty of life imprisonment. The Gambia failed to report any trafficking arrests, prosecutions, or convictions in the past year. Police conducted raids in red light districts to enforce laws against prostitution without attempting to identify trafficking victims among the females found in prostitution. Although The Gambian Tourism Authority (GTA) works with NGOs and other government agencies on child sex tourism cases, no such cases were reported during the year. The Gambia lacks any system for collecting trafficking crime statistics. Officials monitor borders to ensure that traveling children are accompanied by a parent or a guardian with proof of parental consent. They report, however, that the prevalence of false documentation hinders their efforts. A mobile

unit of security agents patrols the country's land and sea borders to monitor illegal immigration and, secondarily, possible trafficking.

Protection

The Gambian government demonstrated weak victim protection efforts during the last year. Although the government has yet to develop systematic procedures for the identification of victims, the police identified and referred some victims on an ad hoc basis to the Department of Social Welfare (DSW). The DSW, in turn, usually refers Gambian victims to NGOs for care, while foreign victims are often brought to their governments' missions in The Gambia. In February 2008, the Director General of Immigration, however, issued a statement that foreign child victims of forced begging, called almudos, could face deportation as part of a government crackdown on street begging. In late February 2008, The Gambia deported over 60 Senegalese almudos. The government was unable to confirm that the victims were provided with rehabilitation services prior to their deportation. The government operates and funds its own 24-hour shelter for destitute children though no specialized facilities exist there for trafficking victims. The Gambia failed to provide data on how many victims the government referred to NGOs or its own shelter in the last year. The government continued to operate a free anti-trafficking hotline established in 2005, but it received few calls. The 2007 Trafficking in Persons Act encourages victims to assist in investigations and prosecutions by offering them temporary residence visas pending criminal or civil actions. These provisions have not yet been applied, however. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Most victims are not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked, but during the year, child victims of forced begging were punished through their detention by authorities.

Prevention

The Government of The Gambia made minimal efforts to raise awareness about trafficking during the reporting period. The GTA continued to address child sex tourism by promoting its brochure detailing a Code of Conduct for the Protection of Children in Tourist areas. The national anti-trafficking task force met only once during the year, in June 2007, at a meeting initiated by a foreign diplomatic mission. In April 2007, DSW hosted a UNICEF-sponsored national conference for government officials and other stakeholders to adopt the national strategic plan of action on orphans and vulnerable children for 2007-2015, which includes the development of policy and a legislative framework to combat child trafficking. During the year, the government—particularly the DSW—worked with NGOs on sensitization programs, though financial constraints usually limited government contributions to the provision of personnel. The government has not yet adopted its 2004 draft national action plan to combat trafficking. The government has taken steps to reduce the demand for commercial sex acts by raiding brothels.