

Report of the Eastern and Horn of
Africa Conference on Human Trafficking
and Forced Labour

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ANPPCAN HEAD OFFICE



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LIST OF ABBREVIATIONS



ACHPR	African Commission on Human and People's Rights
AFRUCA	Africans Unite against Child Abuse
ANPPCAN	African Network for the Prevention and Protection against Child Abuse and Neglect
AU	African Union
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
COTU	Central Organisation of Trade Unions
CWSK	Child Welfare Society of Kenya
EAC	East African Community
ECOWAS	Economic Community of West African States
ECPAT	End Child Prostitution and Tourism
EWLA	Ethiopia Women Lawyers' Association
FKE	Federation of Kenya Employers
FSC	Forum on Street Children
HIV/Aids	Human Immuno Deficiency Virus - Acquired Immune Deficiency Syndrome
ICRC	International Committee of the Red Cross
IGAD	Inter-Governmental Authority on Development
ILO/IPEC	International Labour Organization's International Programme on the Elimination of Child Labour
INGO	International Non-Governmental Organization
IOM	International Organization for Migration
MOLRD	Ministry of Labour and Human Resource Development
NGO	Non-Governmental Organisation
NUEW	National Union of Eritrean Women
PDV	Peace and Development Volunteers
SRRWA	Special Rapporteur on the Rights of Women in Africa
UK	United Kingdom
UN	United Nations
UNA	United Nations Agencies
UNICEF – ESARO	United Nations Children's Fund - East and Southern Africa Regional Office
UNODC	United Nations Office for Drugs and Crime
WFCL	Worst Forms of Child Labour

ACKNOWLEDGEMENT

The Eastern and Horn of Africa Conference on Human Trafficking and Forced Labour was a culmination of collaborative efforts between ANPPCAN and Anti-Slavery International. These efforts are a demonstration of deep concern and commitment of ANPPCAN and Anti-Slavery International in reducing violations of human rights in Africa and the world. During the Conference, the reality of exploitation of people through human trafficking and forced labour was exposed and action by governments and civil society greatly called for.

This report is a true record of the proceedings and recommendations of the Conference. It is a mark of the efforts of a team that cuts across three continents to capture the vital details of the Conference. Credit goes to Asim Turkawi of Anti-Slavery International, Virginia Baumann of Free the Slaves, Bernard Morara, Peter K. Munene and Kennedy Bikuri of ANPPCAN Head Office, Stephan N. Boncoeur of ANPPCAN Mauritius, Celia Turkett of ANPPCAN Liberia and Richard Ogada of the United States International University. Their collective efforts and dedication towards the publication of this report are highly appreciated.

We would also like to acknowledge the mentors of this process. Dr. Philista Onyango, Regional Director and Wambui Njuguna, Director of Programmes of ANPPCAN together with Mary Cunneen, Executive Director and Nikhil Roy, Programme Team Manager of Anti-Slavery International for their guidance and adherence to detail to ensure an accurate description of the conference proceedings and recommendations.

The Conference would not have happened without the support of Free the Slaves. We salute them for their contribution. To all the delegates - this report belongs to you and all the others who have put in resources and implemented interventions to reduce the exploitation of people through trafficking and forced labour to a minimum.

We highly value the contribution of Michelle Midigo.

Any inaccuracies in the report are entirely down to the team that put the report together.

EXECUTIVE SUMMARY

While human trafficking and forced labour are being addressed in other parts of the world, there is almost total silence in the Eastern and Horn of Africa region. This silence must be broken and appropriate action taken to offer hope to the victims of human trafficking and forced labour, and remedy the situation. Similarly, while the problem of human trafficking and forced labour is well documented in some regions, notably in West Africa, the South East Asia and Eastern Europe, very little information exists in the East and the Horn of Africa. It is therefore necessary that different groups, especially civil society organisations, governments and other actors, are exposed to the problem, and that a systematic documentation of the nature and extent of the problem can start.




This conference was arranged as a first step in enhancing capacities of all actors involved in addressing human trafficking and forced labour. Opportunities must be created for both organizations in the Eastern and the Horn of Africa as well as the more experienced ones in West Africa to share information, learn from each other and network.

To address the factors that contribute to human trafficking and forced labour in the region, which include extreme poverty, armed conflict, early marriages and high numbers of girls missing out on education, there is need for concerted efforts between the different groups, both within and outside Africa. The conference on human trafficking and forced labour was thus organized to address these and other concerns guided by the following objectives:

- To provide a forum for organisations and other stakeholders working to combat human trafficking and forced labour in the Eastern and the Horn of Africa region to network
- To provide an opportunity to share experiences and link up with organisations already working on human trafficking in the West African Region
- To facilitate the identification of areas of work on human trafficking and forced labour in Eastern and the Horn of Africa region for future actions
- To provide an opportunity for capacity-building in advocacy and research for non-governmental organisations working on human trafficking and forced labour in the Eastern and the Horn of Africa region

ANPPCAN and Anti-Slavery International have a wealth of experience in addressing violations of human rights. In their work, a deep appreciation for networking and collaboration exists. This has occasioned meaningful collaboration, networking and coalition-building with other organisations in different parts of the world to mainly address violations of human rights. For example, Anti-Slavery International and other international partners have spent considerable



time and resources in building successful networks of non-governmental organisations in West Africa to address slavery and slave-like situations. Some of the partners that Anti-Slavery International has worked with in West Africa such as Wao-Afrique based in Togo, were invited to share their experiences in the conference.

For its part, ANPPCAN, a pan-African organisation that works to promote and protect the rights of children, is implementing a child labour programme which has identified many cases of child trafficking from the rural areas to urban centres in Kenya in the guise of child domestic service.

Interventions initiated by ANPPCAN to address violations of children's rights and now child trafficking are greatly informed by research findings. At the time of the conference, ANPPCAN Head Office was in the process of conducting an in-depth study on human trafficking in three countries in the Eastern and the Horn of Africa. The conference, thus, provided an opportunity for ANPPCAN to identify key issues to enrich the research as well as meet and share experiences with other organisations and actors in the target countries.

Participation in the Eastern and the Horn of Africa Conference on Human Trafficking and Forced Labour was drawn from both national and international organisations. They included government departments, United Nations Agencies (UNA) and civil society organisations (CSOs) involved in issues of human trafficking and forced labour. An effort was made to involve many organisations with varied experiences on human trafficking and forced labour in the East and the Horn of Africa while borrowing heavily from those in West Africa.¹

EMERGING ISSUES IN THE EAST AND HORN OF AFRICA

Many issues emerged from the Conference deliberations. Some of the issues identified in the Conference are discussed below.

Raising visibility of human trafficking and forced labour

Although human trafficking and forced labour have started to become visible among civil society organisations, acknowledgement of the problem by governments is, however, not forthcoming.

As the fight against trafficking gains priority on the national and international agenda, helping a few trafficked victims is fast turning into a need for systems as well as long-term interventions, which will yield better impact

Trafficking and forced labour have not attained necessary priority among governments in Eastern and the Horn of Africa due to a host of other competing issues such as the HIV/ Aids pandemic and armed conflicts.

Many of the groups working to stop human trafficking and forced labour at community level lack a direct connection with and influence on regional and inter-governmental bodies and networks.

¹ See the list of participants at the end of this report.

Obligations of governments and inter-governmental bodies

There is a wealth of governments' obligations in relation to trafficking and forced labour that are based on ratified charters, protocols, conventions and the Special Rapporteur. However, these can only be useful if translated into national laws and policies.

There is a lack of connection between programmes run by international organisations and those run by organisations working with communities at grassroots level. This has greatly undermined resource flow and hampered the formulation of strategies to address the vice. Civil society organisations can assist in monitoring and helping governments in implementing existing human rights charters, protocols and conventions. They can also prepare shadow reports, conduct training for relevant government departments, lobby for and participate in the formulation of laws and policies, and create inter-agency and international networks. Accruing experiences and perspectives can then be communicated to governments and other organisations such as the East African Community (EAC), the African Union, the Economic Community of West African States (ECOWAS) and others.

Interventions to rehabilitate and reintegrate victims of human trafficking and forced labour

1. Helping Victims

Rehabilitation programmes for victims of human trafficking and forced labour are not clear on the kind of shelters to be provided for trafficked women, men and children, the duration of stay within the shelters and when to commence their reintegration process with the families and communities.

The impact of codes of conduct in addressing domestic/internal trafficking has not been ascertained and, generally, the codes have not been properly introduced in many countries in the region.


2. Reintegration with Families and Communities

Any meaningful re-integration interventions should include a component addressing the push and pull factors contributing to trafficking.

Some families who are in similar or worse situations to those who traffic have been found not to succumb to traffickers. There is need to understand their resilient characteristics through research and promote these qualities among other vulnerable families and groups. Victims of trafficking often face isolation and lack acceptance within their families and in the wider community upon reintegration. Strategies to help such families and communities to cope with victims of trafficking and accept them are required.

3. Directing Advocacy and Public Awareness

In most cases, information on human trafficking reaching the public is through media reports, which often dwell on startling cases of trafficking and forced labour. Though



media reports are vital in advocacy and awareness-raising work, they have sometimes contributed to the stigmatization of victims.

There is need for civil society organisations to lead on public awareness efforts and collaborate with the media to reduce the sensationalisation of human trafficking reports. Campaigns against human trafficking and forced labour are often hampered by the technical and official language used in conventions and protocols on human rights. Such instruments need to be translated into local languages with clear messages that debunk the 'myth' of a 'better life' in urban areas and abroad. Press conferences, local documentaries and radio broadcasts need to be organized. Teachers need to be trained as well as child participation promoted through organising nationwide school contests.

4. Interventions by the Civil Society Organisations

Civil society organisations that address trafficking and forced labour work with victims in catchment areas have gained understanding on the trafficking patterns and the reasons for trafficking. These experiences should be used to re-focus attention to those interventions that address the root causes of human trafficking and forced labour.

5. Experience Sharing, Capacity-Building, Collaboration and Networking

Some organisations have addressed the problem of human trafficking and forced labour for a long time. Their knowledge and experience can be tapped into through training, sharing experiences and knowledge, exchange visits, collaboration and the pooling of resources.

Efforts to combat human trafficking and forced labour can only yield impact if they are well coordinated amongst the non-governmental organisations, government departments and inter-governmental bodies. Such collaboration needs adequate resources and be coordinated by a strong lead agency for sustainability.


SUMMARY OF THE CONFERENCE RECOMMENDATIONS²:

1. Safer Opportunities to Discourage Human Trafficking and Forced Labour

People at risk of trafficking and forced labour must be offered safer opportunities to improve their lives. Hence, awareness-raising about the risks of trafficking should be matched with concrete and attractive opportunities that are better than those offered by the traffickers. Examples of such opportunities include education and vocational training.

People are trafficked either because they cannot survive in their current situation at home or because they hope for something better. Either way, practical solutions need to be found to respond to these aspirations.

² You can see the full conference recommendations at the back of the report



Migration is necessary for people and governments as they respond to different needs. Hence, measures should be taken to ease the requirements and ensure that migration is safe. In particular, governments of sending countries need to negotiate safety measures for migrants with the destination countries.

2. Empowering Local Communities to Protect Children

Local communities should be empowered technically and financially to care for and protect their children.

Millions of children are left without parents and main carers due to HIV/Aids and conflicts, while other children have parents who lack the capacity to provide for them. Either way, guardians should be supported to take care of such children.

Although some communities are aware that they are losing children to trafficking and forced labour, they lack the capacity to take organised action. There is a need to form child protection committees drawing members from the community and service providers in the area to monitor the situation of vulnerable children and protect them.

Ensuring admission and retention of children at school improves protection and monitoring efforts. It also reduces logistical costs of empowering communities and children with information on the risks of trafficking and forced labour. Hence, the school and learning environment should be improved in order to reduce vulnerability of children and promote retention.

Interventions on human trafficking at community level fail to achieve impact because of size, lack of community participation and ownership, and failure by governments to coordinate the efforts. There is need for government participation in interventions aimed at supporting communities and victims as well as involvement of communities in the design and implementation of such interventions and programmes.


3. Working with Governments and Regional Arrangements

There is a need to initiate and strengthen cooperation within government departments charged with the responsibility of addressing aspects of human trafficking and forced labour.

Action on human trafficking needs to be integrated as part of governments' responsibility for protecting human rights. However, governments lack resources for effective enforcement of laws and implementation of protection efforts against human trafficking and forced labour. The international community should support governments with technical and financial resources to address the problem.

Regional agreements and arrangements such as the ECOWAS Plan of Action are useful benchmarks in the fight against human trafficking and forced labour. However, their effectiveness is dependent on sufficient monitoring and pressure from civil society organisations to ensure that governments implement such agreements and make the arrangements effective.

Governments often yield to peer pressure offered by regional agreements and arrangements. Non-governmental organisations should use such agreements and arrangements as opportunities to offer governments positive suggestions for action.



Bilateral agreements have proven their potential in dealing with cross-border trafficking operations. Such agreements should be encouraged.

4. Trafficking as a Moving Target

Human trafficking and forced labour are fluid and dynamic. There exists the 'push down - pop up' phenomenon where when action is taken in one area, trafficking changes its pattern and mode and re-emerges elsewhere. There is need to create strong regional mechanisms to facilitate communication between government departments and civil society organisations to ensure timely warning and alert systems on emerging dimensions and environments where trafficking is taking place.

Trafficking occurs within and across borders. There is a need to strengthen existing collaborations while at the same time creating new ones in order to keep pace with the changing patterns of trafficking and forced labour, to effectively tackle this practice at its source, transit and destination.

Reliable and up-to-date data and information on trafficking and forced labour is difficult to find. There is a need to find ways of updating and sharing available information to set up and improve the knowledge base.

5. Enforcement of Laws against Trafficking and Forced Labour

Removing the impunity of traffickers is important, but increasing prosecutions may not be the approach that offers best results. Deterrent sentences and penalties should be accompanied by interventions addressing the push factors in home countries and other aspects of demand for trafficked people.

Penalties and sentences given to perpetrators of human trafficking and forced labour have not been deterrent enough. There is need to amend existing laws to ensure that sentences match the severity of the crime.

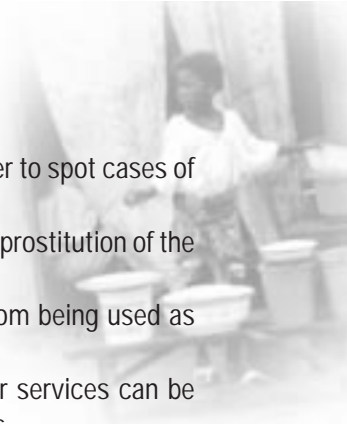
Trafficking and forced labour is an illicit and dangerous practice both for the victims and witnesses. The likelihood of cases being brought to light is directly linked to the protection and support offered to trafficking victims and informants. Similarly, victims and those that give evidence need assurances that they will not be immediately deported. Informants also need assurances that their identities will not be revealed.

Laws are weak. In fact, criminalisation of aspects of trafficking is scattered across penal codes, labour and immigration laws. Sealing off loopholes across national laws is necessary.

6. Targeting specific Intermediaries

There are many sectors that contribute, knowingly or unknowingly, to trafficking and forced labour. Transport companies, travel agents, airlines, hotels and other sectors contribute in facilitating the existence of human trafficking. These intermediaries need to be targeted individually and collectively to get their co-operation and support. For example:

- √ Transport operators can be educated on what to look out for in order to spot cases of human trafficking and alert authorities accordingly.
- √ Airlines can inform potential users of women and children in forced prostitution of the crime and risks.
- √ Hotels can implement codes of conduct to prevent themselves from being used as places of exploitation.
- √ Those who provide essential support mechanisms as part of their services can be helped to see potential risks of being part of the trafficking process.



INTRODUCTION AND OPENING REMARKS

DR FLORENCE MULI-MUSIIME, Chancellor, Daystar University and founder member of ANPPCAN

Dr Musiime began by noting that child trafficking is a global human rights problem which is linked to the engagement of adults and children in forced and exploitative labour. She observed that although the actual number of victims of trafficking is not known, every year there are an estimated 600,000 to 800,000 people, mostly children and women, trafficked across borders worldwide for use in domestic work, prostitution, pornography, begging, illegal adoption and forced marriages.



Dr. Florence Muli Musiime

In East Africa, both cross-border and internal trafficking of women and children abound. For instance, in Uganda, children from the North are being trafficked into armed conflict where it is reported that over 20,000 of them have been victims. All the countries in the region have been identified as sources, transit points or destinations for women and children trafficked within and across these countries or to other regions of the world such as Europe, the Middle East and Southern Africa.

Dr Musiime explained that the ANPPCAN Child Labour Programme had encountered many cases of children being moved from their rural homes to serve as domestic workers in major cities in Kenya. These children often worked for long hours, without pay and were sometimes forced to work in very hostile conditions. According to studies conducted by ILO/IPEC,³ large numbers of children have also been found to work in brothel-like conditions in major urban centres in Kenya after being moved from their rural homes by unscrupulous individuals with promise of employment. In the region, Tanzania leads in the trafficking of children from rural to urban areas for purposes of prostitution, according to United Nations official reports. Inter-country adoptions and employment bureaus are emerging as new channels of trafficking.

Child trafficking in East Africa is closely linked to several factors including poverty, lack of access to education, unemployment, HIV/Aids and HIV/Aids-related orphanage, weakness or lack of laws and policies addressing human trafficking. Furthermore, civil strife and cross-border conflicts

³ Onyango, P.: A Study on Commercial Sexual Exploitation of Children in Kenya, June 2004

within the region exacerbate the situation. The perennial conflicts within the countries in the region have displaced large numbers of people who are living as refugees or internally displaced persons. Once displaced and denied the means of livelihood and identity, they become easy targets for traffickers and other individuals bent on exploiting their vulnerability.

Despite reports of rising levels of trafficking in the region, there are hardly any efforts directed towards addressing the problem of human trafficking and forced labour. Furthermore, very little effort seems to have gone into the implementation of international conventions on human trafficking and exploitative labour into national laws and policies of the countries in the region. In these countries, no explicit mechanisms have been put in place to prevent the recruitment, transportation, transfer and harbouring or receipt of persons for purposes of exploitation in all its manifestations. Dr Musiime noted that the conference provided an opportunity for different groups to discuss the problem of human trafficking and forced labour and to come up with a way forward to tackle the problem.

ASIM TURKAWI, Anti-Slavery International



Mr. Asim Turkawi

Mr Turkawi welcomed the delegates to the Conference and shared with them the work of Anti-Slavery International and in particular its interest in human trafficking and forced labour. He observed that Anti-Slavery International has been implementing programmes on human trafficking and forced labour in Asia, Europe, Latin America, West Africa and recently in the Middle East and the Horn of Africa. Consequently, the organisation had gathered a wealth of experience on human trafficking and forced labour which, he said, would help understand the problem of trafficking and forced labour in the Eastern and the Horn of Africa.

He noted that although the problem of human trafficking was known to be growing in magnitude in the region, data and information on trends and patterns were in fact lacking. Thus, the participation of partners from the West

Africa region was needed to enrich the discussions and provide more insight into the challenge of addressing the problem.

He observed that ANPPCAN and Anti-Slavery had a long partnership focusing on the situation of children in forced labour. He commended ANPPCAN for hosting the Conference and hoped that its recommendations would form the basis for actions and networking within the region in response to the human trafficking and forced labour.

He finally acknowledged the support and contributions from many individuals and organisations towards the success of the Conference.

VIRGINIA BAUMANN, Free the Slaves

Ms Baumann started by noting that Free the Slaves, USA, was a sister agency of Anti-Slavery International registered in 2000 with the purpose of tackling the problem of forced labour and slavery. The organisation's approaches include ending slavery by meeting people's basic needs through enhancing economic and social justice. The strategies used by Free the Slaves in the fight against human trafficking and forced labour include working with partners to build their capacity to address human trafficking.

The organisation is highly active in India, Nepal, Haiti and Ghana, where it supports awareness-raising in communities on forced labour and slavery. It also supports the improvement of human rights policies and legislations in target countries and conducts research on modern forms of slavery guided by their motto of Free the Slaves.



Ms. Virginia Baumann

MAURICE TSUMA, Department of Children's Services, Kenya

Mr Maurice Tsuma, representing the Director of Children's Services, Kenya, bemoaned the high number of children trafficked from the rural areas of Kenya to urban centres to work as house-helpers. The children were often molested, physically and sexually abused by their employers and in some cases re-sold. He expressed concern at the fact that many children were legally adopted by foreigners and no-one cared to know what happened to them after leaving the country as no follow-up was ever made. In the Western part of the country, children with disabilities were considered as taboo children and were therefore abandoned and left to die. He particularly mentioned the situation of the girls who continued to be exploited by being forced into early marriages, prostitution, pornography and domestic labour to bring extra income to the family. He noted the lack of statistics on trafficked children and added that it was a major concern at the moment for the Department of Children's Services.

CONFERENCE PRESENTATIONS

AN OVERVIEW OF HUMAN TRAFFICKING: THE SITUATION IN AFRICA

MARGIE DE MONCHY, UNICEF - ESARO

Ms Monchy's presentation focused on child trafficking in Africa. She defined child trafficking as set out in the Palermo Protocol as the recruitment, transportation, transfer, harbouring or receipt of persons for purposes of exploitation. She noted that the Protocol defines exploitation to include, at minimum, prostitution and other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

In her presentation, Ms Monchy noted that countries such as Kenya, Tanzania and Uganda were increasingly becoming known as destination points for sex tourists who exploited local populations, especially children. Furthermore, factors which contributed to human trafficking were highlighted in the presentation. She divided them into 'push and pull factors' with push factors including poverty, lack of education and social services, erosion of community protection networks, vulnerability of women and children, desire for a higher standard of living, more opportunities and personal freedom. She identified 'pull factors' as being the demand for cheap labour for domestic work, commercial agriculture, traditional practices, sexual exploitation, recruitment of child soldiers and adoption.

Ms Monchy highlighted some of the trafficking patterns in the region observing that it was complex, dynamic and hidden and had domestic and cross-border dimensions. She observed that trafficking violated children's rights by causing children to separate from their families, depriving them of their right to education and exposing them to severe health risks. In addition, children who are trafficked are forced to work for long hours, are abused physically, sexually and emotionally, and are discriminated against.

Although incidents of trafficking were unknowingly occurring undercover and through intricate underground networks, child trafficking was rife in Eastern Africa where countries report twice as many incidents of child trafficking than incidents of women trafficking. Generally, however,



Ms. Margie de Monchy

the perception is that the problem is not as severe in Eastern and Southern as it is in Western and Central Africa.

Ms Monchy described the movement patterns comprising of countries of origin, destination and transit as illustrated in the table below:

Countries of Origin	Countries of Transit	Countries of Destination
Ethiopia, Kenya, Somalia, Tanzania – primary sources each supplying 1 to 4 other countries.	Kenya, Tanzania and Uganda have been reported. Eritrea, Ethiopia and Somalia are unknown. Southern Africa particularly South Africa. Europe and Middle East.	Ethiopia, Kenya and Uganda reported. Eritrea and Somalia are unknown.

The presentation ended with the enumeration of a series of key strategies which UNICEF was undertaking to combat human trafficking and forced labour. These include awareness-raising, community action for prevention and reintegration, strengthening legal protection, and capacity-building among others.



FACTORS CONTRIBUTING TO HUMAN TRAFFICKING AND FORCED LABOUR

Armed Conflict

LEN BLAZEBY, International Committee of the Red Cross (ICRC)

Blazeby's presentation centred on the relationship between armed conflict, forced labour and human trafficking. From the outset, he outlined some of the mechanisms used in dealing with national and international conflicts. He observed that while there was provision within international conventions on how to deal with inter-country armed conflict, national conflicts generally had to be addressed within the domestic legal systems. However, there are difficulties in prosecuting violations resulting from internal conflicts because, more often than not, domestic laws are not sufficient.

He went on to explain some of the international humanitarian laws governing international and non-international conflicts. He observed that the Geneva conventions and additional protocols protect all those who are combatants and those who are not combatants. The law provides for humane treatment of prisoners of war, prohibits unlawful acts causing death or seriously endangering their health among others.

He observed that Article 27 of the Geneva Convention, provides that all protected persons shall be treated with the same consideration without any adverse distinction based in particular on race, religion or political opinion. The same article provides that protection should be given to their persons, their honour and their family rights as well as their religious convictions and practices, manners and customs. Women should particularly be protected against attacks on their honour in particular rape, forced prostitution or any form of indecent assault. In addition, civilians can be compelled to work but only in certain occupations.

He observed that nation states have the initial responsibility of prosecuting war crimes but in cases where they fail, or are not capable to do so, the international community can resort to international channels including the setting up of ad hoc courts and also approaching the International Criminal Court. In conclusion, he elaborated on the role of the International Committee of the Red Cross, which includes providing a tracing service that ensures people do not go missing during conflicts and enables family members to stay in touch.

Debt Bondage

MIKE KAYE, Anti-Slavery International

In his presentation Mr Kaye defined debt bondage as the situation where individuals pledge their labour against money taken from traffickers, family members and friends. His presentation then centred on people who are often vulnerable to trafficking such as children and women. He observed that these categories of people were promised employment opportunities, and then provided with transport and legal documentation by the traffickers. However, once they reach their destination, they realise that the jobs they had been promised do not exist. This makes the victims angry with themselves and feeling obliged to pay the money back. Yet the debt increases with interest and various charges.

He observed that traffickers used coercive mechanisms that forced persons to work against their will and had refined ways of controlling them. These include use of violence, intimidation through threat of violence against the victim's family, restriction of movement, emotional attachment due to attachment to the family and men posing as boyfriend/husband, threat of exposure to authorities due to lack of travel documents and presenting false information which can lead to detention, deportation, and isolation due to language, poor knowledge of the place as well as lack of means of survival. These have been identified as the most prominent mechanisms used by the traffickers on the victim.

He noted that it was necessary to understand the mechanisms of coercion in order to initiate and implement appropriate interventions. There is a strong need to facilitate migration and make it safe as restricting migration helps the traffickers. Receiving countries need to recognize their need for migration given that new migrants provide services that are needed by citizens of that country.

Education and Child Labour

PASCHAL WAMBIYA, ILO/IPEC Kenya

Mr Wambiya started by noting that the mission of ILO/IPEC was to facilitate the progressive elimination of child labour worldwide with the eradication of the worst forms of child labour (WFCL) as an urgent priority. This mission is partly realized by strengthening national capacities to address child labour issues and thereby creating a worldwide movement to combat child labour. He noted that ILO/IPEC focuses on bonded child labour, children in slavery, trafficking, children working in hazardous conditions and occupations, children who are particularly vulnerable, for example very young working children below 12 years of age and working girls.

Mr Wambiya outlined the scale of child labour noting that globally, there are about 246 million children in child labour, of which 73 million are less than 10 years old. Sub-Saharan Africa has the largest proportion of children, with 48 million children aged 14 years and under involved in work. Kenya has about 1.9 million 5 to 17 year olds involved in child labour. He noted that according to the Central Bureau of Statistics in Kenya, 34 per cent of children worked in the commercial agriculture sector, 23.6 per cent in the subsistence sector and 17.9 per cent in the domestic sector.

He observed that the Kenyan government had taken necessary steps in the fight against child labour by ratifying the ILO Convention 138 (C-138) on Minimum Age and the ILO Convention 182 (C-182) on the Worst Form of Child Labour in 1979 and 2001 respectively. In addition, the Government had set the minimum age of employment at 16 years, deleted the salary schedule relating to children that appeared in the Regulation of Wages and Conditions of Employment Act Cap 229, implemented the Children Act 2001 and the free primary education policy in 2003. He hailed these as positive steps taken by the Government in the fight against child labour and by extension child trafficking in the country.

He singled out the ratification of Convention 182 on the Worst Forms of Child Labour (WFCL) as a major step towards combating child trafficking, as it makes provision for member states to prohibit and eliminate WFCL, which include:

All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict

The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances

The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties

Work which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children (see article 3)

He further noted that the International Labour Organization (ILO) had supported 25 agencies including the Ministry of Labour and Human Resource Development (MOLHD), the Central Organisation of Trade Unions (COTU) Kenya Chapter, the Federation of Kenya Employers (FKE), several NGOs, faith-based organisations, research and media organisations to implement action programmes aimed at combating child labour in the country.

He highlighted some of the achievements including the development of relevant policies and legislations. For instance, the national child labour policy has been drafted and now awaits cabinet approval. The policy sets out systematic and planned interventions by the government that include budgetary allocation for mainstreaming child labour issues into programmes and activities of key line ministries. In addition, through similar efforts, a child labour division has now been established within the MOLHD with key roles of policy interpretation and implementation.

In conclusion, Mr Wambiya observed that as a follow-up to the ratification of Convention 182, the Government of Kenya with assistance from the ILO's International Programme on the Elimination of Child Labour (ILO/IPEC), has formulated a comprehensive national time-bound programme on the elimination of child labour.

Drugs and Transnational Crime

KAROLINE GUDMUNDSSON, United Nations Office on Drugs and Crime (UNODC)



Ms Karoline Gudmundsson

Ms Gudmundsson started her presentation by providing an outline of the work of United Nations Office on Drugs and Crime (UNODC) in countering human trafficking through various interventions. For example, she noted that UNODC had initiated a global television campaign on human trafficking since 2001 in partnership with media houses worldwide. The campaign focuses on the trafficking of women for purposes of sexual exploitation and also involving men, women and children for forced and bonded labour. She also noted that UNODC, in partnership with other United Nations agencies and local NGO partners, were working towards providing telephone helplines for victims of trafficking.

She highlighted some of the challenges faced in addressing human trafficking because of its dynamic, adaptable and opportunistic nature, which takes advantage of conflicts, humanitarian disasters and the vulnerability of people in situations of crises. She regretted that while responding to such crises, the presence of the international community in the affected areas may contribute towards increased demand for trafficked persons particularly for purposes of sexual exploitation. In the context of the various push and pull factors, emergencies weaken both state structures and efforts by civil society required to prevent trafficking.

She explained the various international provisions aimed at preventing trafficking including the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially women and children, the UN Convention against Transnational Crime, the ILO Convention 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, and the UN Convention on the Rights of the Child. She also highlighted other conventions and protocols including the ILO Convention on Minimum Wage and Forced Labour, the Protocol on the Sale of Children, Child Prostitution and Child Pornography, the UN Convention on the Suppression of Trafficking in Persons and the Exploitation of Prostitution of others, and the UN Supplementary Convention on the Abolition of Slavery, slave trade and institutions and practices similar to slavery.

She observed that the UNODC was the custodian of the Convention against Transnational Organized Crime and the trafficking protocol, and had moved to promote a comprehensive and multi-disciplinary approach in preventing and combating human trafficking. In this regard, UNODC focuses on the criminal justice component of human trafficking including victim support and witness protection. To achieve its objectives, UNODC works with other inter-governmental organisations, NGOs, national actors and civil society to ensure implementation of a unified response stipulated in the Convention against Transnational Organized Crime and protocols.

The UNODC global programme against trafficking in human beings assists member states in their efforts to combat trafficking, promotes development of criminal justice related responses,

and supports states in implementing related international conventions and protocols. In this regard, UNODC has been instrumental in supporting the implementation of the ECOWAS plan of action against trafficking in persons, in the formulation and implementation of the SADEC declaration and plan of action against trafficking in persons, combating trafficking in persons in Benin, Nigeria and Togo, and in supporting the implementation of national strategies to combat the violation in Columbia.

National and International Adoptions

IRENE MUREITHI, Child Welfare Society of Kenya

In her presentation, Ms Mureithi noted that many factors including the HIV/Aids scourge made many children vulnerable, thus rendering an estimated 1.7 million child orphans. This has triggered many local and international adoptions and created opportunities for potential traffickers, who in most cases are fronted as loving families. Inter-country adoptions, when poorly handled, contribute immensely to human trafficking and forced labour. She alluded to a number of questionable adoption processes and practices that have taken place over the years in Kenya.

She observed that reports of suspected trafficked children abound both in the local and foreign media on trafficking through inter-country adoption, which include but are not limited to forced labour, ritualistic purposes, prostitution, pornography and pedophilia.

She said that apparent loopholes in Kenyan laws made the country an attractive destination for inter-country adoptions and human trafficking. She lamented that commercialisation of adoption in the country had attracted both local and foreign actors who were eager to exploit the opportunity. In addition, public ignorance about adoption had been a major contributing factor facilitating inter-country adoptions. Other facilitating factors include the judiciary and legal counsels for the applicants. Indeed, the current trend has made adoption more of a legal than social process creating room for profiteering.

Ms Mureithi further noted that certain sections of the Kenya's Children Act 2001 dealing with international adoption are open to abuse and need to be addressed. To illustrate this, she pointed out the guardianship section, Act 102 (3), which reads: "A guardian appointed under this act need not be a Kenyan citizen or resident of Kenya." She explained that the section and its provisions allowed an applicant to masquerade as a guardian to a child but intending to get the child out of the country and then proceed to adopt the child without reference to Kenya, thus avoiding all legal requirements including consent from the relatives of the child. This does not provide protection to the adopted child, especially not in a foreign country. Equally, section 157 (1), which reads: "Any child who is a resident within Kenya may be adopted whether



Ms Irene Mureithi

or not the child is a Kenyan citizen or was born in Kenya.” She explained that the section encourages the use of Kenya as a transit point for child trafficking.

Also highlighted was the fact that some children's homes lacked professional standards and procedures to govern their operations and their leadership was found wanting, and thus the rampant abuse and a myriad of other problems bedeviling such institutions. This situation is compounded further by the absence of a professional body of social workers. This has created room for professional misconduct especially in adoption-related matters.

In conclusion, she called for the introduction of tough regulations to prohibit children's homes, lawyers, churches and the police from making adoption arrangements, the setting up of an adoption committee and a requirement that a child should only be taken to court when all social enquiries have been done and a home study report been produced. She also proposed the review of the existing and sometimes conflicting sections of the law that could expose children to trafficking.

RESPONSES TO HUMAN TRAFFICKING AND FORCED LABOUR

International Mechanisms on Human Trafficking

VIRGINIA BROWN, International Organization for Migration, Kenya

Ms Brown began by providing a historical background to the International Organization for Migration (IOM). Formerly the Provisional Inter-governmental Committee for Migrants, IOM was created in 1951 to assist refugee persons, mainly internally displaced and economic migrants. In 1989, the organisation adopted its current name, the International Organization for Migration, currently an inter-governmental body with 112 member states.

She gave the International Organization for Migration's definition of trafficking as "the recruitment, receipt and harbouring of persons through deceit, force or abduction or abuse of power for purposes of exploitation". She highlighted some of the root causes of human trafficking such as acute poverty, lack of employment opportunities, social and political conflicts, which create instability and displace populations. Similarly, she also cited the interplay of social and cultural practices as factors that hinge on the subordination of women and girls. Furthermore, and perhaps most common, is the act of entrusting one's children to friends and relatives who are better off.



She identified some of the pull factors of human trafficking as being the demand for inexpensive labour, demand for sex services, demand for body organs and the unrealistic or restrictive immigration policies.

Traffickers themselves are motivated to engage in the practice by the few risks encountered due to the absence of legislation, limited risk of prosecution, lack of law enforcement, little training, and corruption among government immigration officials. Traffickers also see this activity as a low investment 'business' with huge profits and in which the victims can be resold several times. Likewise, the existence of support networks related to other criminal activities is heavily exploited by the traffickers.

She enumerated some of the consequences suffered by victims of human trafficking, which range from human rights abuses, coercion, illegal status in the country of destination, unfair and inhuman treatment, the risk of contracting diseases, physical and mental abuse and death. They also face problems when reintegrating back into society, which further compounds stigmatization.

She highlighted the relationship between smuggling and trafficking, and explained that smuggling of migrants is often undertaken in dangerous and degrading conditions. It involves migrants who have consented to being smuggled. Trafficked persons, on the other hand, have either never consented, or if they initially consented, that consent has been rendered meaningless by the coercive, deceptive or abuse actions of the traffickers.

She further observed that smuggling ends with the arrival of the migrants in the country of destination, whereas trafficking involves the on-going exploitation of the victims in some manner to generate illicit profit for the traffickers.

“Smuggling is always transnational, whereas trafficking need not be. Trafficking can occur regardless of whether victims are taken to another country or if only removed from one place to another within the same country.”

Ms Brown then outlined some of the international laws and conventions aimed at deterring human trafficking such as the United Nations Convention against Transnational Organized Crime, commonly known as the Palermo Protocol, and a host of other protocols that supplement the Convention. The protocols are mainly geared towards preventing, suppressing and punishing people and organisations involved in human trafficking, especially women and children as well as smuggling of migrants by land, sea, and air. Other conventions include the following:

SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 2002

ILO Convention 182 on the Elimination of Worst Forms of Child Labour

Convention on Rights of the Child:

√ Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

√ Optional Protocol to the Convention on the Rights of the Child in Armed Conflict

The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)

To address the problem of human trafficking, Ms Brown called for greater international co-operation in the fight against the crime, deliberate efforts to address the root causes of human trafficking, the availability of information on trafficking and also the enactment and enforcement of relevant legislations. She strongly advocated for the application of the ‘three Ps’ in countering the trafficking, which is basically the prevention of trafficking, the protection of the victims and prosecution of the traffickers.

Owing to the prevalence and rise of the practice of human trafficking in the region, Ms Brown explained that IOM had initiated a number of projects to fight the problem. Some of the interventions include setting up baseline information on the nature and extent of trafficking in

persons, mapping the geographical areas of concern, identifying routes of transport, understanding the modalities of trafficking, developing profiles of traffickers and their victims. In Kenya, IOM has continued to undertake awareness-raising, capacity-building, establishing a stakeholders' network and also offering technical assistance in the drafting of legislations. In Tanzania, on the other hand, IOM has focused more on awareness-raising, capacity-building and offering assistance to victims of trafficking and smuggling.

Regional Mechanisms on Human Trafficking

VICTORIA NWOGU, ILO/PATWA Nigeria

Ms Nwogu started by observing that prevalence of human trafficking in the region has made states and other actors to make efforts to counter human trafficking and forced labour. Due to the concern, many instruments have been adopted in the region including the African Charter on Human and People's Rights and the Economic Community of West African States' (ECOWAS) initial Plan of Action.

The African Charter on Human and People's Rights guarantees the rights of people and the individual, imposes responsibilities, and establishes the African Commission on Human and People's Rights (ACHPR). The Charter mandates the Commission to promote human and peoples' rights, collect documents, undertake studies and research on African problems in the field of human and peoples' rights, organise seminars, symposia and conferences. It also disseminates information, encourages national and local institutions concerned with human and peoples' rights and, where necessary, gives its views or makes recommendations to governments. It also formulates and lays down principles and rules aimed at solving legal problems relating to human and peoples' rights and fundamental freedoms upon which African governments may base their legislations.

She also elaborated on the role of the African Court on Human and People's Rights. The Court complements the protective role of the Commission, has 11 member judges elected from member states. The court can reach decisions and pass judgments in cases brought before it, which include orders for payment of compensation.

Another mechanism discussed in the presentation was the Special Rapporteur on the Rights of Women in Africa (SRRWA) adopted at the 19th ordinary session of the Commission, in Ouagadougou, Burkina Faso in 1996. SRRWA is charged among other things with carrying out studies on the situation of women's rights in Africa, monitoring women's rights and the implementation of the Charter, supporting policy formulation and implementation by governments in relation to women's rights, and collaborating with NGOs, the United Nations and other organisations on women's rights. The rapporteur also works towards the ratification of the Protocol to the African Charter on the Rights of Women by all member states and makes recommendations to the African Commission on improving the situation of women in Africa.

The Protocol to the African Charter on the Rights of Women obligates governments to protect women from discrimination. It also provides a range of rights which women should be guaranteed to enjoy, and outlines mechanisms for the implementation and monitoring of the same.

Article 27 of the Protocol specifically addresses sexual exploitation and obligates state parties to the Charter to protect the children from all forms of sexual exploitation and sexual abuse, and in particular to take measures to prevent the following:

- The inducement, coercion or encouragement of a child to engage in any sexual activity
- The use of children in prostitution or other sexual practices
- The use of children in pornographic activities, performances and materials

In addition, Article 29 of the Protocol deals with the sale, trafficking and abduction of children. In particular, it calls upon state parties to the Charter to take appropriate measures to prevent:

- The abduction, the sale of or trafficking in children for any purpose or in any form, by any person including parents or legal guardians of the child
- The use of children of begging in all forms

Finally, the ECOWAS Plan of Action commits member states to urgently take action against trafficking in persons. However, for the Plan of Action to be implemented, new police units need to be set up, officers from line departments trained on methods for prevention, prosecution, protection of victims rights, direct communications and border control agencies set up, efforts expanded to gather data on human trafficking. There is also a need for a special task force or agency to act as a focal point to direct and monitor the implementation of the Plan of Action at national level.

The West and Central African Network on Child Labour and Trafficking

ADJOWA-SIKA DIKENU, Assistant Project Officer, Wao-Afrique, Lome, Togo

Ms Dikenu noted that the sub-regional project on eradicating child domestic work and child trafficking in West and Central Africa (2000-2002) was initiated through collaboration between Anti-Slavery International and Wao-Afrique. The objective of the project was to develop a sub-regional research programme in collaboration with national NGOs to stop abusive work and trans-border recruitment of children as domestic workers. The project works in six countries in West and Central Africa namely, Benin, Burkina Faso, Gabon, Ghana, Niger and Togo. The said countries were identified through national and sub-regional studies as sending, transit and receiving countries for victims of child trafficking.

The network often shares information through email and a quarterly newsletter entitled DTRI as well as through exchange visits between organisations from countries which are members of the network. Activities of the network take place both at national and regional levels with members working as a coalition at the national level and the exchange of information occurring at the regional level.

Some of the achievements of the network include information exchange, capacity-building of the members on the UN Convention on the Rights of the Child and the ILO Convention 182 on the Worst Forms of Child Labour. The members of the network received support from the ILO to

implement projects against child trafficking in their countries. Furthermore, some of the members are now represented in government committees against child labour and child trafficking, and their capacity in advocacy has been greatly enhanced. Some of the challenges faced by the network include lack of reporting strategies, insufficient capacity to fundraise and co-ordination.

She recommended that ECOWAS should take a lead role in coordinating efforts against human trafficking. At the same time, governments should provide legal support to the 'code of conduct' on child domestic labour in the different countries.

Trafficking of African Children to the UK: Issues, Trends and Responses

DEBBIE ARIYO, Director, Africans Unite against Child Abuse (AFRUCA)

Ms Debbie Ariyo began by outlining the mission of Africans Unite against Child Abuse (AFRUCA), which was to promote the welfare of African children in the United Kingdom (UK). Its activities include child rights, advocacy and policy development, research, education and community development.

She observed that an estimated 587,000 Africans are currently residing in the UK. In 2003, 41 per cent of all asylum applications were from Africa. Africans are the fastest growing ethnic minority in the UK. Statistics also show that the number of African children in the UK grew from 96,000 in 1992 to 145,000 in 2000, which is a 50 per cent increase over eight years.

Children are trafficked to the UK for various reasons, mainly domestic servitude, sexual exploitation, benefit fraud, ritual killing, illegal adoptions and child labour. The children most vulnerable to trafficking are street children, those from orphanages, adopted children and children from poor families, usually from rural areas in Africa. Most of the children trafficked to the UK come from Nigeria, Ghana, South Africa, Zimbabwe, Kenya and Malawi, as identified by Operation Paladin Child. Some children come from Uganda, Sierra Leone, Cameroon, Zambia, the Democratic Republic of Congo (DRC), Angola and Somalia, as identified by the End Child Prostitution and Tourism (ECPAT).

Trafficking of African children to the UK occurs for many reasons. Children get trafficked with the promise of a better life, due to conflicts, HIV/Aids or acute poverty.

In the fight against child trafficking, AFRUCA carries out awareness-raising and advocacy both in the UK and in Europe through setting up a trafficking hotline, debunking myths of a 'better life' which drive many children to the UK, supporting victims of trafficking, providing advice, intelligence and expert reports as well as conducting research on issues related to child trafficking.

Interventions by other agencies include media coverage, training of practitioners, agreements with source countries, helplines, petitions and passing of laws to prosecute traffickers.

Ms Ariyo concluded by calling for the strengthening and enforcement of laws and for increasing support for poverty eradication among developing countries.

Regional Programme Development: Experiences of OAK Foundation

FASSIL MIRIAM, OAK Foundation, Ethiopia

Mr Miriam gave an overview of Oak Foundation's work noting that it was a family foundation based in Geneva with branches in several countries. Its areas of work include human rights focusing on victims of torture, women's rights by addressing domestic violence, child abuse by focusing on sexual abuse and exploitation, environment and homelessness.

He observed that in the past six years, OAK foundation provided the bulk of its grants to international NGOs with some support extended to local NGOs.

In 2003, the Foundation developed a regional child abuse programme in East Africa targeting Ethiopia, Kenya, Uganda and Tanzania. The objective of the programme is to provide grants to local NGOs to work towards the prevention and rehabilitation of child victims of sexual abuse and to influence policy in the targeted countries to recognize the issue as one of the major and growing social problems.

Currently, some 24 local and international NGOs are partners of Oak Foundation with most of them operating in Ethiopia and Uganda. In Kenya, the programme works through international NGOs since they were already in partnership with OAK Foundation before the initiation of the regional programme.

Mr Miriam noted that OAK Foundation is encouraging partners to mainstream issues of sexual abuse and exploitation in their existing programmes since children are exposed to abuse at children's homes, communities, schools and on the streets. Therefore, the OAK Foundation works with organisations that are implementing programmes on areas such as family support, domestic child labor, children working and living on the streets, schools and communities.

OAK Foundation is interested in addressing the problem of child trafficking because trafficking in persons is a violation of human rights especially those of women and children trafficked into commercial sexual exploitation and hazardous labour.

The problem of child trafficking is on the increase in many Eastern African countries even though there are few studies done on the area. Trafficking has exposed children to street lives, sexual abuse and exploitation through engagement in the worst forms of child labour.

A visit to Southern and Western African countries was made where programmes have a preventative and rehabilitative component for children who are victims of trafficking. A donors' meeting organised by OAK Foundation, IOM, Save the Children Sweden, Denmark and Canada identified four countries, namely Djibouti, Ethiopia, Kenya and Uganda, where a rapid assessment will be conducted on child trafficking. While IOM has already started the assessment in Ethiopia, ANPPCAN Head Office would conduct the assessment in the three other countries.

The assessment will identify the nature and magnitude of the problem and its impact on children. It will further identify partners to develop anti-trafficking programmes focusing on prevention and rehabilitation. Oak Foundation has already developed a partnership with the Forum on Street Children (FSCE) and initiated a national anti-child trafficking programme. FSCE is working with the Ethiopian Police Service and has established a child protection unit in the major bus terminal in the capital city Addis Abeba. The programme is to be replicated with OAK Foundation's financial support in three major towns where more children are trafficked to Addis Abeba.

Advocacy Campaigns against Trafficking and Forced Labour

MIKE KAYE, Anti-Slavery International

Mr Kaye's presentation centred on implementing an effective advocacy campaign to fight human trafficking and forced labour in all its manifestations. He observed that in order to mount a successful human rights campaign on human trafficking and forced labour, it is important first and foremost to ensure that the organisation is well structured in its focus and objectives. Furthermore, the purpose of advocacy should be agreed by everyone in the organisation as well as other relevant actors. It is important to consider what the organisation offers in terms of services, research and policy proposals, among other things.

He asserted that for the campaign to yield the expected impact, particular attention should be paid towards the formulation of clear objectives and a plan of action, a realistic budget as well as staff time to deliver the objectives.




Mr. Mike Kaye

In setting and meeting the organisational objectives of the campaign strategy, it is perhaps necessary to consider whether it is a priority for the organisation and if by implementing the campaign, it in some way helps further its work. A criterion ought to be established to gauge if the results are specific, measurable and achievable, and that appropriate indicators have been developed to monitor progress and evaluate success.

It is also important to establish that everyone involved in the project approves of the objectives from the start and that all people who support the success of the project have been involved. On deciding on what type of strategy to use in the campaign, he gave an overview of some of the strategies that could be adapted and pursued by organisations involved in fighting human trafficking in Africa.

Grassroots campaign is one such campaign strategy. It was noted that grassroots campaign involved educational work, distribution of publications on awareness-raising and mobilising




members of the public. In this, he observed that an organisation must have a clear message and something that people can do, for instance, letter writing, petitions, postcards, giving money, website visits and information sharing. This, in particular, shows that ordinary people, who are voters, are concerned about these issues. It also strengthens the organisation.

Another strategy is coalition-building, where an organisation works with other organisations and individuals and involves them in the advocacy campaign. It also entails making links with similar organisations and non-traditional allies. Furthermore, the organisation could seek the support of influential individuals and groups such as the media, sports, music stars, community and religious leaders. The advantage here is that the organisation reaches a wider audience and is able to mobilise different constituencies as well as specialise and share tasks between groups.

In addition, an organisation could opt for influencing decision-makers in society as its campaign strategy in tackling human trafficking. This entails bringing on board groups such as government ministers, civil servants and advisors as well as local officials and politicians from across the political spectrum. It could include officials who draft and interpret laws such as the judiciary, immigration officers, police and social workers. Such a strategy provides the most direct way of achieving change.

The media is yet another important powerful tool in society that could be used to directly fight human trafficking and forced labour. The media includes the use of television, newspapers, radio and magazines. The media, if used properly and aggressively, can reach all of the other target audiences.



COUNTRY EXPERIENCES IN EASTERN AND HORN OF AFRICA ON HUMAN TRAFFICKING AND FORCED LABOUR

Ethiopia

WOLDE SEMAIT, ANPPCAN Ethiopia, MAHDERE PAULOS, Ethiopian Women Lawyers and ALEM BROOK, International Organization of Migration, Ethiopia

There is inadequate data on trafficking in Ethiopia. There is even less data on trafficking of children as the little that is available is put together with the number of women trafficked. However, some studies point to widespread cross-border trafficking of girls and young women. For example, studies have indicated that out of thirteen girls who leave the country, one is under the age of 18, and four out of five of girls and women leaving the country are trafficked.

Available information shows that the majority of victims of cross-border trafficking are from the capital, Addis Ababa, while a significant number come from the Tigray, Oromia and Amhara regions. Trafficking routes are represented in the illustration below:

Somalia ⇒ Bosaso ⇒ Yemen ⇒ other countries in the Gulf

The most common countries of destination for women and girls are Lebanon, Yemen, Saudi Arabia, Egypt and Syria.

Sudan ⇒ Libya ⇒ Italy ⇒ The rest of Europe

Through Kenya ⇒ Tanzania ⇒ Mozambique ⇒ South Africa

The victims are recruited with promises of employment abroad, marriage to a foreigner and lured of a 'better life' overseas. The traffickers charge between one to seven thousands Ethiopian Birr per person and usually recruit from schools, colleges and villages.

Events such as the Muslim pilgrimages, Hajji and Oumra, are used as opportunities to move young women and girls to Saudi Arabia and other Arab countries under the pretext of attending the religious ceremonies.

The traffickers involved here range from local brokers, relatives, family members to friends of the victims. Returnees also play an important role in luring potential victims into agreeing to travel with promises of a 'better life' in countries of destination. Many of the returnees are also involved in trafficking by working in collaboration with tour operators and travel agencies.

Poverty is a major factor pushing women and children into situations of trafficking and forced labour. An estimated 50 per cent of the rural population lives below the poverty line. The majority of the Ethiopian population is under the age of 15 with women making up 51 per cent of the total population. High levels of unemployment also push many people, especially women, to seek job opportunities abroad.

The most relevant provision in the penal code of Ethiopia on trafficking is Article 605 on Trafficking in Women, Infants and Young Persons. The provision makes it an offence to seduce, entice, procure, or induce women, infants or young persons to engage in prostitution. Organisations undertaking interventions against trafficking and forced labour include ANPPCAN in Ethiopia, the Ethiopian Women Lawyers' Association and the International Organization for Migration (IOM) in Ethiopia.

ANPPCAN Ethiopia chapter is providing psychosocial support, placements, repatriation, reintegration as well as legal aid to victims and their families and is also closely working with the police and the courts in addressing the problem of children involved in trafficking.

The Ethiopian Women Lawyers' Association (EWLA) specialises in providing legal aid and counselling to affected women. It also exposes the illegal business conducted by agents who facilitate the travel of workers, as well as taking on cases of women who have been abused by employers in trafficking destinations.

Meanwhile, IOM-Ethiopia undertakes training and awareness-raising, conducts research and disseminates information on trafficking. IOM is also implementing a pilot return and reintegration assistance programme focusing on providing shelter, food, medical services, vocational training, counselling and legal services to victims.

Some of the challenges faced by these organisations in the fight against human trafficking in Ethiopia include weak legislation, poor enforcement and inadequate support by the Government in tackling the problem. In addition, low knowledge levels, inadequate capacity as well as resource constraints hinder a holistic approach in addressing the problem of human trafficking and forced labour in the country.

Eritrea

DAHAB SULEIMAN FLLI, National Union of Eritrean Women

Eritrea is a relatively new state which is undergoing change and transformation marked by rapid population growth and urbanisation, rural urban migration, poverty and unemployment, and the displacement of large segments of the population due to past conflicts. The situation places many women and children at risk of trafficking as they seek opportunities to improve their lives. For example, the Ministry of Labour and Social Welfare in its 1999 survey in Eritrea found that there were about 4,579 sex workers of which 2,225 were children. There have been newspaper reports which show evidence of inter-country trafficking, one in Beirut and another in Paris.



To counter these, the Government of Eritrea adopted and ratified various ILO conventions on 22 February 2000 and has incorporated them into national policies and programmes. Among the conventions ratified are:

- Convention No. 29 on Forced Labour of 1930
- Convention No. 105 on Abolition of Forced Labour of 1957
- Convention No. 138 on Minimum Age of 1973
- UN Protocol against Human Trafficking and Child Labour which has been ratified and translated into different local languages

Eritrea's commitment towards these conventions and protocols is demonstrated by implementing them into policies and programmes such as the Reunification Programme, which deals with the placement of street children with their parents, the Educational Support Programme, which assists young children with school fees and provides other services including guidance and counselling, vocational training, income-generating activities and awareness-raising.

Other bodies such as the National Union of Eritrean Women, the only women's organisation in Eritrea, are working to promote women's rights through advocacy and service provision in the areas of education, land ownership, reproductive health, economic empowerment and leadership development.

Kenya

KENNEDY BIKURI and PETER K. MUNENE, ANPPCAN Head Office, LYNETTE OUNA, Child Welfare Society of Kenya, SOLOMON KULOBA, Ministry of Labour and Human Resource Development – Child Labour Division and MAURICE TSUMA, Ministry of Home Affairs – Children's Department

Kenya has been identified as a major point of origin, transit and destination of victims of trafficking. Although there is no official data on the patterns, trends and magnitude of the problem, anecdotal evidence and newspaper reports point to an increase in the levels of internal and cross-border trafficking particularly of women and children.

There are media reports about Kenyan women being trafficked to Germany. Ten Kenyan women were reportedly repatriated by Solwodi. Reports have also indicated that Kenyan women and children are being trafficked into other destinations in Europe, Middle East and Southern Africa. Kenya is also a destination point for many trafficked women and children from neighbouring countries such as Burundi, Ethiopia, Rwanda and Tanzania. Women and children are reportedly trafficked to Kenya for commercial sexual exploitation.

The sale and trafficking of children has also been reported to be rampant particularly in key maternity hospitals, children's homes and through the abuse of inter-country adoptions. Many cases of internal trafficking for purposes of domestic work and prostitution have also been reported by various agencies in the districts where they operate.

The channels of trafficking mostly used include employment bureaus, inter-country marriages, inter-country adoptions, education agencies, children's homes and early marriages. Fostering has also been reported to be a key technique being used by both local and international traffickers. For example, many children orphaned through HIV/Aids have been fostered by relatives and foreigners just to find themselves sent to work in the domestic sector and sex industry where their wages are paid to the so-called foster parents.

Factors associated with trafficking in the country include high levels of poverty and unemployment, a large number of orphaned children, the lure of a 'better life', cultural practices, weak laws and enforcement. Awareness on trafficking is low, and few programmes, both government and civil society, have targeted human trafficking and forced labour as an issue. Armed conflict in the region, local and international tourism, poor access to education, existence of a large refugee community, and internal displacement have contributed to the rise in trafficking activities.

Although there are no specific programmes and policy measures targeting trafficking in persons, the issue has been mentioned in the penal code and in the Children Act, 2001. Kenya has also ratified various international conventions and protocols and incorporated some of them into domestic law. There are some government efforts to establish a national task force on trafficking and a police unit to respond to the problem of human trafficking.

Other interventions are being spearheaded by civil society, among them ANPPCAN Head Office, the Child Welfare Society of Kenya, United Nations agencies and international NGOs including UNICEF and IOM. The interventions being initiated are mainly focusing on advocacy on policy and legislation, awareness-raising, capacity-building, and victim support.

Sudan

AHMED MAHMOUD AHMED, Peace and Development Volunteers (PDV) and Dr MOHAMMED YOUSIF ALMUSTAFA, University of Khartoum

Until 2003, the issue of human trafficking in Sudan was completely neglected and had never been addressed by the Government, UN agencies, international NGOs and national NGOs, although the practice has been ongoing for many years. Evidence of trafficking is manifested by the abduction of children to work as camel jockeys in the Gulf area, the use of street children by some individuals in begging and commercial activities such as trading and distribution of illegal items.

Children in Quranic schools are forced into labour in crop production in rural areas, or into organized campaigns of begging involving collection of 'donations' and into domestic service. Young women are also forced into prostitution, domestic service and forced marriages, while mature women are forced to work in the food-processing industry in urban areas.

Some interventions from the Sudanese government have addressed the problem of trafficking and forced labour.

Peace and Development volunteers in collaboration with local partners and Anti-Slavery International set up a task force to combat the practice of camel jockeying. Other activities being implemented to fight the vice include advocacy, awareness-raising and monitoring the implementation of agreed measures. The University of Khartoum has conducted research on human trafficking in Sudan, which forms a good basis for launching anti-trafficking efforts in the country.

Tanzania

FLORENCE RUGEMALIRA, KIVULINI and REGINA BAKAMPENJA, KIWOHEDE

Trafficking has been reported to be widespread in Tanzania with the country serving as a point of origin, transit and destination. The main areas for trafficking are domestic work and early marriages. Large numbers of children are reportedly being exploited in the entertainment and hospitality sector in small and major urban centres in the country.

Key factors associated with trafficking include poverty, unemployment, lack of proper protection mechanisms, neglect, HIV/Aids, high levels of poverty and lack of access to education.

Some of the interventions aimed at countering the problem of human trafficking and forced labour in Tanzania include those undertaken by organisations such as Kivulini and Kiwohede. Kivulini is involved in community mobilisation against domestic work, educating employers, developing a code for employment of domestic workers, research and service provision to victims. Kiwohede is involved in the identification of children at risk and victims of trafficking and forced labour, psychological support, shelter, repatriation and re-integration services.

Uganda

ISAAC BAKAYANA, Uganda Human Rights Commission, DEOGRATIUS YIGA, ANPPCAN Uganda and George Omona, ACCORD-Uganda

In Uganda, there is generally limited information on the actual magnitude of trafficking and forced labour. However, the prevalent forms of trafficking and forced labour include those related to domestic work, sexual exploitation and armed conflict. For example, over 20,000 children have been abducted and trafficked as child soldiers and sex slaves by rebels in the northern part of the country. It is also indicated that there are about 115 owners of informal brothels in Kampala with a total of 12,000 children and young people aged between 10 to 24 years involved in commercial sexual activities in Kampala.

Poverty, unemployment, armed conflict, social cultural practices, weak legislation and enforcement, and weak capacities of programmes addressing trafficking are some of the factors associated with trafficking and forced labour. For example, it is estimated that 38 per cent of Ugandans live below the poverty line; the HIV/Aids prevalence rate is 7 per cent with an estimated 1.8 million orphaned children. Furthermore, the northern part of Uganda has experienced a 19-year period of armed conflict.

For their part, ANPPCAN Uganda has been implementing programmes on research, advocacy, child empowerment, provision of legal, psychological support and resettlement services, taking children out of domestic work, support to victims and capacity-building, targeting children at risk and those who are victims of trafficking.

Some of the challenges faced in addressing human trafficking and forced labour include promoting visibility of the issue within the government, improving awareness among the public and service providers, providing direct support to affected groups, and mainstreaming the issues in the broader policy programme and framework of government and civil society.

The participants were informed about ANPPCAN Uganda's efforts in public awareness-raising through media campaigns on child domestic work and provision of services. Other commitments were fostered through taking children out of child domestic work and prevention at the source as well as increasing advocacy work at national level on the issue of children in armed conflicts.

REPORTS AND RECOMMENDATIONS FROM GROUP SESSIONS

A. Policy and Legislation

Policy and legislative environment within countries in Eastern and Horn of Africa:

- Though some policies and legislation addressing human trafficking and forced labour exist in some countries within the region, their provisions are much narrower than those outlined in the Palermo Protocol and international conventions.
- Policies on child care and protection in some of the countries do not holistically address child trafficking. Other existing legislation meant to protect children from trafficking is not adequately enforced.
- In implementing provisions within existing laws, some sections of the population - men, disabled, street and orphaned children - are not adequately covered and protected against trafficking. This does not meet the standards of the Palermo Protocol and conventions.
- The existing policy and legislative environment is not sufficient to fight trafficking and forced labour.

Recommendations on policy and legislation:

- There is need for enactment of new and comprehensive anti-trafficking laws and/or the amendment of existing ones to prevent and protect vulnerable groups as well as punish traffickers in line with international standards.
- There is need for inter-governmental and bilateral arrangements focusing on cross-border activities to prevent human trafficking and forced labour.
- Interventions to address trafficking and forced labour should be linked and mainstreamed within other interventions that address push and pull factors.
- The capacity of agencies and governments should be improved through training, exchange programmes, experience-sharing, support with resources, equipment and information on combating trafficking and forced labour.



- Interventions against human trafficking and forced labour should be coordinated by one focal point for maximum impact.
- Efforts should be intensified to promote education, awareness raising, advocacy, information sharing and dissemination on existing policies and legislation as well as international and regional instruments to fight trafficking and forced labour.

B. Programming and Implementation

Programming and implementation environment within countries in Eastern and Horn of Africa:

- In some countries, there is awareness among certain enforcement agencies but there is a lack of corresponding knowledge and capacity to facilitate the taking of appropriate action.
- There is active official denial of the existence of trafficking and forced labour in some countries within the region, with some cultures in these countries promoting practices similar to slavery. This suppresses campaigns to address the problem.
- In some of the countries, there is knowledge on the existence of internal trafficking but little information on external trafficking.
- In some of the countries, some discussions on how to address human trafficking and forced labour have commenced but comprehensive interventions have not been initiated.
- Where structures have been created to combat trafficking and forced labour, there is insufficient human and other resources, impacting negatively on prosecutions.
- Some institutions mandated to care and protect children have collaborated with traffickers to facilitate suspect adoptions by taking advantage of loopholes within laws and their enforcement.
- Notwithstanding the little financial support for interventions on human trafficking and forced labour, some governments and civil society organisations have included some advocacy work against the problem within existing programmes.
- Programming within governments has prioritized other competing issues pushing human trafficking and forced labour down their agendas.
- Most research work has tended to focus on numbers and not on modes and patterns, which would be helpful for programming and policy formulation.
- Important recommendations made during forums at national and regional level do not get the necessary follow-up due to lack of resources.

Recommendations on programming and implementation:

- There is need to enact and harmonise policies and legislations against human trafficking and forced labour across the region.
- Regional campaigns and follow-up on the ratification of the Palermo Protocol on human trafficking should be accelerated.
- There is a need to share research work across the region and identify new areas for follow-up.
- Countries should develop comprehensive action plans to address human trafficking and forced labour

- A regional mechanism that promotes consultations with actors on human trafficking, regular information-sharing coordinated by one lead organisation is needed.
- Tapping into regional arrangements such as the African Union, the African Commission on Human and People's Rights, ECOWAS, IGAD, EAC and others would promote interventions on trafficking and forced labour.
- Interventions against trafficking and forced labour should involve the media to facilitate awareness-raising and advocacy.

C. Networking and Partnership

Networking and partnership environment within countries in Eastern and Horn of Africa:

- Interventions against trafficking and forced labour are isolated with little or no collaboration between civil society organisations and governments.
- Countries within the region have attempted to address the problem of human trafficking and forced labour individually.
- Meetings on issues such as human trafficking and forced labour have left out the participation and input of key organisations.
- Opportunities exist where different fora can be used to promote specific issues on human trafficking and forced labour.
- Important recommendations made during fora at national and regional level do not get the necessary follow-up due to lack of resources.
- There is a lack of a regional mechanism that promotes consultations with actors on human trafficking, information-sharing coordinated by a lead organisation.
- Sharing of information and research findings have been a major challenge in the region.
- The media has not been proactively engaged in educating and informing the public and in particular policy-makers on international conventions and agreements that obligate them to act on trafficking. This makes media reports insensitive to victims of trafficking and forced labour.
- Networking and partnerships have not been structured to involve stakeholders at community, national, sub-regional and regional levels.

Recommendations on networking and partnership:

- Set up a regional mechanism that promotes consultations with actors on human trafficking, regular information-sharing coordinated by one lead organisation
- Organise follow-up meetings at country level to share experiences and conference recommendations
- Produce and share the conference report with organisations and key government agencies in the East and the Horn of Africa
- Involve the media to educate and inform the public and in particular policy-makers on the international conventions and agreements that obligate them to act on trafficking
- Establish networks and partnerships at community, national, sub-regional and regional levels to address human trafficking and forced labour



Common Theme

Structure of Co

- Establish a regional network of organisations addressing human trafficking and forced labour in Africa to promote consultations and regular information sharing.
- ANPPCAN Head Office and Anti-Slavery International should lead the follow-up to the conference recommendations.
- ANPPCAN Head Office should act as a focal point for joint efforts and the regional network.
- Develop a database of organisations working on trafficking and forced labour in the East and Horn of Africa.
- Start outreach to organisations active on the issues which were not present at the conference and invite them to join the network including organisations based outside Africa (including in destination countries) responding to the needs of trafficked people originally from East and Horn of Africa, and incorporating government representatives, regional bodies such as African Union, EAC, IGAD, the African Commission on Human and People's Rights and other relevant inter-governmental bodies.
- Organize forums that give opportunity for face-to-face meetings such as an annual conference rotated around different countries.
- Take the anti-trafficking agenda to other appropriate networks, gatherings and the media.

Legal frameworks

- Assist NGOs as they promote consistent and comprehensive legislation in all the countries of the region, especially to incorporate the Palermo Protocol and other international anti-trafficking and forced labour instruments into national laws.
- Through an established network, actors and stakeholders to exchange



Participants in a group discussion

ideas on how to harmonise and implement, both at country and regional level, all laws on human trafficking and forced labour.

- Set goals and priorities for each country with regard to formulating government policies and enacting laws to address trafficking and forced labour as well as assisting each other in campaigns to implementation.

Research

- Share information on ongoing research activities on trafficking and forced labour, collectively identify gaps in knowledge, analyze the results and make recommendations.
- Collectively assess the implications of research findings in programming and policy formulation.
- Develop a database on research reports that are available on human trafficking and forced labour in the region.

Advocacy

- Share knowledge and inspiration about successful strategies on advocacy, training, awareness-raising and media work.
- Involve the media in highlighting cases of human trafficking and forced labour to educate and inform the public and in particular policy-makers and vulnerable communities.

Practical work in programming and implementation of interventions against trafficking

- Promote replication of interventions that address aspects such as prevention, protection, rehabilitation, empowerment of victims and their families, reintegration, policy and legislative reform.
- Promote collaboration between different NGOs and international NGOs as well as NGOs based in different countries for a balanced programming which offers holistic solutions addressing trafficking in source, transit and destination countries.
- Provide survivors with legal, medical, and psychological support, life skills, and appropriate family reunification.
- Design programmes that promote the resilient characteristics that have been identified within some families in vulnerable communities which do not succumb to traffickers.
- Promote critical peer thinking and knowledge-sharing on interventions for collective improvement in programming and impact within the network.



APPENDIX 1: PROGRAMME FOR THE HUMAN TRAFFICKING CONFERENCE

Objectives of the Conference

- To provide a forum for networking for organisations working to combat human trafficking and forced labour in the Eastern and the Horn of Africa Region
- To provide an opportunity to share experiences and link up with organisations already working on human trafficking in the West African region
- To facilitate the identification of areas of work on human trafficking and forced labour in the Eastern and the Horn of Africa region for future actions
- To provide an opportunity for capacity-building in advocacy and research for NGOs working on human trafficking and forced labour in the Eastern and the Horn of Africa region

8.30 - 9.00am Registration

9.00 -10.30am Introduction and Opening Remarks

- Dr. Florence Muli-Musiime, Founder member of ANPPCAN and Chancellor of Daystar University)
- Asim Turkawi, Anti-Slavery International
- Virginia Baumann, Free the Slaves, USA
- Ahmed Hussein, Director of Children's Services, Kenya

Official Opening

- Amb. William Bellamy, American Ambassador, Kenya

10.30 - 11.00am Tea Break

11.00 - 1.00pm Presentations

An Overview on Human Trafficking and Forced Labour

The Global Situation

- Ms Erin Tariot, American Embassy
- The Situation in Africa
- Margie de Monchy, UNICEF- ESARO

Discussions on the Critical Issues

1.00 - 2.00pm Lunch Break

2.00 - 5.00pm Factors contributing to Human Trafficking and Forced Labour



Armed Conflict

- Len Blazeby, International Committee of the Red Cross (ICRC)
- Debt Bondage
- Mike Kaye, Anti-Slavery International
- Education
- Paschal Wambiya, ILO/IPEC, Kenya

HIV/AIDS

- Karoline Gudmundsson, United Nations Office on Drugs and Crime (UNODC)
- Inter-Country Adoption
- Irene Mureithi, Child Welfare Society of Kenya

5.00pm Tea and Departure for the Day

8.30 - 9.00am Recap of Day 1

9.00 - 10.30am Responses to Human Trafficking and Forced Labour

- International Mechanisms on Human Trafficking
Virginia Brown, International Organization for Migration, Kenya
- Regional Mechanisms on Human Trafficking
Victoria Nwogu, ILO/PATWA- Nigeria
- Experiences in West Africa and Lessons Learnt
Madame Adjowa Sika Dikenu, Wao-Afrique, Togo
- Experiences of Africans Unite against Child Abuse (Afruca)
Debbie M. Ariyo
- Experiences of Oak Foundation
Fassil Mariam, Oak Foundation, Ethiopia

Discussions

10.30 - 11.00am Tea Break

11.00 - 1.00pm Country Experiences in Eastern and the Horn of Africa on Human Trafficking and Forced Labour

Presentations by different organisations in each country

- Ethiopia
ANPPCAN Ethiopia
Ethiopian Women Lawyers
International Organization of Migration
- Eritrea
National Union of Eritrean Women



- Kenya
ANPPCAN Head Office
Child Welfare Society of Kenya
International Committee of the Red Cross
International Organization of Migration
Ministry of Labour
- Sudan
National Council of Child Welfare
PDV
University of Khartoum
- Tanzania
KIVULINI
KIWOHEDE
- Uganda
ACCORD
ANPPCAN Uganda
Uganda Human Rights Commission

1.00 - 2.00pm	Lunch Break
2.00 - 5.00pm	Continuation of Country Experiences
5.00pm	Tea and Departure for the Day
8.30 - 9.00am	Recap of Day 2
9.00 - 11.00am	Group Work Identification of Issues, Challenges and Gaps
11.00 - 11.30am	Tea Break
11.30 - 12.00pm	Planning the Advocacy Campaign Mike Kaye, Anti-Slavery International
12.00 - 1.00pm	Group Work Action Planning
1.00 - 2.00pm	Lunch Break
2.00 - 3.00pm	Group Presentations

3.00 - 4.00pm

Consolidation of Recommendations and the Way Forward

4.00 - 4.20pm

Closing Remarks
ANPPCAN Head Office
Anti-Slavery International
Director of Children's Services, Kenya
A Delegate

4.20 - 4.30pm

Official Closing
Amb. Akrasid Amatayakul,
Thailand Ambassador to Kenya

4.30pm

Tea and Departure



Appendix II:

CONFERENCE ON HUMAN TRAFFICKING AND FORCED LABOUR HELD AT THE NAIROBI SAFARI CLUB ON 5-7 JUNE 2005

The list of Participants

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