



An Appraisal of Trans-Boundary Human Trafficking for Domestic Workers in the Arab States; The Case of North Shewa and Oromia Zones of Amhara Regional State

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ABSTRACT

Trafficking covers the whole process of movement of people starting with securing the consent of victims at the point of origin to the receipt of victim's destination. Trafficking in persons, especially women and children, is increasingly becoming an issue of global concern. Poverty and unemployment as well as the disadvantageous economic and social position of women are the most important exacerbating factors identified. Thus, this study has explored the existing situations of trafficking in person from North shewa and Oromiya Zones of Amhara National Regional State. It demonstrates the current situations of trafficking, factors that lead peoples to illegal migration and the effect of travel ban on trafficking. The study further focused on legal frameworks and institutional set up which helps to combat human trafficking through protection, prevention and prosecutions processes. The study is conducted in critical research approach and employed in-depth interviews, key informant interviews vis-à-vis analysis of relevant literatures and secondary data sources as an instrument to solicit the necessary information for the research. The research ascertained that women and children are pushed by poverty and allied factors. Moreover, the findings denoted that currently, the prevalence of trafficking in person in the study area is alarmingly increased. After assessing the situation on the ground the paper also found that the institutional and legal frameworks are not effective at least to minimize the rate of trafficking. Further, collaboration and coordination among the stakeholders to take appropriate measures is insufficient. Moreover, rehabilitation and reintegration of returnees in sustainable conditions is inadequate. This in turn exposed the returnee's for re-trafficking risk in the study area.

Key word: Migration, Modern slavery, Returnees, Traffickers, Victims

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Introduction

Human Trafficking is increasingly becoming an issue of global concern. The international recognition of the problem at least dates back to the Paris conference on trafficking in women held in 1895

(Marieke Kalp *et al.*, 1995). This was later followed by the Convention against 'white slavery' (1904), the League of Nations International Convention for the Suppression of White Slave Traffic (1910), the International Convention for the Suppression of Traffic in Women and Children (1921) and the UN Convention for the Suppression of Traffic in Persons and the Exploitation of the Prostitution of

Others (Natalie, 1938). At its core, human trafficking is the illegal trade in human beings for the purpose of exploitation. The United Nations' Palermo Protocol defines human trafficking as "the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Trafficked victims are subjected to coerced prostitution, or other forms of bonded labor, to earn profits for their traffickers. They suffer from physical and emotional abuse, including rape, torture, starvation, imprisonment, threats and death (Yoseph *et al.*, 2006).

Ethiopia is a source country for men, women, and children subjected to trafficking in persons, specifically conditions of forced labor and forced prostitution. Girls from Ethiopia's rural areas are forced into domestic servitude and, less frequently, commercial sexual exploitation, while boys are subjected to forced labor in traditional weaving, agriculture, herding, and street vending or seller (Wikipedia Encyclopedia, 2012). Women from all parts of Ethiopia are subjected to involuntary domestic servitude

throughout the Middle East and in Sudan, and many transit Djibouti, Egypt, Libya, Somalia, or Yemen as they migrate to labor destinations (Anteneh, (2011). According to the assessment made by the Amhara National Regional State Labor and Social Affairs Bureau, the magnitude of human trafficking in Oromia special and North Shewa Zone has drastically increased from time to time respectively (A/N/R/S, BoLSA 2004). The ultimate destinations for the travelers are Saudi Arabia and other Gulf state. As various report testified, those people have faced severe abuses and challenges on their desperate journey and at their destination. However, those challenges are not brought to an end human trafficking in the study site.

Statement of the Problem

Human trafficking appears to be the worst human development outcome linked to increasing global mobility. Human Right Organizations and other related institutions consider trafficking as a form of modern day slavery (Abdulkadir, 2010). Ethiopia is one of the countries as a source of internationally trafficking in person. External trafficking in women and children was found prevalent to the Arab countries. Recruiters for trafficking in women and children are local brokers in collaboration with neighbors, relatives and friends of the victim (IOM report 2012). Death, physical

disability, psychological and health problems as well as imprisonment are the rampant effects of trafficking. However, these situations are not assisting to reduce the rate of trafficking. In Amhara National Regional North shewa and Oromia Zones are identified as major sources of trafficking and serve as a way out for a large number of migrants. Relatively speaking, the rates of trafficking in Oromia especial Zone weredas are more rampant. Similarly, considerable number of youth trafficked from semi desert Wereda's of North Shewa Zone. Peoples in Ethiopia have a right to go aboard legally. However, most commonly people from the study site prefer to travel abroad illegally. This reality begs a question why do people prefer illegal routes other than legal means? The extent and current conditions of trafficking in general are not exactly assessed and documented in those areas, only very little and estimated information on trafficking exists. Although, some efforts have exerted by the government and other stakeholders to combat human trafficking, the number of migrants increased drastically from time to time. Basic driving factors for illegal migration in the study site are not expressly identified. Accordingly, to know the exact conditions of the problems and gaps, it demands to conduct research in this area. Further, it is unknown whether the travel ban imposed by the Ethiopian government

has an effect on increments of trafficking. In general, it is vital to review the existing situations of trafficking, legal and institutional gaps in combating human trafficking. Those gaps and sensitiveness of the problem has initiated the researchers to conduct this research.

Objective of the study

The overall objective of this research is to explore the existing situations of trans-boundary human trafficking as well as to examine legal and practical limitation in response to the problem. Within the above general objectives; the research has the following specific objectives:-

1. To examine the situations of trans-boundary human trafficking in the study site.
2. To review legal and institutional limitations in the prevention, protections and prosecution process of human trafficking.
3. To examine the effect of travel ban imposed by the Ethiopian government on citizens who travels to the Arab States on human trafficking.
4. To investigate major factors that leads peoples for illegal migration than legal means.

Methodology

This study has employed a qualitative description research approach which allows



investigating initial participant responses: by using open ended questions ask why or how with full freedom and flexibility. This method is used to enable informants' express their ideas in their own words and get the full image of the situation. Hence, the researcher has primarily used the statements of Federal, Regional, wereda and Kebele level government institution, Bureaus & individuals. Furthermore, this approach helps the researcher to gather in-depth and reliable information through interview about exerted efforts in prevention, protections and prosecutions of trafficking.

Types of Data and Methods of Data Collection

The data has collected from the primary and secondary sources all the way through using a combination of multiple data gathering instruments including in-depth interview, questionnaire, review of relevant literatures, legal & document analysis. Accordingly, interview has conducted with the concerned Federal, Regional, Zonal and other officials, law enforcement officers and experts. Furthermore, an interview has made with returnee at the wereda level to obtain fully fledged information. The primary data collection covers six weredas' three weredas from north shewa zone, namely, Shewa Robit ,Mekoy, Ataye and from Oromia special Zone three weredas'

namely from Jilea Timuga, Artuma Furisea and Dawa Chefa. Further, other research reports and documents including policy instruments, laws and working manuals has also reviewed. The Secondary data has collected includes review of documents, reports, books, journals and researches as well as any other related documents from different libraries.

Sampling Techniques and Sample Size

The researcher has selected a portion of population to gather necessary data from target group. Firstly, enough numbers of respondents has selected and thus, for this reason the researcher has employed purposeful & Stakeholders sampling techniques in order to select the respondents for primary data collection. Accordingly, regarding to prevention, protection and prosecution efforts of trafficking, stakeholder sampling has employed. This is supportive to identify appropriate respondents based on the criteria who are the major stakeholders, who are involved in protection, prevention and prosecution process. Thus, the researcher has selected individuals who have particular and direct involvement on combating human trafficking and conducted semi-structured interview with officials and experts from different levels of government organs particularly an interview has made with two police

officers, one communication experts, one Child and Women affairs' officers, one official and one experts, from Labor and Social Affairs Bureau from each Wereda. Furthermore, an interview has conducted with selected five returnees. Thus, Key informants have selected purposively depending on the type and nature of information.

Methods of Data Analysis

The methodology employed by this research has a critical analytical approach to examine the collected data. The researcher has also reviewed legislative and policy documents related to migration and trafficking in person from Ethiopia. Generally, documents and literatures that have direct relevancy with the trafficking have examined to back the information collected from the primary data sources through interviews and other ways.

Major Findings and Analysis

The Existing Situations of Human Trafficking in the study Area

Various reports revealed that human trafficking to the Arab Countries for domestic workers and labor exploitation is highly prevalent in different parts of Ethiopia. Among others, North Shewa and Oromia special Zones in Amhara National Regional State are the most identified places in Ethiopia which serves as basic

trafficking sources. The prevalence of human trafficking is not uniform across the study sites. For instances, the rate of migration is very high in Oromia special Zone than North Shewa Zone. However, considerable number of people also migrated from semi desert Wereda's of North Shewa Zone. Thus, the subsequent discussion has examined the existing conditions of trans-boundary human trafficking, legal and practical limitation in combating it.

Human Trafficking in Oromiya Special Zone

Oromiya especial Administrative Zone is among 15 Administrative Zones of Amhara National Regional State which is found in the eastern parts of the region. This area is one of human trafficking routes in Ethiopia which serve as a way-out for a large number of peoples trafficked to Arab countries. Accordingly, many youths from rural and urban areas of Dawa Chefa, Arituma Furisea and Jilea Timuga Weredas are deceived and trafficked by local brokers (Tilahun, 2014). This study ascertained that, the travel ban imposed on who travel to Arab countries through legal channels created an opportunity for traffickers to induce new migrants for illegal migration. In effect, it exacerbates the current conditions of human trafficking in this area. Most of the trafficked children and women are uneducated or started or finished their

primary education and comes from poor families (Oromia Zone Departement, OLSA, 2014). Migration for economic reason is common and prevalent throughout the study area. Most of the returnee from Saudi feels that the assistance to create sustainable jobs by the government is very scanty. Thus, a large proportion of respondents feel that failure in creating job opportunities are the major driving causes for remigrations of the returnees. In this regard, three returnees in kemise town stated that, *“we want to return back to Saudi, because we have no job and any other option to stay here at this time. We are very frustrated. We wanted to save money so that we could return and start a business there...”* (Yimer, Jemal and Habtamu, 2014). This reaffirms that limited endeavors has exerted to creating jobs, facilitating credit and rehabilitate returnees sustainably. This situation disappointed the returnee to stay home.

According to the data obtained from Oromiya special Zone Labor and Social Affairs Department, the total number of returnees from Saudi Arabia are nearly 9025 among those 3200 male and 5825 are females. Among those, 95% of returnees have already returned back to Saudi (Tilahun, 2014). Most of the returnees interviewed for this study identified economic reasons and lack of job

opportunities as the major push factor to go back through illegal channels. The assistance and reintegration efforts were remains for few month campaigns. In effect, the returnee's disappointed to stay home and it becomes another driving factor for remigration through illegal Channels by paying up to 35000 to 45000 Eth, Birr for trafficker's fee which is five times increased from the previous (Tilahun, 2014). These situations create an opportunity for new voyagers to go together with experienced migrants. As a result, they have taken twofold number of new migrants and these conditions increased the rate of trafficking in those areas. This situation also creates another favorable ground for trafficker to persuade new travelers and intensify trafficking movements in this area.

Human Trafficking in North Shewa Zone
Semi desert wereda's of North Shewa Zone serves as one of the international migration sources in Ethiopia. Particularly, large number of girls and boys trafficked from Atsokiya, Efirata Gidim and Kewet Wereda's. Currently, trafficking in person from this area is recognized as a significant problem. In similar pattern to Oromiya Zone, lack of employment opportunities, lack of sustainable rehabilitation of returnees, the travel ban as well as family and colleagues' pressure are the majors driving factors for migration. Besides, the

remigrations of returnees create favorable condition for the new travelers. This situation motivated the rate of trafficking in those areas. Many Women and boys have victims of trafficking from those Wereda's, lured by false promises of good jobs, high salaries and a comfortable life in the Arab Countries (Sergeant, 2014). Larger proportions of female migrants are between 19 and 25 years of age; the others 25– 30; and fewer migrate at a relatively older age (Rabiya 2013). Considerable numbers of girls are also trafficked before they reach the age of eighteen. Some trafficked victims used formal channels by falsifying their age. There is strong and invisible set of connections among traffickers beginning from particular locality to the final destination (Tassew *et al.*, 2014).

The movement of returnee's to go back through illegally channels and the

imposition of travel ban create encouraging conditions for traffickers to pursue the new migrants and exacerbate the rate of trafficking in this areas. From three wereda's there were 2366 male, 1805 female totally 4171 returnee's from Suadi Arabia (Kewet, Atsokiya and Efirata Gedem Wereda Women, Children and Youth Affairs Bureau 2014). However, majority of the respondents agreed that among those more than 90% of them have already been returned back by taking dozen numbers of new migrants.

Table-1: Key informants and law enforcement officers' perception on prevalence of trafficking in the study sites

	<i>Key institutional stakeholders</i>	<i>Law enforcement officials</i>	<i>All key informants</i>	<i>%</i>
Very high	8	6	14	53.8 %
High	5	3	8	30.8 %
Medium	1	3	4	15.4 %
Low	0	0	0	0.0 %
Total	14	12	26	100



As the table shows above, 53.8 % of key institutional stakeholders said that the prevalence of trafficking is very high in the study sites and 30.8% of them reported that high in all sites and only 8% of the respondents confirmed that medium level of trafficking is observed in the study areas. This signifies that the magnitudes of migration from the study site are very high. Generally, based on the above analysis one may conclude that the rate of human trafficking in the study sites are increased considerably due to unemployment/ poverty/, remigrations of returnee's, the travel ban, dropout in education, family & others pressure and age factors.

Institutional Legal and Policy Frameworks to Combat Human Trafficking

According to ILO's Framework, comprehensive response to the issue of trafficking should integrate three main activities such as; 1) prevention, 2) protection & 3) prosecution (ILO Framework on Labor Migration (2006). This action demands the involvements of all stakeholders to combat trafficking in one form or another. According to Art 39 (1) of Proclamation No. 909/2015, a national committee shall be established "*for better coordination of activities designed for victims protection, assistance and rehabilitation, for advising in policy, plans*

and implementation framework formulations process, to accommodate the interest of victims and for combating the crime of human trafficking and smuggling of migrants; provide with, its basic role to introduce the social impact of the crime and its adverse effect on country's image into the educational curriculum and to maintain the interest of various social segments and structures shall be established." This, national committee will be led by the Deputy Prime Minister, and incorporates Ministry of Justice, Ministry of Foreign Affairs, Ministry of Federal Affairs, Ministry of Labor and Social Affairs, Ministry of Women, Children and Youth Affairs, Ministry of Education, Regional States, other governmental organizations, religious institutions, charities and societies, various structures and other respective organizations (Art, 39/2/). In practice, however the stakeholders' activity lacks genuine collaboration, networking and information dissemination. In general, integrated anti trafficking responses by all stakeholders in accordance with the frameworks of ILO are not realized yet.

Policy and Legislative Frameworks

Policy expresses commitment on the part of the government to combat and eradicate trafficking by taking the initiative and responsibility for the matter & to providing



leadership role. In this regard, countries like Philips, India and Indonesia have put in place comprehensive national policies on trafficking (Yoseph *et al.*, 2011). Those countries also concluded bilateral agreement with Arab Countries about the overall work conditions as well as rights of their citizen, accordingly they are in a better conditions in term of salary and protections of their rights in comparison to their counterpart Ethiopian migrant workers. Ethiopia is a country highly affected by trans-boundary human trafficking however, yet it does not have a comprehensive national policy framework on human trafficking (Meselech, 2015). Conversely, the 1995 FDRE Constitution Article 18 (2) prohibits slavery or servitude, trafficking in human beings for whatever purpose. Specifically, the new proclamation No, 909/2015 which is enacted to Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants has taken human trafficking as a serious crime.

Accordingly, Art, 3 of this proclamation provided that, “*trafficking in Persons using threat or force or other means of coercion, abduction, fraud, deception, promise, abuse of power or by using the vulnerability of a person or recruits, transports, transfer harbors or receives any person by giving or receiving of payments or benefits to achieve*

the consent of a person having control over another person shall be punishable with rigorous imprisonment from 15 years to 25 years and with fine from 150,000 to 300,000 Birr.” Furthermore, if this crime is committed against child, women or anyone with mental or physical impairment, the punishment shall be rigorous imprisonment not less than 25 years or life imprisonment and with fine from 200,000 to 500,000 Birr (Art,3/2/). Though, the law maker enacted very punitive laws to control human trafficking by bridging the legal gap, still stakeholders’ involvements are weak to advance efficient law enforcement.

National Efforts to Combat Human Trafficking

Trafficking should integrate the following main activities: prevention, protection, prosecution. The next discussion deals about the practical context of those issues.

Prevention: Prevention is the main strategy to address the root causes of the problem. Prevention strategies include creating public awareness; data collection and dissemination; mobilizing public participation; setting appropriate labor standards; properly regulating employment services (Animaw, 2011). However, the practice on the ground proves that the exerted efforts to prevent are insignificant. All



prevention activities are ineffective and seasonal so far.

Protection, Assistance and Prosecution: It is about giving proper shelter, food, medication, counseling, family mediation and reconciliation services to trafficked persons suffering from exploitative and abusive conditions (ILO, Multilateral Framework on Labor Migration 2006). Some intervention has made in this regard, like renting of a temporary shelter for migrants, repatriations those who faced serious risk in Yemen and Libya and provision of legal assistance (Meselech, 2014). Art, 17 of proclamation No, 909/2015, has authorized broad power to the police to protect exposed persons from crimes of human trafficking and smuggling of migrant. However, the practical efforts made to combat trafficking and rehabilitate returnee's sustainably lacks genuine collaboration and commitment from all stakeholders. Furthermore, it is critical that countries of origin, transit, and destination to work together; to gathered adequate evidences for effective prosecution, to provide comprehensive and immediate services to victims to ensure they are fully and effectively participate in the prosecution of traffickers (Animaw, 2011). But this study found that such critical responsibilities do not efficiently materialized yet. Further, there are

different kinds of challenges in the process of prosecutions of traffickers which includes; lack of accurate evidence, the low level of reporting, lack of investigative skills of law enforcement officials and issue related to jurisdiction. All those gaps make ineffective the prosecution efforts of law enforcement organs. In general, although few efforts have been made to combat trafficking, still the problem is ongoing; moreover, this study identified various weaknesses which include; lack of coordination, lack of commitment, nonexistence of strong bilateral agreements, very weak law enforcement efforts to punish broker and traffickers, lack of constant awareness raising activities to change the perception of the community and others.

Conclusion

Various reports revealed that the scale of trafficking is on rising around the world particularly trafficking of young women and children. The same phenomena holds true in Ethiopia. This study found that currently human trafficking for engaging victims as a housemaid and for other purpose in the Arab States is drastically on increase. The major driving factors contributing to migration include poverty, lack of job opportunities, travel ban, family pressure, and lack of assistances or sustainable reunifications of returnees. Anti trafficking response such as



prevention, protection, and prosecution measures are insufficient. Ethiopia does not have a comprehensive anti trafficking national policy so far. This has created confusion on the role of different actors. On the other hand, the law maker enacted new proclamation No, 909/2015 which enables to prevent and control human trafficking more effectively than before by bridging the legal gaps. However, the involvements of stakeholders' on law enforcement activities are not duly coordinated and properly functional. Accordingly, the study found that activities of various stakeholders to prosecute traffickers and protect exposed persons are inadequate because of different factors. Most law enforcement institutions and other relevant government agencies are not organized their efforts to combat human trafficking. Thus, significant numbers of brokers and traffickers are not getting appropriate legal remedies to their offences because of lack of relevant evidences. A National Committee has established as per Art, 39 /1/ of proclamation, No, 909/2015 to maintain the interest of various social segments for better coordination of activities designed for victims' protection, assistance and rehabilitation. However, this committee is not commencing its functions yet.

Recommendations

- Providing alternative employment opportunities for vulnerable youth
- Establishing a clear and comprehensive migration policy to combat trafficking effectively
- Concluding bilateral agreements with the Middle East Countries and needs to suspend travel ban & promoting lawful labor migration
- Strengthening the capacity of local institutions and coordinating their activities with others and launching information campaign, sensitization and awareness raising programs
- Providing pre-departure training and orientation to migrant workers
- Establishment and strengthening of diplomatic representatives in receiving countries
- Enhancing the capacities of stakeholders involved on combating human trafficking movements
- Facilitation of repatriation of domestic workers who have been subjected to trafficking and abusive practices

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Reference

- Abdulkadir, M.S. (2010). Economic Crises, Poverty, Unemployment, Slave and Human Trafficking in Nigeria, Slave Trade and their Consequences. August 23 – 26.
- Ahmed Yimam. (2014). An interview Conducted with Chief Sergeant Ahmed Yimam Criminal Investigation Division Core Process Holder of Arituma Furese Wereda Police, Chefa Robit.
- Amhara National regional State Bureau of Labour and Social affairs (ANRS BoLSA. (2012). Prevention of Illegal Human Trafficking Working Manual, in Collaboration with International Organization for Migration, Magazine, Bahir Dar.
- Ashebir Teferi. (2014). An interview conducted with Chief Sergeant Ashebir Teferi Criminal Investigation, Core process of Holder of Ataye Wereda, August, Ataye town.
- Anteneh, A. (2012). Trafficking, in Persons Overseas for Labour Purposes: The Case of Ethiopian Domestic Workers, Addis Ababa: available at <http://www.addisababa@ilo.org>
- FDRE Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation No. 909/2015.
- Meselech Assefa. (2014). An interview Conducted with W/ro Meselech Assefa, Ethiopian Oversea Employment Division, Training and Contract Authentication Team Coordinator in MOLSA, 5 May 2015, AddisAbaba.
- Proclamation of the Constitution of the FDRE Proclamation No. 1/1995." Federal Negarit Gazzeta. Addis Ababa: Berhanena Selam Printing Press.
- Proclamation of the Criminal Code of the FDRE proclamation No,414/2004 Federal Negarit Gazzeta. Addis Ababa: Berhanena Selam Printing Press.
- Rabiya Tarek. (2013). An interview conducted with W/ro Rabiya Tarek, The head of Women, Children and Youth Affairs Bureau of Atsokiya Wereda August
- Tilahun Mohammed. (2014). An interview conducted with Ato Tilahun Mohammed Oromiya Special Zone Labour and Social Affairs Department Head, 16 August, 2014, Kemisse.
- United Nation. (2000). United Nations, Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.
- Yoseph Endeshaw, Mebratu Gebeyehu...etal. (2006). Assessment of Trafficking in Women and Children in and from Ethiopia, International Organization for Migration /IOM/

