ASSESSMENT REPORT ON THE

HUMAN

TRAFFICKING

SITUATION IN THE COASTAL REGION OF KENYA

International Organization for Migration (IOM)

The UN Migration Agency

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International Organization for Migration (IOM) Kenya Country Office

FOREWORD

Under the Counter Trafficking In Persons Act 2010, trafficking in persons is legally defined and recognized as a distinct crime in Kenya. The Government of Kenya is committed to combating human trafficking and to ensuring the implementation of preventive, protective and rehabilitative programmes for victims of trafficking. Regulations and guidelines, including systems and procedures for a national referral mechanism, have been developed in order to strengthen the capacity of law enforcement agencies and the judiciary to protect victims and prosecute offenders.

Kenya represents an attractive route of transit and destination for human trafficking and smuggling of migrants due to its stability and infrastructure, while it is also described as a country of origin due to socio-economic reasons. Coastal region of Kenya is known for major destination as well as origin for human trafficking due to both push and pull factors. Child trafficking constitutes the main category of cases reported in the country and children are trafficked to work as domestic labourers and in farming, fisheries and begging. They are also trafficked for sex work, particularly on the coast.

The Counter Trafficking in Persons Secretariat under the Department of Children's Services is making efforts and record of achievements in addressing and identifying areas of response, mitigation and prevention. By measuring and assessing the impact of human trafficking, it is possible to provide valuable information on how to further develop and implement tools for the protection of victims. Key findings and recommendations posed in this assessment report will contribute towards shaping a framework for better addressing human trafficking in Kenya.

The Counter Trafficking in Persons Secretariat wishes to thank IOM for the continued support and partnership to combat human trafficking as well as all the officials across a number of Government Departments and other stakeholders who contributed to the development of the assessment report for their hard work and public service.

Noah. M.O. Sanganyi,HSC
Director of Children's Services
Ministry of Labour and Social Protection

PREFACE

Trafficking in persons is one of the world's most serious transnational crimes and one of the most complex human rights challenges of our time. To contribute to a better understanding of this complex phenomenon and support evidence-based policies and responses, IOM has been conducting both quantitative and qualitative research globally as an essential information source to improve our – and others' – fight against human trafficking and other forms of vulnerability, which are also drivers of radicalization.

To support ongoing efforts at the national level, IOM Kenya Country Office undertook this assessment which focuses on the coastal region, through the National Coordination Mechanism (NCM) on Migration[1] , to address the issues of human trafficking in Kenya. This assessment fills a critical gap, as the coastal region of Kenya is a hotspot for trafficking, requiring updated and timely information on the latest trends.

My wish is that the assessment findings and recommendations may further support programming and additionally inform the Government of Kenya and key stakeholders (donors, non-governmental organizations, community-based organizations and communities) on activities that further address, assist and protect victims of human trafficking and vulnerable migrants in Kenya and the region.

Michael Pillinger
Chief of Mission
IOM Kenya

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[1] NCM was officially launched in 2016 by the Government of Kenya under the IGAD Regional Migration Framework. IOM was designated by the IGAD to technically support the establishment of the NCMs in the IGAD region.

ACKNOWLEDGEMENT

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EXECUTIVE SUMMARY

In the recent years, media attention on human trafficking in persons in the coastal region of Kenya has been increasing, but there is limited up-to-date information on the current situation. To fill this gap, the International Organization for Migration (IOM) conducted an assessment in three target counties in the region, namely, Mombasa, Kilifi and Kwale. The objectives were as follows:

• Generate information on the current trafficking situation in the coastal region of Kenya;
• Identify the groups most vulnerable to human trafficking, prevalent forms of trafficking and source areas of victims of trafficking (VOTs) along with their destinations;
• Inform key stakeholders, thus contributing to strengthened identification and referral mechanisms for VOTs and vulnerable migrants in Kenya.

In order to achieve these objectives, the research team, which consisted of IOM Kenya experts, employed mixed methods, as follows:

• Literature review, focusing on reports, newsletters and other publications from agencies working on the issue;
• Four (4) stakeholder workshops in the three target counties with 98 participants representing national and county government as well as non-governmental and community-based organizations (NGOs and CBOs) engaged in counter trafficking in the region;
• Seventy-eight (78) key informant interviews from workshop participants; and
• Case studies of VOTs, to gain a more nuanced understanding of the varying circumstances they face.

The assessment indicates that prevalent forms of trafficking in the coast region are labour exploitation, sexual exploitation, forced marriage and child trafficking. Employment outside of the coastal region for coastal residents, and employment within the coastal region for residents of other parts of Kenya and other countries, were identified as the most significant push and pull factors for people to enter situations with high risk for trafficking.

The assessment found that tourism in the coastal region contributes to human trafficking as well. The stakeholder workshops confirmed that attraction to the tourism sector has grown beyond coastal residents, with women from as far as Meru and Kisii coming to the region to work and subsequently suffering from exploitation. Participants noted that exploitation happens more frequently with less educated women without alternative livelihoods and little understanding of urban lifestyles.

Other factors contributing to human trafficking are the lack of livelihood opportunities among different vulnerable groups, in addition to poverty, drug abuse, illiteracy, loss of parent/parents, harmful cultural practices and radicalization.

Although radicalization and violent extremism is not a form of exploitation explicitly expressed in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, recruitment of individuals for radicalization and violent extremist activities were often mentioned as contributing factors in all consultative workshop and interviews with stakeholders.

With regard to the main groups vulnerable to trafficking in persons, the assessment findings indicate that large numbers of people in the region intend to migrate to another county and/or country. This includes men and women who are most likely neither employed nor students. The majority leave home to find work, which, in most cases, has been promised by agents. Although it cannot be ascertained whether or not these movements constitute human trafficking, it is important to look at the vulnerabilities to trafficking. The consultative workshop revealed that often migrant smuggling from Ethiopia and Somalia to South Africa turns into trafficking along the coastal region as the vulnerability of the migrants increases as they enter more unfamiliar territories. A large percentage of people who left home indicated that they wanted to go back home (82%) and that they were not well (36%). Youth between ages of 12 to 35 years, regardless of gender, are most vulnerable to trafficking, according to the feedback from all of the stakeholder workshops.

In terms of source and destination areas and trafficking routes, while the assessment indicates that the coastal region is one of the largest sources of trafficking in the country, international victims of trafficking in the region were also recognized. Aligning with the literature review findings, participants in the validation workshop that followed the consultative workshops agreed that Mombasa is a source, transit and destination region in this respect. VOTs from outside of Kenya are from countries in the East and Horn of Africa such as Ethiopia, Somalia and Tanzania, and globally from countries in Southeast Asia including but not limited to Bangladesh, Nepal and Pakistan. The popular destinations for trafficking within Kenya are Mombasa, Kisumu and Nairobi, and for outside of Kenya, countries in the Middle East. Travel is mostly arranged by private employment agencies.

Recommendations

Eight key recommendations to stakeholders involved in counter human trafficking were made by the workshop participants as a result of this assessment, as follows:

1. Address root causes (unemployment and illiteracy).
2. Encourage public and private sector partnerships in countering human trafficking in the coastal region of Kenya.
3. Sensitize the community and stakeholders on human trafficking.
4. Strengthen capacity of stakeholders on relevant national and international legal frameworks.
5. Monitor and ensure proper enforcement of laws.
6. Enhance internal and international coordination among stakeholders.
7. Research the demand side.
8. Research the nexus between human trafficking and violent extremism in Kenya.

1.   BACKGROUND

Introduction

This report presents the current situation of human trafficking in the coastal region of Kenya based on the assessment conducted by the IOM Kenya Country Office from October 2017 to February 2018. The assessment focused on the counties of Mombasa, Kwale and Kilifi due to the increased cases of trafficking reported by media in the region. They have further been identified as source, transit and/or destination counties for victims of trafficking due to their locations. Proximity to the ocean makes the target counties key international transit points and has facilitated a common destination for VOTs. This is particularly true for forms of sexual exploitation such as forced prostitution and child pornography because the counties are popular tourism destinations. Further, the rural areas within the counties are sources of VOTs, particularly vulnerable migrants in search of lucrative jobs in urban centres, especially at hotels.

IOM conducted the assessment in close coordination with the Kenya Counter Trafficking in Persons Secretariat under the Department of Children's Services, Ministry of Labour and Social Protection as part of the Better Migration Management (BMM) programme, which is funded by the European Commission and the German Federal Ministry of Economic Cooperation and Development.

The regional BMM programme aims to improve migration management, in particular to reduce human trafficking and smuggling of migrants within and from the Horn of Africa. The intervention is based on four components: (1) to strengthen national governments in pursuing a whole-of-government approach to migration and border governance; (2) to strengthen the capacity of all institutions and agencies responsible for migration and border management; (3) to improve the identification, assistance and protection of VOTs and vulnerable migrants, especially women and children, in the Horn of Africa; and (4) to raise awareness of alternative livelihood options including safe migration.

The assessment was carried out under BMM Component 3, Protection, and specifically contributes to the result area related to strengthened mechanisms for identification and referral of VOTs and vulnerable smuggled migrants in the region. The assessment findings and recommendations will serve further programming and inform the efforts of the Government of Kenya and key stakeholders to assist and protect VOTs and vulnerable migrants in the coastal areas of Kenya.

Objectives

The overall objective of the assessment is to define a baseline and collect up-to-date information on the human trafficking situation in the coastal region of Kenya. Specifically, through the assessment, IOM aimed to identify the groups most vulnerable to human trafficking, prevalent forms of trafficking, source areas of victims of trafficking and their destinations. IOM also sought to generate key recommendations based on the findings for relevant stakeholders in the coastal region. Ultimately, the assessment findings will contribute to the strengthening of identification and referral mechanisms for VOTs and vulnerable migrants in Kenya.

Concepts and Definitions

The Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children prohibits trafficking in persons, including children, in all forms, which it defines as follows:[2]

> (a) *"Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring 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 purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;*

> (b) *The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;*

> (c) *The recruitment, transportation, transfer, habouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;*

> *"Child" shall mean any person under eighteen years of age.*

In most cases, a victim of trafficking is any person who has moved from his/her family, community or country to another location due to the insistence, influence or with the assistance of another person and is subsequently exploited.[3]

Understanding the distinction between trafficking in persons and smuggling of migrants is important for stakeholders to be able to accurately and adequately address human trafficking without confusing it with smuggling or irregular migration.

In the Protocol against the Smuggling of Migrants by Land, Sea and Air,[4] smuggling of migrants is defined as follows: the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident;

> (a) *"Illegal entry" shall mean crossing borders without complying with the necessary requirements for legal entry into the receiving State;*
> (b) *"Fraudulent travel or identity document" shall mean any travel or identity document:*

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[2]United Nations, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (2000).
[3]International Organization for Migration, *Guidelines for Assisting Victim of Human Trafficking in the East Africa Region* (Geneva, 2011).
[4]United Nations, *Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime* (2000).

*(i)	That has been falsely made or altered in some material way by anyone other than a person or agency lawfully authorized to make or issue the travel or identity document on behalf of a State; or*

*(ii)	That has been improperly issued or obtained through misrepresentation, corruption or duress or in any other unlawful manner; or*

*(iii)	That is being used by a person other than the rightful holder.*

Since human trafficking shares some common characteristics with migrant smuggling, the two are frequently confused. The most identifiable difference is that, with trafficking, deception, force, fraud, abuse of power or coercion is used, whereas with smuggling, there is no element of distortion of free will through force, deception, coercion or other means. In addition, trafficking can occur both internally or internationally, whereas smuggling occurs only across international borders.[5]

An irregular migrant is a person who, owing to unauthorized entry, breach of a condition of entry or the expiry of his or her visa, lacks legal status in a transit or host country. The definition covers inter alia those persons who have entered a transit or host country lawfully but have stayed for a longer period than authorized or subsequently taken up unauthorized employment. They are also referred to as clandestine/undocumented migrants or migrants in an irregular situation. The term "irregular" is preferable to "illegal" because the latter carries a criminal connotation and is seen as denying migrants' humanity.[6]

Human Trafficking Situation

Global Overview

Given the clandestine and underreported nature of human trafficking, there are limited data regarding the global prevalence. In 2014, 17,752 victims of human trafficking were detected in 85 countries.[7] In 2017, the International Labour Organization (ILO) estimated there were 24.9 million victims worldwide.[8] Human trafficking is a big business as it earns profits of approximately USD 150 billion a year for traffickers.[9] According to the United Nations Office on Drugs and Crime (UNODC) *Global Report on Trafficking in Persons,* sexual exploitation is by far the most commonly identified form of human trafficking (79%), followed by forced labour (18%). Worldwide, it is estimated that almost 20 per cent of all trafficking victims are children. However, in some parts of Africa and the Mekong Region of Southeast Asia, children comprise the majority. Although women and children still make up the majority of trafficking victims, the number of men being trafficked has increased. In 2014, four in 10 detected victims were used for forced labour and 63 per cent of this group were men.[10] While sexual exploitation and forced labour are the most prominent forms of trafficking, victims can also be exploited in many other ways such as being used as beggars, child soldiers, for forced marriages, benefit fraud, production of pornography or for organ removal.

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[5]IOM, *Guidelines for Assisting Victim of Human Trafficking in the East Africa Region* (Geneva, 2011).
[6]IOM, *Glossary on Migration, 3rd edition* (Geneva, 2016).
[7]United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2016* (Vienna, 2016).
[8]The report refers to modern slavery, forced labour and early marriage. International Labour Organization, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (Geneva, 2017).
[9]International Labour Organization, *Profits and Poverty: The Economics of Forced Labour* (Geneva, 2014).
[10]United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2016* (Vienna, 2016).

Human Trafficking Situation in Kenya

Kenya has been identified as a source, transit and destination country for VOTs subjected to forced labour and sex trafficking. IOM has documented that internal trafficking occurs within Kenya mainly for purposes of domestic labour and sexual exploitation, while international or cross-border trafficking occurs for purposes of forced labour, domestic servitude and sexual exploitation.[11]

Furthermore, Kenyans are increasingly migrating to the Middle East including Lebanon, Kuwait, Qatar, Saudi Arabia and the United Arab Emirates (UAE) in search of employment, often through legal or illegal employment agencies, and they are sometimes exploited in domestic servitude, massage parlors, brothels or forced manual labour.[12]

With regard to cross-border cases of trafficking in Kenya, victims are often from Ethiopia, Rwanda, Burundi, Somalia, Tanzania and Uganda. There are reported cases of women from India and Nepal recruited to work in dance clubs in Nairobi and Mombasa who are forced to pay off debt by dancing and through forced prostitution and/or situations of debt bondage.[13] Moreover, the influx of refugees at Kakuma and Dadaab camps in Kenya has increased vulnerability to trafficking, smuggling and other forms of exploitation. Nairobi, the coast and western Kenya are known as destinations for internal trafficking.[14]

To address trafficking, Kenya, as a State Party to the Palermo Protocol, enacted the Counter Trafficking in Persons Act of 2010. Among other things, the act established Counter Trafficking in Person Advisory Committees, which advise the Minister of Labour and Social Protection on inter-agency activities aimed at combating trafficking and the implementation of preventive, protective and rehabilitative programmes for VOTs. The Act also established the National Assistance Trust Fund for Victims of Trafficking in Persons.[15]

Ultimately, the coastal region of Kenya has been known as hotspot area for human trafficking as well as for irregular migration. However, there is little data available and there is a lack of programming targeting trafficking in these regions. It is against this background that this assessment has been conducted.

[11]IOM, Migration in Kenya – *A Country Profile 2015* (Nairobi, 2015).
[12]United States Department of State, *Trafficking in Person Report 2017* (Washington, D.C., 2017).
[13]United States Department of State, *Trafficking in Person Report 2017* (Washington, D.C., 2017).
[14]Awareness against Human Trafficking (HAART), *Displacement, Violence and Vulnerability: Trafficking among Internally Displaced Persons in Kenya* (Nairobi, 2016).
[15]The Republic of Kenya, *Counter-Trafficking in Persons Act, Revised Edition 2012* (2010).

II.   METHODOLOGY

In order to gain a comprehensive understanding of the trafficking situation in the coastal region of Kenya, IOM gathered information using multiple methods, namely literature review, consultative workshops, key informant interviews and case studies.

Data Collection

Figure 1. Assessment Target Counties

Disclaimer: The map is for illustration purpose only. The boundaries and the name shown and the designations used on the map do not imply official endorsement or accepted by IOM.

The assessment began with a literature review carried out by the IOM Kenya Country Office, examining IOM publications and other literature, including newsletters and reports from agencies working on counter human trafficking. It explored information available on the magnitude of the trafficking problem in Kenya, in particular the coastal region, trafficking routes and so forth.

Following the literature review, IOM held four consultative workshops – one at the national level and three at the county level – in the three target counties, Mombasa, Kilifi and Kwale. The national level workshop included officials from the national government based in each county, while the county workshops included representatives from the county government, the sub-county, NGOs, religious leaders and community leaders based in each country. In total, 98 key informants from the national government, county government and NGOs that have been engaged in counter human trafficking initiatives in the region participated in the workshops. (See Annex I for a summary of the workshops.)

IOM also conducted individual key informant interviews with 78 people (23 female and 55 male) who participated the consultative workshops. Of those, 39 were from the government, 17 were from NGOs and CBOs, 14 were from religious organizations and eight were from the community. A team of four IOM staff conducted key informant interviews. The data was captured using a structured questionnaire form designed by the IOM Kenya Country Office to capture information. The interviews for this assessment were conducted in a period of seven days (20 to 28 November 2017) in Mombasa, Kwale and Kilifi Counties through the Open Data Kit (ODK) tool. ODK is an open-source mobile application platform for data collection that enables fast and real-time data collection.

Finally, IOM interviewed four VOTs to illustrate the actual experience of human trafficking in the coastal region of Kenya. The VOTs were referred by Trace Kenya, a local NGO working on counter human trafficking in the region. The case studies are included in Annex II.

Selection of Interviewees

As noted, 78 key informants participated in the consultative workshops in Mombasa Kwale and Kilifi Counties; 29 per cent were female and 71 per cent were male. Although originally 98 consultative workshop participants had been requested for interviews, some were not available due to other commitments. The key informants were experienced officials from various government departments, community leaders and representatives from non-governmental/faith-based organizations.

Limitations of the Assessment

The number of key informants interviewed was rather limited, and the report is limited to their experiences and perceptions of the human trafficking situation and experience in Kenya as the clandestine nature of human trafficking makes it difficult to ascertain its true extent. Furthermore, migrants and VOTs were not among the participants of the assessment, besides the four case studies. However, participants were selected because they regularly engage with VOTs. IOM during the stakeholder's workshop tried to clarify the definitions and legal frameworks related to human trafficking and smuggling for the participants to better understand the differences. However, it cannot be excluded that some definitional confusion may have remained, including given the close link between the two phenomena in operational reality and as few stakeholders are exposed to the legal framework on a daily basis. Due to the limited resources and timeframe, the assessment did not allow to train the stakeholders in more detail, but the legal distinctions were re-emphasized at all stages of the assessment and have been considered stringently in the analysis of responses. Finally, response biases cannot be ruled out, wherein participants answer questions in the way that they perceive to be correct or desirable, particularly in group discussion settings and when dealing with sensitive issues such as trafficking. However, the research team worked to ensure the reliability and validity of responses and information. Ultimately, this assessment contains important programmatic value for the Government of Kenya and relevant stakeholders in developing an effective strategy and programmes against human trafficking in the region.

III. LITERATURE & WORKSHOP REVIEW FINDINGS

Trafficking Situation in Kenya

As reported in IOM's *Migration in Kenya: A Country Profile 2015* and other human trafficking assessment reports, Kenya is a source, transit and destination country for men, women and children subjected to forced labour and sex trafficking.[16] The coastal region of Kenya is of particular interest for this assessment as both a source and destination because trafficking is increasing in the region.

According to the United States *2017 Trafficking in Persons Report,* within the country, children are subjected to forced labour in domestic service, agriculture, fishing, cattle herding, street vending and begging. Boys are increasingly subjected to trafficking. Girls and boys are sexually exploited throughout Kenya, including in sex tourism in Nairobi, Kisumu and on the coast, particularly in informal settlements. At times, their exploitation is facilitated by family members. Children are also exploited in sex trafficking by people working in *khat* cultivation areas, near gold mines in western Kenya, by truck drivers along major highways and by fishermen on Lake Victoria.

According to a report from Trace Kenya, forced labour is the main form of human trafficking in Kenya. Kenyans are also frequently recruited legally or illegally by employment agencies, or voluntarily migrate to the Middle East, the United States, Southeast Asia and Europe with the promise of well-paid employment. In cases of trafficking, after their arrival, their passports and identification documents are often confiscated and their wages withheld, leaving them at the mercy of their employers.[17] At times, they are exploited in domestic servitude, massage parlors, brothels or forced manual labour.[18]

According to a 2008 IOM study on trafficking in East Africa, VOTs in the region are often trafficked either to or through Kenya from neighbouring countries such as Burundi, Rwanda, Somalia, South Sudan, Tanzania and Uganda.[19]

Trafficking Situation in the Coastal Region of Kenya

Trafficking in persons in the coast region of Kenya is seen publicly through the eyes of returnees from Gulf countries. This follows from the current media attention on the circumstances of Kenyan women working in the Middle East, and Kenyans abroad suffering from exploitation and even death. For instance, in the consultative workshop in Kilifi, participants indicated their awareness of at least three Kenyan human trafficking victims in the Middle East who died to due exploitation.

[16]IOM, Migration in Kenya – *A Country Profile 2015* (Nairobi, 2015) and United States Department of State, *Trafficking in Person Report 2017* (Washington, D.C., 2017).
[17]Trace Kenya, "Experiences and Projects", 2018. Available from *www.tracekenya.org/index.php/experiences-and-projects.*
[18]United States Department of State, *Trafficking in Person Report 2017* (Washington, D.C., 2017).
[19]IOM, *Human Trafficking in Eastern Africa: Research Assessment and Baseline Information in Tanzania, Kenya, Uganda and Burundi* (Geneva, 2008).

However, the lack of available and credible data sources as well as low levels of victim identification at the first place hinders accurate and up-to-date information on the number of VOTs, including those who have lost their lives.

Despite the focus on Kenyan VOTs abroad, trafficking takes place in the coast region of Kenya as well. Sexual exploitation of both men and women in coastal Kenya is taking place in unregulated cottages and villas. Moreover, sexual exploitation of children in coastal areas is prevalent and a reflection of the profound risk potentially faced by all children in Kenya. An estimated 10,000 to 15,000 girls living in Diani, Kilifi, Malindi and Mombasa are involved in casual sex work – up to 30 per cent of all 12 to 18-year-old girls living in these coastal areas.[20] Although not all are victims of trafficking, it is worth noting that many child sex workers have moved to the coast from other parts of the country, and have often been forced into sex work before they arrive.[21]

Child sex workers including beach boys, bar staff, waiters and others are often compelled to deliver sexual services. During the low tourist season, the local market for child sex workers keeps the system going. The sexual exploitation of children therefore thrives because of the complicity of a broad section of the local community. While some children are driven into transactional sex because of poverty, the high level of acceptance of child sex work in coastal communities makes it relatively easy for children to drift into casual sex in exchange for no more than extra pocket money.[22] In addition, stakeholder workshops indicated that men and boys are recruited by terrorist networks with false promises of lucrative employment.

Major Trafficking Routes

Girls in the coastal areas of Kenya are often recruited for jobs in the Gulf through hair salons and restaurants, but are subsequently exploited on arrival. Girls are particularly vulnerable to trafficking for sex tourism. The most recently identified routes for cross-border trafficking are to the Middle East.[23]

Another route of importance is the corridor towards Southern Africa. Ethiopian and other irregular migrants typically cross the border into Kenya near Moyale, then travel to Marsabit, Isiolo or Nanyuki before arriving in Nairobi. From the capital, they move toward South Africa or Botswana via road.[24] Upon entry into Kenya, many of these individuals are connected to smugglers who can move them to Tanzania onwards.[25] Smuggled migrants are vulnerable to trafficking, and smuggled migrants along the Southern route have reported kidnapping, extortion and labour and sexual exploitation, blurring the lines between smuggling and trafficking.[26]

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[20]UNICEF and the Government of Kenya, *The Extent and Effect of Sex Tourism and Sexual Exploitation of Children on the Kenyan Coast* (Nairobi, 2006).
[21]UNICEF and the Government of Kenya, *The Extent and Effect of Sex Tourism and Sexual Exploitation of Children on the Kenyan Coast* (Nairobi, 2006).
[22]UNICEF and the Government of Kenya, *The Extent and Effect of Sex Tourism and Sexual Exploitation of Children on the Kenyan Coast* (Nairobi, 2006).
[23]IOM, *Migration in Kenya – A Country Profile 2015* (Nairobi, 2015).
[24]Trace Kenya, "Experiences and Projects", 2018. Available from *www.tracekenya.org/index.php/experiences-and-projects.*
[25]Sahan Foundation and IGAD Security Sector Programme, *Human Trafficking and Smuggling on the Horn of Africa-Central Mediterranean Route* (2016).
[26]Regional Mixed Migration Secretariat, *RMMS Briefing Paper 3: Smuggled South* (Nairobi, 2017).

Participants in the consultative workshops also noted that Tana River has been long used by traffickers and smugglers; traffickers or/and smugglers from Mombasa and Kilifi pass through Tana River to Garissa and vice versa.

During all county level consultative workshops, it was acknowledged that the smuggling of migrants occurs and has become a lucrative business in the coastal region. It was noted that initial movement may begin as smuggling, but as the victim moves into more unfamiliar environments and with increasing language barriers, treatment slowly worsens. Exploitation is deployed to get maximum benefits from the victim by traffickers. The stakeholders cognizant of the concept and definition nevertheless found it difficult to differentiate between all cases of smuggling and trafficking. These difficulties may hamper adequate protection support to victims of human trafficking in the coastal region, as trafficking cases are often confused with cases of smuggling.

Means of Transport for Migrants Smuggling and Trafficking in Persons

Different literature sources have indicated that migrant smugglers and human traffickers use varying means of transport to meet their goals. As indicated in the consultative workshops, some traffickers and smugglers disguise themselves as fishermen when transporting people from the coastal region onward to different destinations. Stakeholders were not able verify safety within this movement. Moreover, there is a route from Nairobi east towards to Mombasa, which then travels southwards along the coast to Tanzania.[27] According to a briefing paper of the Regional Mixed Migration Secretariat (RMMS), police in northern Mozambique have reported that large numbers of Ethiopian and Somali migrants were arriving on boats from Mombasa. Although up-to-date information is not available, this maritime route is still being used.[28]
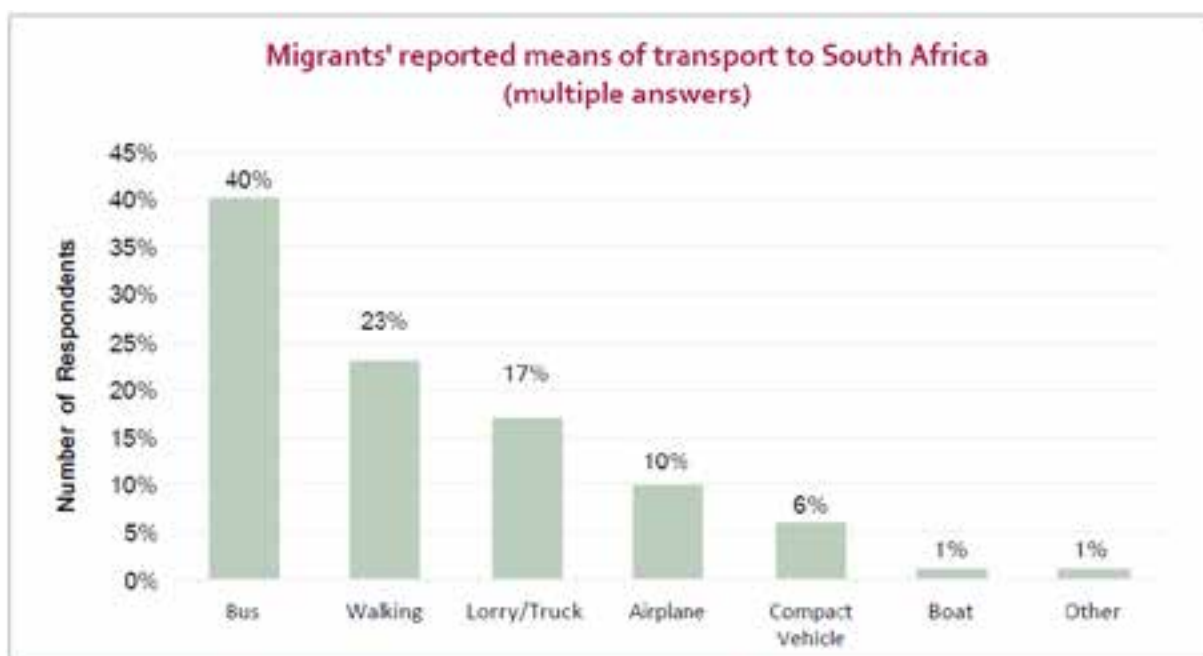
Figure 1: Migrants' reported means of transport to South Africa (multiple answers)
Source: 4Mi (http://4Mi.resionalmms.org/)

[27]Regional Mixed Migration Secretariat, *RMMS Briefing Paper 3: Smuggled South* (Nairobi, 2017).
[28]Regional Mixed Migration Secretariat, *RMMS Briefing Paper 3: Smuggled South* (Nairobi, 2017).

The use of *boda bodas* (motorbike taxis) has been on the rise in the region, especially for movement of VOTs and smuggled migrants across international borders, for instance with Tanzania and Uganda. Boda boda usage in trafficking is a new phenomenon aimed at passage of victims through porous unofficial border crossings, which makes identifying potential trafficking situations more difficult. Moreover, trucks transporting goods from Kenya to Somalia have also returned to Kenya with girls and women subsequently exploited in brothels in Nairobi or Mombasa.[29]

Although using disguised means represent a new manifestation in trafficking along the coastal region, all conventional means of transport are also used by traffickers on land, sea and air. All means of transport can be hazardous to VOTs. The RMMS briefing paper states that fatalities on the Southern route have taken place in forests, on seas and lakes, and while working, and have resulted from road accidents or being locked in containers; illnesses, general debilitation or suicide; being stranded; malicious neglect; murder by smugglers, criminals and traffickers; action by State officials and in detention; wild animals; and banditry. A 2014 IOM report identified large gaps in terms of data concerning the number of migrant deaths and the identities of those who die.[30] The sole context where data is collated in a systematic, albeit incomplete, manner seems to relate to migrant deaths at sea. The report suggested that the true number of deaths may be three times higher than figures currently used. Along the Southern route, the same imprecision pertains. People die in remote and clandestine contexts, and smugglers and traffickers know deaths would bring unwelcome attention from authorities and thus do not report fatalities.

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[29]United States Department of State, *Trafficking in Person Report 2017* (Washington, D.C., 2017).
[30]IOM, *Fatal Journeys: Tracking Lives Lost during Migration* (Geneva, 2014).

IV. DETAILED ASSESSMENT FINDINGS

1. Demographic Details of Respondents

Among the 78 key informants, 23 (29%) were female and 55 (71%) were male (Figure 1-1). This was due to a lack of female officials in the relevant organizations that participated in the assessment. The largest organization type was government (50%), followed by NGO/CBO (22%) and religious organization (18%) (Figure 1-2). Most respondents (78%) completed university or college (Figure 1-3).
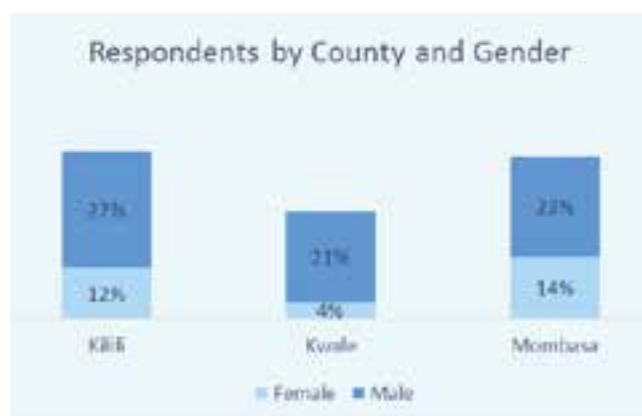
Figure 1-1
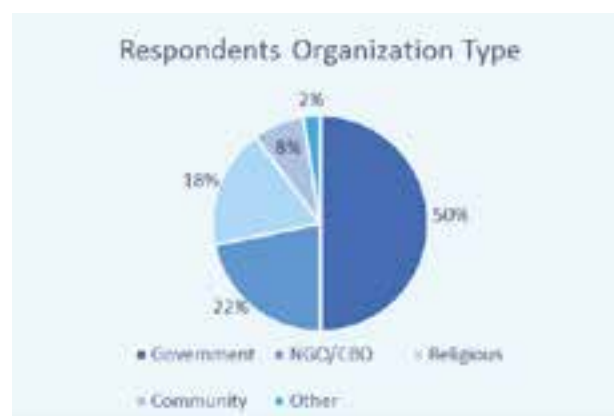
Figure 1-2
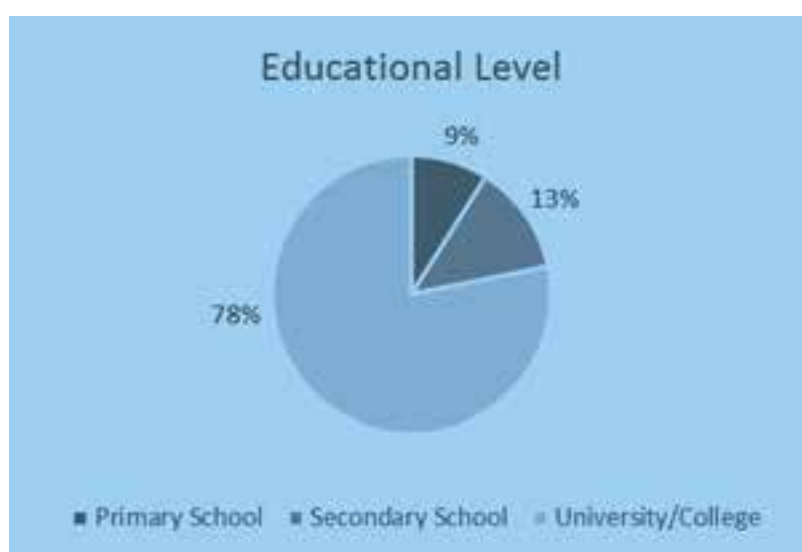
Figure 1-3

2. Human Trafficking Situation

The assessment indicates widespread exploitation in the coastal region. Forms of exploitation mentioned were child trafficking (97%), forced marriage (90%) and sexual (96%) and labour exploitation (97%). Meanwhile, recognition of debt bondage, removal of organs and slavery were in the range of 40 to 60 per cent. In addition, 99% of respondents indicated the strong link between human trafficking and radicalization/violent extremism, although this is not recognized as a form of exploitation in the Palermo Protocol. It is worth exploring further research the nexus between human trafficking and violent extremism in Kenya.
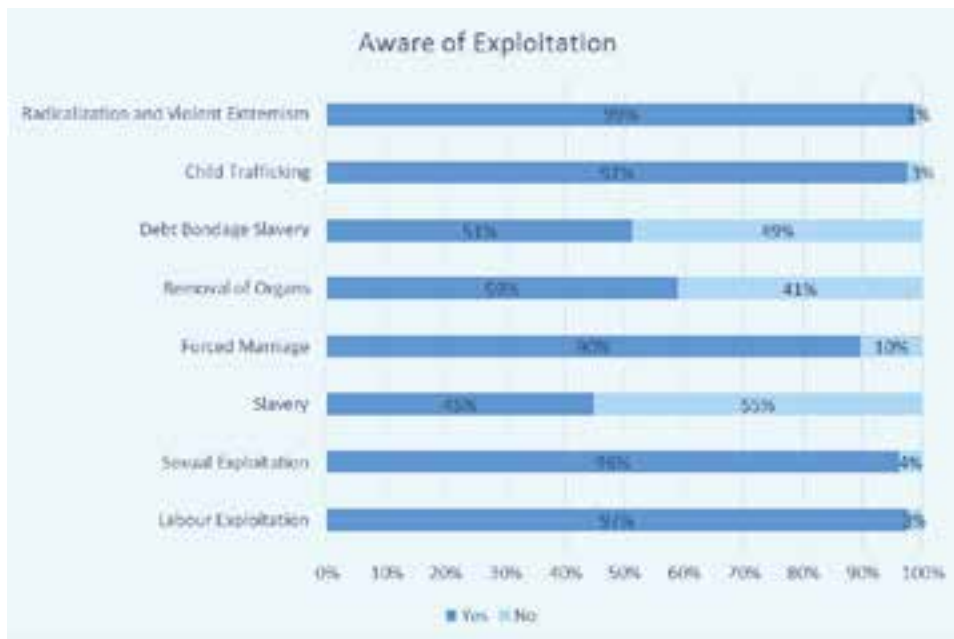
Figure 2-1
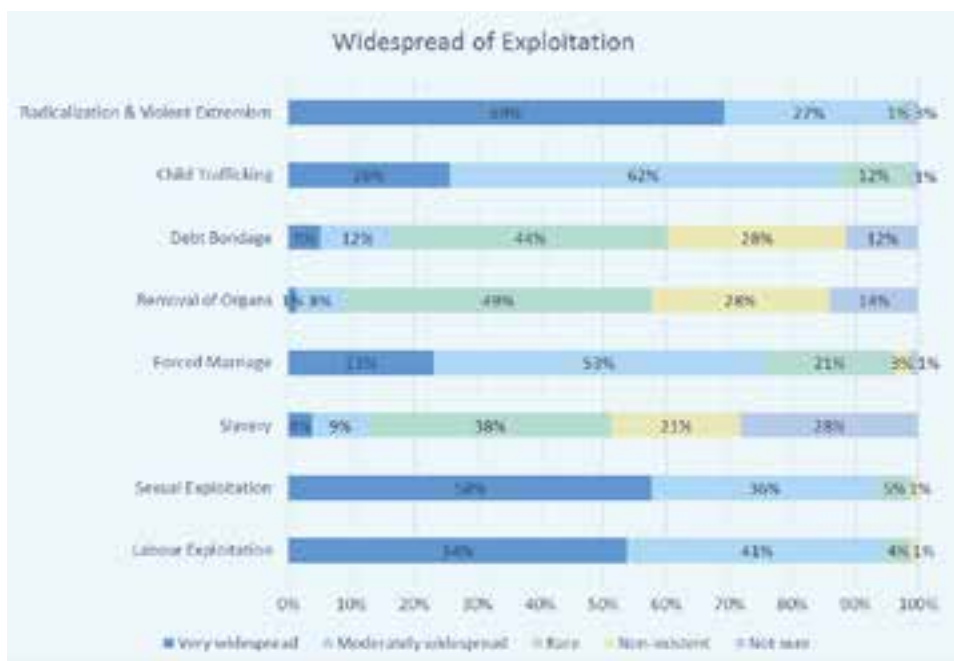
Figure 2-2

The most commonly reported causes for human trafficking into the coastal region were tourism (22%) followed by unemployment at the origin (18%), employment opportunity at the destination (17%) and social and cultural practices (11%) (Figure 2-3). Meanwhile, the main reported causes of human trafficking in the region were unemployment at the origin (29%) followed by employment opportunity at the destination (19%), illiteracy (15%) and social and cultural practices (10%) (Figure 2-4). Social and cultural practices mentioned include witchcraft, wife inheritance, gender inequalities, beliefs about albinism, poor parenting due to polygamy, and early and forced marriage.
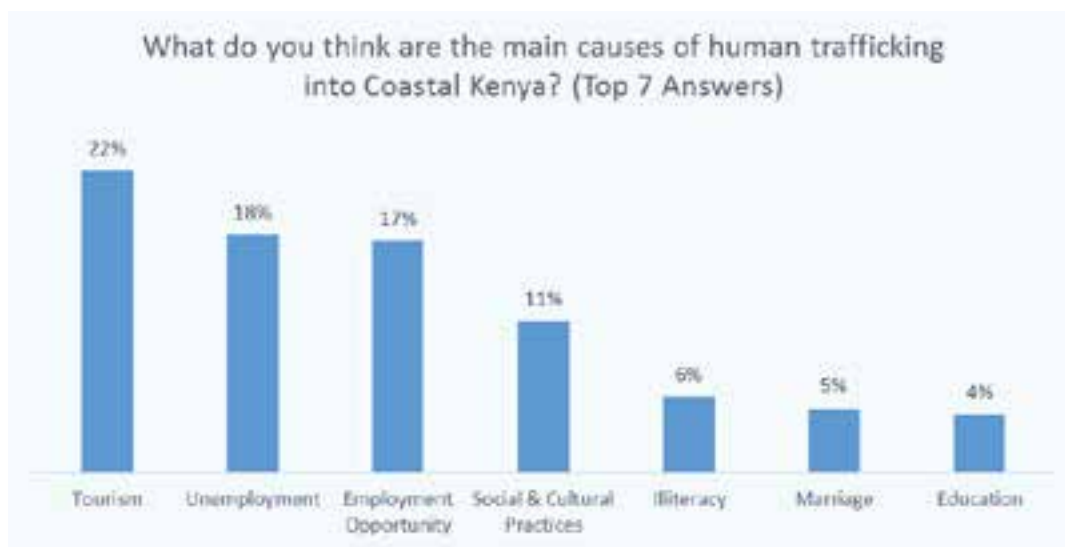
Figure 2-3

Figure 2-4

Most respondents (62%) reported that they were aware of non-nationals trafficked to the coastal region (Figure 2-5). Tanzania was most frequently indicated country of origin (38%), followed by Ethiopia (27%) and Somalia (23%) (Figure 2-6). Participants provided a diverse range of routes that human traffickers use to move victims. The route between Mombasa and Somalia through Tana River and Garissa was most frequently answered, followed by the route from Mombasa to the Middle East (Figure 2-7).

Figure 2-5
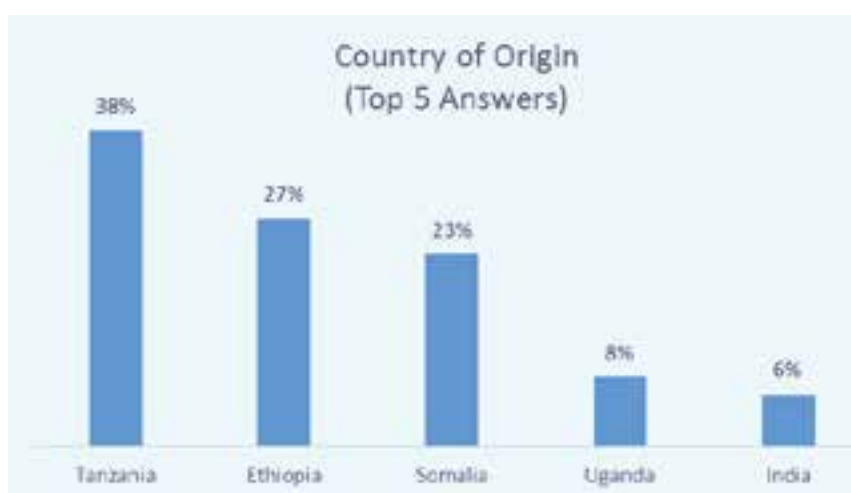
Figure 2-6

Figure 2-7

3.   Mobility Factors: vulnerabilities to trafficking

With regard to the main groups vulnerable to trafficking in persons, the assessment findings indicate that large numbers of people in the region intend to migrate to another county and/or country. This includes men and women who are most likely neither employed nor students. The majority of respondents reported knowing at least one person intending to leave their home to move to another county (71%) or country (83%) (Figure 3-1). The major destinations indicated were Mombasa and, Nairobi, Kilifi, within the country (Figure 3-2), while UAE, Saudi Arabia and Qatar were popular among foreign countries (Figure 3-3).

Respondents indicated that the primary reason to move to another county (84%) and country (88%) was predominantly to find work (Figure 3-4). As for the sources of information used for movement (Figure 3-5), for both county and country, referral from friends or relatives was the most frequently answered (32%, 31%), followed by personal contact, internet advertisement and employment agencies. Travel agencies were a more commonly cited source for information for international movement (10%) than domestic (3%). Stakeholders indicated that those vulnerable to trafficking increasingly lack access to employment opportunities, with increasing unemployment in coastal Kenya, and have limited livelihood means. According to the County Integrated Development Plan (2013-2017) in Mombasa, Kilifi and Kwale, the unemployment rate is 15 per cent, 30 per cent and 30 per cent respectively.
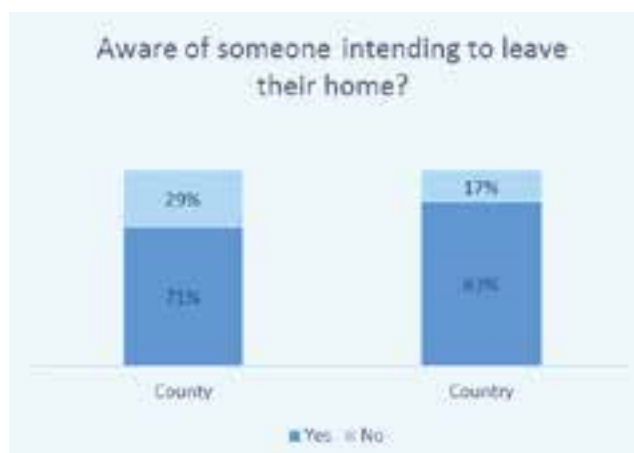
Figure 3-1
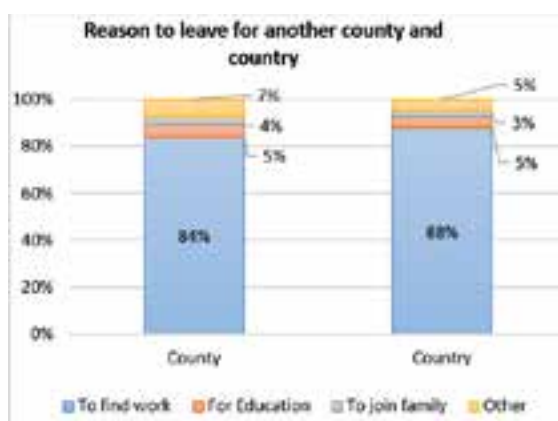
Figure 3-2

Figure 3-3

Figure 3-4

Figure 3-5

The vast majority (94%) of the respondents answered that they knew many people who had left home for another region or country (Figure 3-6), with slightly more females than males reported to migrate (52% compared to 40%) (Figure 3-7). 95 per cent of the people who left their home were unemployed (Figure 3-9).

Figure 3-6
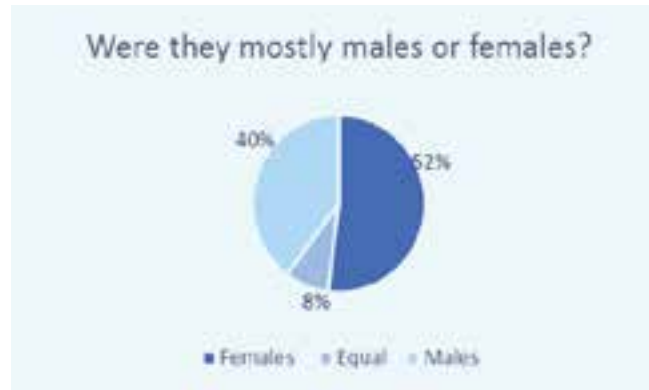
Figure 3-7

Figure 3-8
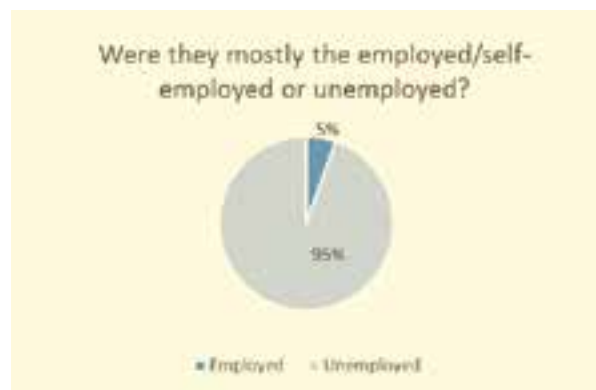
Figure 3-9

The popular destinations within Kenya were Mombasa, Nairobi and Lamu (Figure 3-10). Meanwhile Qatar, Saudi Arabia and UAE were frequently identified among international destinations (Figure 3-11).
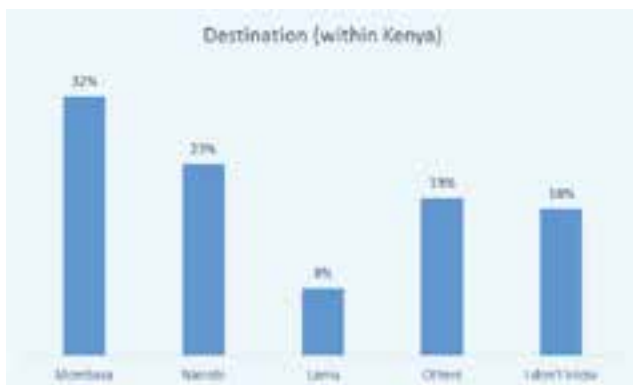
Figure 3-10

Figure 3-11

Respondents indicated that the most common reason for leaving home was to find work (45%), followed by education (18%) and to join family (7%) (Figure 3-12). Most of the work was arranged by agents (88%) (Figure 3-13), and the most common jobs promised were domestic work (53%) followed by security (19%) and casual work (11%) (Figure 3-14).
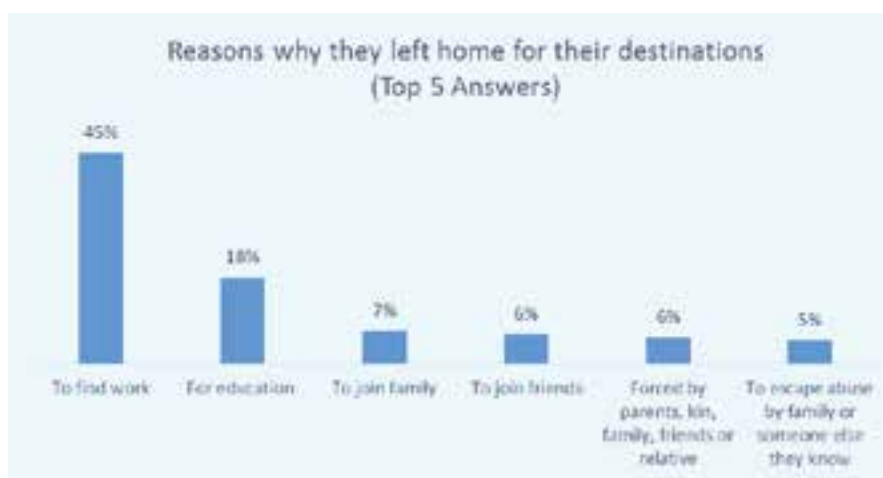
Figure 3-12
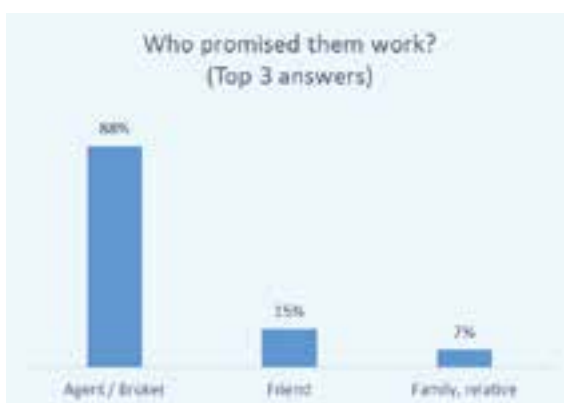
Figure 3-13
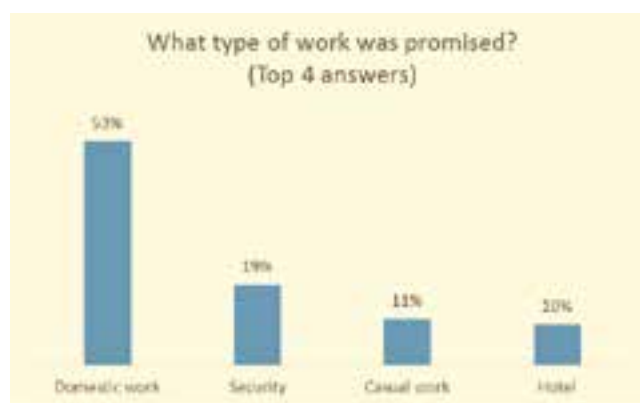
Figure 3-14

Most (68%) of the respondents who had known someone who left home indicated they communicated with people who left home (Figure 3-15); 82 per cent of those they communicated with had indicated their willingness to return home, while 36 per cent indicated that they were not well (Figure 3-16).
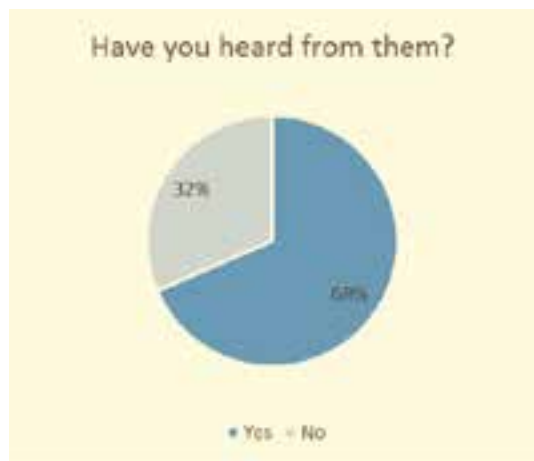
Figure 3-15
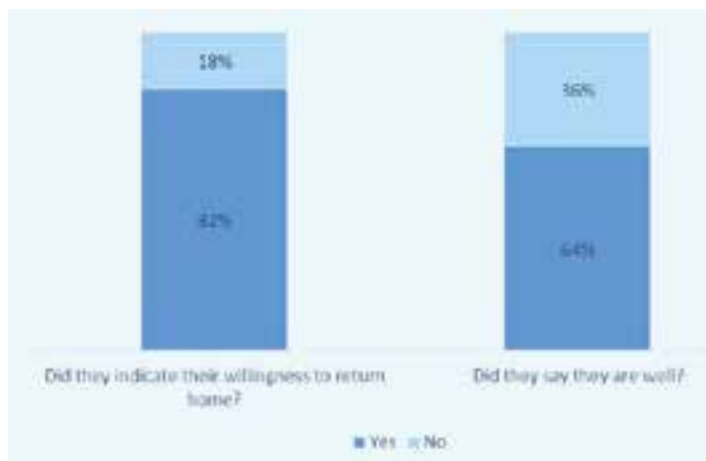
Figure 3-16

4.   Means of transportation

According to participants, common means of transport within and outside of Kenya were road vehicle (44%) and airplane (33%). Usage of train, ships and boats was not frequently answered (7%, 4% and 1%) (Figure 4-1). The majority of respondents (59%) reported that travels had been arranged by an employment agency (59%) (Figure 4-2), and the person who arranged transportation was found through relatives or friends (52%), an employment agency (23%) or personal contact (10%) (Figure 4-3). The most frequently used route for road transport was reported to be between the coastal regions to Nairobi through Voi (40%) (Figure 4-4).
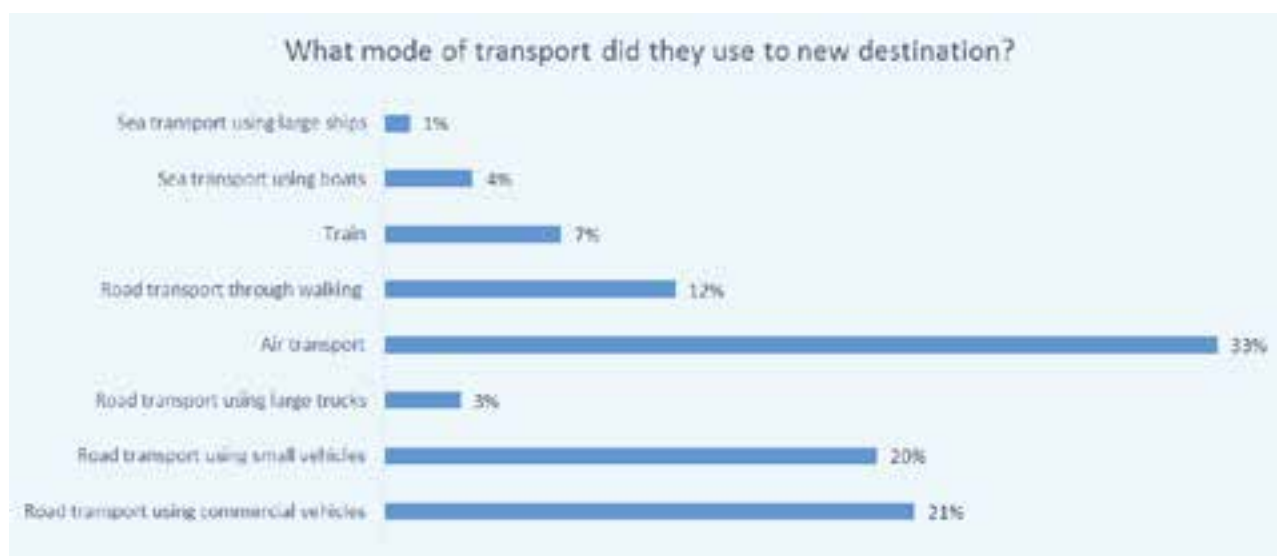
Figure 4-1
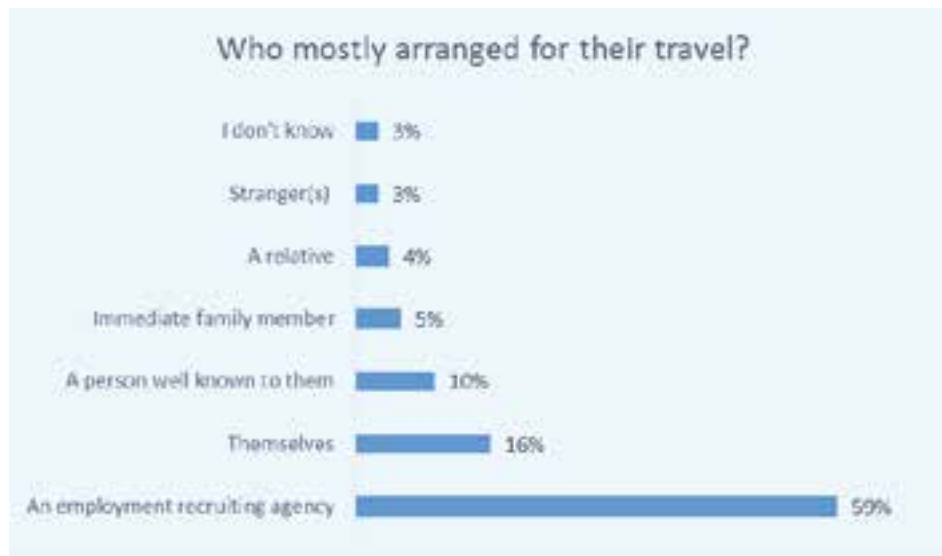
Figure 4-2
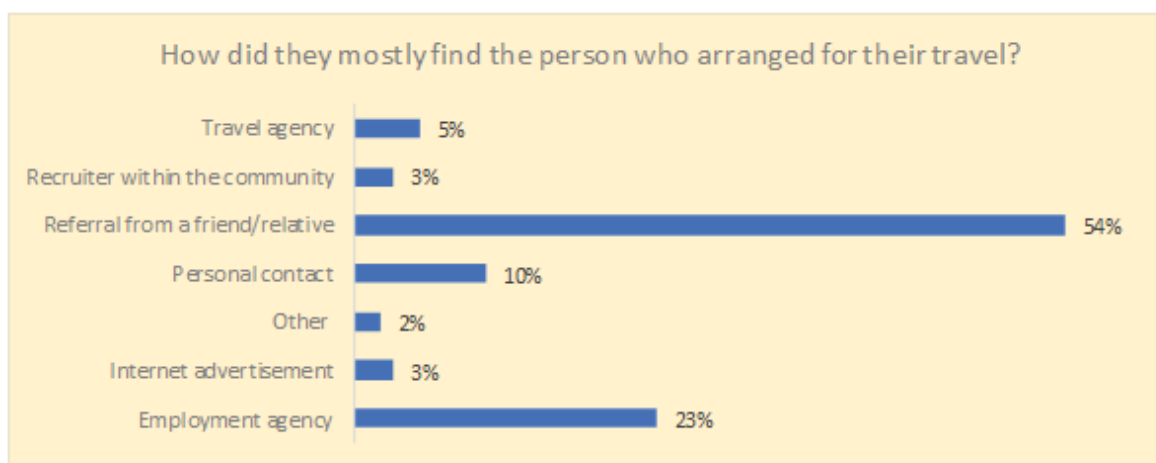
Figure 4-3
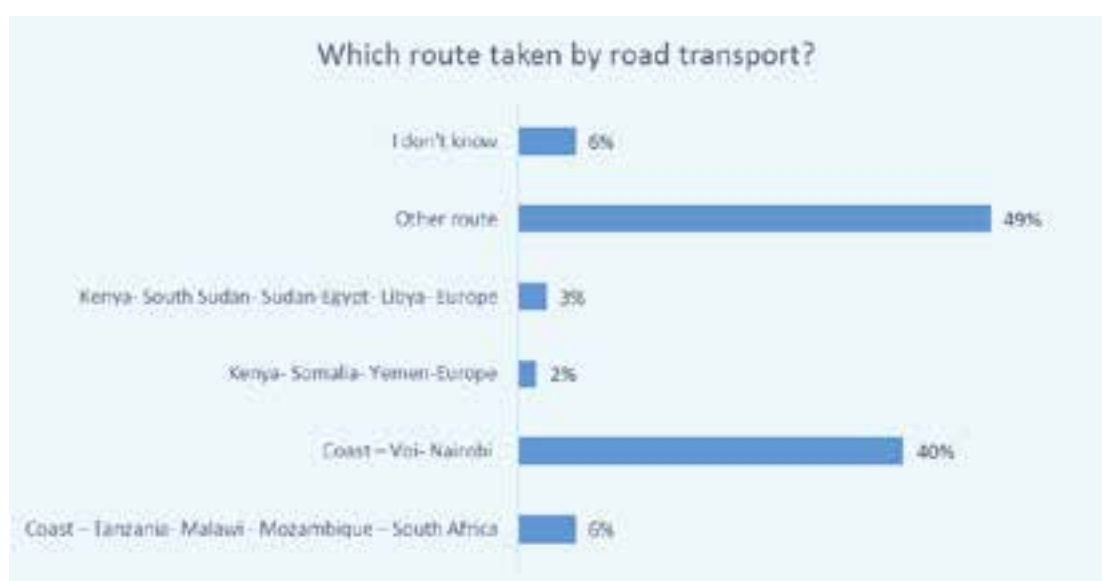
Figure 4-4

Figure 4-5. An Illustrative map showing some of the routes used by traffickers into and out coastal region of Kenya, with emphasis on the routes used locally and in East Africa, as identified in the assessment

Disclaimer: The map is for illustration purpose only. The boundaries and the name shown and the designations used on the map do not imply official endorsement or accepted by IOM.

Figure 4-6. An Illustrative map showing some of the routes used by traffickers into and out coastal region of Kenya, with emphasis on the routes used locally and in East Africa, as identified in the assessment

Disclaimer: The map is for illustration purpose only. The boundaries and the name shown and the designations used on the map do not imply official endorsement or accepted by IOM.

Figure 4-7. Illustrative map routes showing some of the routes used by traffickers into and out the coastal region of Kenya with emphasis on the routes used in the East Africa region and beyond, as identified in the assessment.

LEGEND

Movement (Out of coastal area)
Movement (Into coastal area)
Movement (Into & Out of coastal area)
Movement (sea route via coastal area)

1. Canada
2. Saudi Arabia
3. Yemen
4. Nepal
5. Syria
6. South Sudan
7. Bangladesh
8. Ethiopia
9. Somalia
10. Mozambique
11. South Africa
12. Pakistan
13. Tanzania
14. Uganda
15. Kenya

Disclaimer: The map is for illustration purpose only. The boundaries and the name shown and the designations used on the map do not imply official endorsement or accepted by IOM.

V. CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The main objective of this assessment was to collect up-to-date information in the coastal region of Kenya on the human trafficking situation through literature review, stakeholder workshops and key informant interviews. It also aimed to identify the groups most vulnerable to human trafficking, prevalent forms of trafficking, source areas of victims of trafficking and their destinations.

This assessment findings illustrate the recent human trafficking situation in the coastal region of Kenya and contain important programmatic value for the Government of Kenya and relevant stakeholders in developing an effective strategy and programmes against human trafficking in the region, although there was a limitation to its scope due to the limited reliable data on human trafficking, sample size and confusion of understanding between trafficking and smuggling among the stakeholders.

The assessment reconfirms that the coastal region is a source, transit and destination of human trafficking. If found that the most prevalent forms of human trafficking in the region include labour exploitation, sexual exploitation, forced marriage and child trafficking. As an emerging trend, radicalization and violent extremism were also identified as contributing factors to trafficking.

According to the findings, the group most vulnerable to trafficking is youth/young people between the ages of 12 to 35 years, regardless of gender. Employment outside and within the coastal region is the most significant push and pull factors for people to enter situations with high risk for trafficking. Exploitation happens more frequently with less educated women without alternative livelihoods and little understanding of urban lifestyles.

The assessment revealed that VOTs in the coastal region from outside of Kenya are from Ethiopia, Somalia, Tanzania, Bangladesh, Nepal and Pakistan, among others. Popular destinations for trafficking within Kenya are Mombasa, Kisumu and Nairobi, and for trafficking outside of Kenya, countries in the Middle East.

Recommendations

Eight key recommendations to stakeholders involved in counter human trafficking were made by the workshop participants as a result of this assessment, as follows.

1. Address Roots Causes (Unemployment and Illiteracy)

This assessment indicates that unemployment is the largest factor promoting risky movement to other counties or countries from the coastal region of Kenya. Livelihoods supp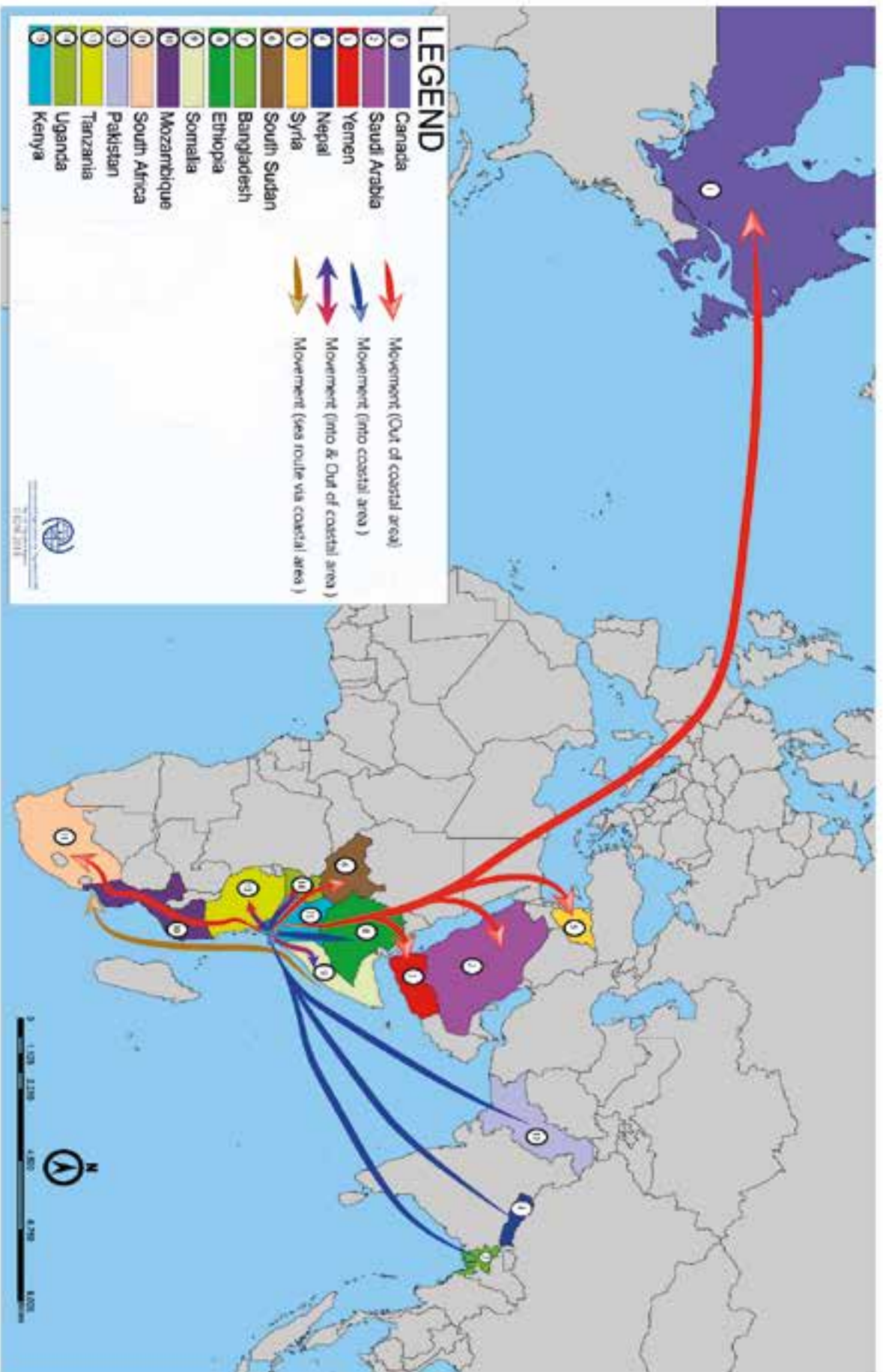ort to youth through provision of employment opportunities, income-generating activities and business start-up and vocational trainings would address some of the root causes of human trafficking and reduce vulnerability to human trafficking.

It is also recommended that the national and county government implement policies to guide labour migration as pathways for regular migration, boost local industries and economic development. It is necessary to create an enabling environment for business to thrive, and more employment opportunities for people.

Illiteracy is the second most important factor identified as encouraging risky movement. As long-term prevention measures, access to and affordability of education should be improved, especially among the rural and semi-urban households, in order to counter human trafficking in the coastal region. Improving access to basic education and creating a culture of reading would contribute in reducing the level of child trafficking disguised in domestic work. Follow-up on the implementation of the recent reform in the education sector is needed, focusing on the national education sector plan, learning and reforms. It is recommended to incorporate issues on human rights and trafficking in the educational curricula and teachers training as well.

2.   Encourage public and private sector partnerships in countering human trafficking in the coastal region of Kenya

Assessment participants indicated that tourism is highly related to human trafficking in the coastal region, as work in the sector attracts migrants who are often vulnerable. In addition, various routes and means of transport used by traffickers have been implicated, and stakeholders also noted that villas and cottages are used in trafficking. Accordingly, involvement of the private sector including transport, the hotel industry and factories in countering human trafficking is highly recommended, including through the promotion of corporate social responsibility.

Accordingly, targeted awareness creation on the relevant international and national policy and legal frameworks should not leave out these sectors. Stakeholders also emphasized that transport industries should ensure proper documentation of the people they transport, including as well as destinations and travelling routes.

Moreover, the national and county government must increase funding in countering human trafficking. There is thus a need to create programmes to address human trafficking through public private partnerships.

3.   Sensitize community and stakeholders

The consultative workshop indicated that community and relevant government stakeholders have inadequate knowledge and awareness of human trafficking. Community sensitization initiatives should be reinforced, especially in border communities and communities along identified human trafficking corridors. Child trafficking disguised as domestic work is widespread; thus, targeted urban community sensitization on child labour and trafficking is necessary.

Furthermore, the recently launched National Referral Mechanism (NRM) for assisting victims of trafficking in Kenya should be fully operational, and government stakeholders adequately trained on the content of NRM. This will ensure proper referral pathways and create awareness on human trafficking as well as smuggling.

It is recommended that awareness creation should be implemented together with neighbouring countries for cross-border collaborations to counter human trafficking. It is also recommended to work closely with the media to create awareness among the public and to reach out to wider populations.

The consultative workshops identified government, international and national organizations, opinion leaders, teachers and community leaders as responsible for sensitization in the affected areas. Target groups should be parents, youth and teachers in school. Involving actual victims of human trafficking and documenting their stories would be effective for sensitization, but safety and security of the victims should be prioritized and ensured during and after campaigns.

4. Strengthen capacity of stakeholders on relevant national and international legal frameworks

The consultative workshops in all three counties revealed that the stakeholders do not have sufficient knowledge on existing law although they are involved in countering human trafficking on daily basis. They found it difficult to differentiate technically between trafficking in persons and smuggling of migrants, and also face difficulties with regard to referrals.

Therefore, this poses a challenge to effectively counter human trafficking and prosecute human trafficking perpetrators. This also poses protection concerns for VOTs as they can easily be mistaken for smuggling cases. It is necessary to have focused capacity building for the relevant stakeholders on relevant national and international conventions and laws, such as the Counter Trafficking in Persons' Act 2010, Sexual Offences Act 2006, Children Act 2007, Employment Act 2007, Victim Protection Act 2014 and Citizenship and Immigration Act 2011. There is a need to strengthen capacity of all relevant ministries involved in counter human trafficking.

Furthermore, it is important to train frontline border officers, community members and volunteers to be trainers themselves, and to have community monitors on human trafficking within the communities especially along the borders. It was also recommended to employ competent translators at police stations and in the judiciary to help in solving language barriers in communication with victims of trafficking.

5. Monitor and ensure proper enforcement of law

The consultative workshop suggested to tighten punishment of trafficking perpetrators and recruitment agencies as well as officials involved in trafficking. It is critical to strengthen measures to regulate, register, license and monitor private recruitment and employment agencies, including prohibiting recruitment fees charged to employees to ensure such agencies are not facilitating trafficking in persons. Furthermore, it was recommended to regulate cottages to help ensure child exploitation including trafficking in cottages is controlled.

It is also important to review current laws and policies as described in Recommendation 4 to determine if they are sufficient to address the latest developments in human trafficking and in line with current international conventions. Furthermore, it is recommended to address emerging trends such as violent extremism and radicalization. Regular assessment and visits to the government entities mandated to implement the policies and laws will help in monitoring their implementation.

6.   Enhance internal and international coordination among stakeholders

Given the nature of human trafficking in the region, it was recommended to ensure inter-county and cross-border coordination of stakeholders. The consultative workshop revealed that cross-border cooperation is inadequate although trafficking is prevalent. Effectively controlling inflow and outflow requires close cooperation and coordination, but stakeholders are not sufficiently aware of what is happening on other side of the border. It is therefore suggested that communities on either side of the border should be adequately involved at all stages of countering human trafficking and their feedback incorporated in planning. Information sharing is also recommended among relevant government agencies and among neighbouring counties and countries.

7.   Research the demand side

Although the assessment indicates that most people (88%) use brokers and private recruitment agencies (Figure 3-13) to help them migrate abroad, there is no considerable research on the demand side – that is, on extent of the involvement of the brokers and agencies in trafficking in persons and smuggling of the migrants. It is critical to formulate policy guidelines and regulate the private recruitment sector. Therefore, it is recommended to undertake thorough and focused research on the agents and the demand side to ascertain their level of involvement or non-involvement in smuggling of migrants and trafficking of persons. Since human trafficking is controlled by sophisticated networks, there is an urgent need to find out whether the mentioned agents fall anywhere within the networks.

8.   Research the nexus between human trafficking and violent extremism in Kenya.

This assessment indicates that the majority of respondents (99%) demonstrated a strong link between human trafficking and radicalization/violent extremism (Figure 2-1). However, since there is limited in-depth research conducted in this area, it is advisable that further research on the nexus between human trafficking and violent extremism in Kenya be explored.

ANNEX I:
CONSULTATIVE WORKSHOPS SUMMARY

I.   INTRODUCTION

IOM conducted four one-day consultative workshops in order to obtain stakeholders' perspectives on the human trafficking situation in coastal region of Kenya. Two workshops (national and county level) were held in Mombasa on 7 and 8 November 2017, one in Kwale on 13 November 2017 and the other in Kilifi on 14 November 2017. The workshops gathered 98 participants from various organizations that are involved in counter human trafficking including county government, local NGOs, religious and community organizations. During the workshops, participants received a general debrief on human trafficking by IOM. The participants shared their knowledge on human trafficking in their respective counties and discussed challenges and actions that should be taken.

II.   HUMAN TRAFFICKING SITUATION IN COASTAL REGION

Stakeholders' perspective

The participants shared what they observed about the prevalent forms of human trafficking. The following were raised as common forms of human trafficking in the counties: labour exploitation, sexual exploitation, slavery, forced marriage, removal of organs – although minimal and limited to albinos, child trafficking, radicalization and violent extremism.

The participants reported that transportation of drugs and arms using children is a form of exploitation in Mombasa. In addition, exploitation of smuggled migrants especially from Ethiopia and Somalia was mentioned as a common form of trafficking in Mombasa County. Participants noted, on the other hand, that local people are helped to go to Middle East because they are promised good jobs with better pay; however, many end up being engaged in exploitation including sexual abuse.

Moreover, underage children are employed as domestic workers both within and outside the county. In some cases, young girls are offered jobs in bars and they are sexually exploited by customers, while others are recruited to shoot pornography videos for more money. False promises and advertisement by recruitment agencies draw people seeking employment, but once they get to their destinations, they find things are different regardless of their contract. Some end up working for little or no pay while others are sexually exploited, especially young girls.

Stakeholders frequently mentioned radicalization and violent extremism as a form of exploitation, which has mostly affected young men (and women) who are recruited by individuals locally or by extremist groups outside Kenya who offer them significant amounts of money.

i.   Most vulnerable groups

Youth/young people between the ages of 12 to 35 years, regardless of gender, are most vulnerable to trafficking, according to the feedback from all the workshops.

The stakeholders also agreed that low education levels, unemployment and poor economic conditions exacerbate the vulnerability. The stakeholders noted that the majority of the people with the aforementioned characteristics originate from the rural areas surrounding Mombasa.

ii. The trends of human trafficking in the coastal region

Poverty, unemployment, drug abuse, illiteracy, loss of parent/parents, harmful cultural practices and radicalization are major push factors, while job opportunities and success stories of people who left are pull factors to enter situations with high risk for trafficking. Furthermore, stakeholders noted that traffickers are increasingly targeting people with disabilities.

iii. The main routes used for human trafficking into and out of the coast region

The following routes were identified during the workshops:

- Mombasa – Tana River – Boni forest – Kismayo
- Mombasa – Tana River – Garissa – Somalia
- Mombasa – Nairobi – Garissa – Somalia
- Mombasa – Nairobi – Malaba /Busia – Uganda – South Sudan
- Mombasa – Middle East (Yemen, Syria, Saudi Arabia)
- Mombasa – Lunga Lunga – Tanzania (road, foot)
- Mombasa – Lunga lunga – Tanzania – South Africa
- Mombasa – Shimoni – Vanga – Pemba Island – Southwards to South Africa
- Mombasa – Vanga – Jasini – Tanzania
- Mombasa-Garsen – Ijara – Uluko onward to Somalia
- Mombasa – Voi – Mwatate – Taveta – Holili/Tanzania – South Africa
- Mombasa – Voi – Njukini - Loitoktok – Tanzania
- Mombasa – Shimoni – Vanga – Pemba Island - Southwards
- Somalia coast – Kenya coast – Maputo (sea route)
- Pemba Island – Zanzibar – coastal region – Kenya (They might be irregular migrants, not victims of human trafficking)
- Kisumu – Mombasa
- Malaba – Nairobi – Mombasa
- Pakistan/Bangladesh – Nairobi – Mombasa – South Africa
- Uganda/Ethiopia/Tanzania – Mombasa
- Nepal – Nairobi – Mombasa
- Somalia – Nairobi (Eastleigh) – Canada

Who are the key stakeholders in countering human trafficking in coastal Kenya?

No.	Stakeholder	Roles
1.	Politicians	• Legislation of policies, regulating human trafficking, political good will
2.	Judiciary	• Prosecution of perpetrators/administration of justice/ adjudication of the law (e.g. fine)
3.	Ministry of Foreign Affairs	• Offers assistance to stranded migrants
4.	Labour Department	• Formulation of guidelines and regulations to govern recruitment of workers for international jobs
5.	County Government	• Policy development and sensitization on human trafficking issues
6.	Immigration Department	• Verification of documents/vetting of all persons crossing borders • Liaison with other government departments to investigate and prosecute offenders • Repatriation of irregular migrants to the country of origin
7.	Department of Children Services	• Temporary accommodation of children without shelter • Formulation of policies • Investigating the victims' background (social inquiry reports) • Host counter trafficking advisory board
8.	National Police Service	• Enforcement of all laws and regulations, facilitating orderly and lawful migration, prosecution of perpetrators of trafficking and smuggling • Border management and control/ensuring safe and legal passage of people across borders • Investigation
9.	Educational Department	• Sensitization of stakeholders • Vetting facilitators in schools
10.	Refugees Affair Secretariat	• Facilitation of the refugees and asylum seeker registration/dealing all with refugee affairs
11.	Kenya National Commission on Human Rights (KNCHR)	• Providing capacity development of stakeholders on migrants' human rights • Protection of migrants' rights
12.	International Organization for Migration (IOM)	• Capacity building and technical support to government, community and non-State actors • Awareness creation on counter trafficking • Facilitation of return of VOT/and reintegration of VOT
13.	NGOs – Trace Kenya, Haki Africa, Kenya Red Cross	• Identification, assistance and reintegration of VOT • Sensitization of stakeholders and empowering communities • Referral of Human Trafficking cases • Capacity building • Lobbying and advocacy

Who are the key stakeholders in countering human trafficking in coastal Kenya? Cont;

No.	Stakeholder	Roles
14.	British Council	• Assisting victims of trafficking • Capacity building
15.	Media, community, religious leaders and CBOs	• Highlighting human trafficking cases to create awareness

III.   CHALLENGES FACED BY COASTAL STAKEHOLDERS IN COUNTER HUMAN TRAFFICKING

Stakeholders identified the following challenges:
• General poverty within the region, especially in the villages, and pull and push factors are strongly at play, making it increasingly difficult to tackle trafficking.

• Long and porous borders coupled with limited resources and technology to monitor borders make it increasingly difficult to properly control all border points. Exacerbating the problem, stakeholders noted that in some cases there are accomplices within the National Police Service and other relevant authorities and such collusion with traffickers and smugglers is an increasing trend.

• Community members have limited knowledge on the laws and regulations related to human trafficking so they tend to not prioritize the issue. Furthermore, stakeholders have low levels of understanding of relevant national law, international conventions and the existence of the Kenyan referral system, NRM. The majority have never used NRM to refer and assist VOTs.

• Stakeholders indicated that legal frameworks are not favourable to allow investigation and prosecution of exploitation happen in cottages and villas; therefore, it is difficult to get tangible and substantial evidence to prosecute the perpetrators. The policies that have been set in hotels have reduced the number of tourists who exploit children. However, the practice has now shifted to cottages and villas within the area. It was suggested that actors should target owners of cottages and villas to combat child exploitation.

• Trafficking in persons and smuggling of migrants are unlawful but highly profitable businesses, which are controlled by sophisticated and highly networked syndicates. As such, human right defenders, counter trafficking actors and opinion leaders are afraid of victimization if they attempt to disrupt the businesses.

• Cross-border cooperation is inadequate. Human trafficking is an internal as well as international problem. To effectively control inflow and outflow requires close cooperation and coordination, but stakeholders are not very cognizant of what is happening on other side of the border.

- There is no well-established referral mechanism for victims of trafficking in the coastal region. Stakeholder have difficulties in referring VOTs cases to receive necessary support such as psychological services.

- There is insufficient funding to provide adequate facilities including but not limited to shelters for VOTs.

- There is no data or up-to-date reports on human trafficking.

- Language barriers are problematic.

- Opportunities in the Middle East look very attractive and hence continue to draw Kenyans despite the risks.

- There is no clear coordination among stakeholders in countering human trafficking.

ANNEX II:
HUMAN TRAFFICKING CASES IN COASTAL REGION

The purpose of these case studies is to illustrate the actual experience of human trafficking in the coastal region of Kenya. For purposes of victim protection, working under the principle of do no harm, the names and designation employed here are not real. However, facts are as told by respective individuals, although it should be noted that due to financial and time constraints, IOM was not able to independently verify all facts. The VOTs were referred by Trace Kenya, a local NGO working on counter human trafficking in the coastal region of Kenya.

VOTs interviewed in this assessment confirmed that people who intend to exploit victims often withhold their passports as means of control in destination countries. They further elaborated that perpetrators, who sometimes work with travel agents in countries of origin, usually deceive the victim to ensure they overstay their visas and become irregular, to facilitate control of the victim.

CASE 1

Grappling with poverty and raising seven children, Ms. Joy[31] – a Kenyan citizen and resident of Kilifi – discussed with her husband, a motorbike rider, how to improve their living standards. Ultimately, the couple came to the conclusion that Joy would work outside the country.

Through a friend, Joy connected with an employment agency based in Mombasa. The agency promised to arrange for her a job in a foreign country and to provide necessary documentation after receiving her passport and birth certificate. After Joy provided the required documents, the agent scheduled her medical check-up in Mombasa and Nairobi. After passing three medical assessments, Joy received her visa and flight ticket to Jeddah in the Kingdom of Saudi Arabia. Together with 12 other Kenyan women, Joy departed in July 2014 through the agent.

Upon arrival at the airport in Jeddah, Joy found no one waiting for her. After spending four hours at the airport, she was picked up by Mr. Mohamed, who identified himself as her new employer. The following morning, she was introduced to an Ethiopian woman who was already working with the same employer. This woman trained Joy to carry out household chores for three months as she already had knowledge and experiences working in the home.

When Joy completed the orientation and training, her visa was already expired but no action was taken for renewal. Instead, her employer moved her to another town, Dera, to work for his aging parents. A month after arrival in Dera, Joy fell ill and requested to be returned to her original employers since the work place change was against her will. However, her request was bluntly rejected. Her health deteriorated further, but the work was hard and painstaking. As Joy became weak, she was taken to the hospital but her health did not improve. She requested to be sent back home as she was sick and weak and unable to carry out her duties.

[31]For purposes of victim protection, working under the principle of do no harm, the names and designation employed here are not real.

Joy's employer, who had confiscated her passport upon arrival, threatened her with arrest due to illegal overstay in the country. Her health condition did not improve and their poor relationship was worsening day by day. Joy called her husband and explained her ordeal to him. He immediately reported the matter to Kenyan authorities. Upon receiving the information that Joy reported her situation, her employer threatened her, saying that they would buy a new coffin to send her home in.

Fearing for her life, Joy fled from the house, and took a taxi to the nearest police station. The taxi driver was afraid of getting into a confrontation with the authorities for facilitating movement for an irregular migrant, so he dropped her near the police station. The following morning, Joy's employer and his brothers came and explained to the police that there was a minor misunderstanding that did not warrant her fleeing and promised that all would be well.

Following this event, Joy's employer summoned all of his family members. Joy overheard some family members saying the only way she could leave is in a coffin. Being very scared, Joy secretly sneaked out of the compound again and ran into street where she meet three youthful Arab men, who called the nearest police station and requested the police to come and pick her up.

The police called Joy's employer, and required him to sign agreement that he would return her passport and arrange for her return back home. The employer agreed to return her home, but refused to pay her the salary she was owed. He claimed he already spent a lot of money on her during the months she worked with them. Finally, Joy returned home in Mach 2015.

Ultimately, while in Saudi Arabia, Joy faced exploitation. She had to endure hard labour in different houses, but was never paid for the months she worked. Her passport was confiscated upon her arrival and she was deceived into overstaying her visa. Her employer used this to threaten her with arrest – for being in the country without documents, and with death – to ensure that she was at his mercy.

CASE 2

Ms. Basali[32] is a Kenyan national and mother of two children living in Mombasa. She was introduced to a travel agent in Mombasa known as Aisha. Basali's husband had travelled to Saudi Arabia in search for work, promising to provide for the family. However, since his departure, he had stopped communicating and was not providing anything for the family.

After completing the necessary preparation for travel including medical exams, Basali was requested to travel to Nairobi by bus and spent a night in Nairobi. The following day, she was escorted to the airport by the agent and departed to Jeddah, Saudi Arabia, with 15 other Kenyan girls, whom she communicated with last at the airport.

Upon arrival, Basali was picked up by Ali, who introduced himself as her new employer and brought her to his house where she was to work. Her movement was restricted and she was only provided very little food despite long working hours. She was constantly hungry and, as a result, her health started deteriorating.

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[32]For purposes of victim protection, working under the principle of do no harm, the names and designation employed here are not real.

After three months, Basali requested her employer to pay her salary, but he refused saying that she was still paying her debt. She worked for six months but did not receive any compensation. She did not have any means of communicating with her family in Kenya and was not allowed to leave the compound. Interaction with external people was restricted, except with the neighbour next door but that was also very restricted.

Basali worried about her future in Saudi Arabia because of the hard labour with little food and no salary, and she did not know about the situation of her children at home. Basali contacted her husband who was also working in Saudi Arabia. She told him her address and requested him to help her return home.

Basali's husband came on the following day. He confronted her employer but left her there, explaining he had to sort out the issues. After two days, her husband sent an officer from the Kenya Embassy in Saudi Arabia, who arranged her return. The employer bought her ticket to Nairobi at request of Embassy staff.

Basali was put on the plane home but with no pay for the six months, although she had been promised a salary of KES 18,000 per month. Her communication with her husband also ended abruptly after rescue. Currently, Basali is struggling to raise her two children. Upon return, Basali received psychosocial support from Trace Kenya and today is a volunteer peer support group member.

CASE 3

Ms. Najma[33] is from Kilifi County. She left primary school, and has three children. She was married for eight years before she was divorced and abandoned by her husband, who left her with the full care and responsibility for the children. She engaged in casual labour in households to support her children. While working, Najma met a friend who introduced her to female recruiter promising employment in the Middle East. Najma soon after began preparations for her travel. During this process, she was introduced to a second agency, who organized her medical assessment and processed her passport and visa.

Once her documents were ready, Najma travelled to Nairobi where she joined a group of other women also travelling to the Middle East. They spent the night in Nairobi and departed the following day. At the airport, they were issued their travel documents before boarding their flight to Riyadh, Saudi Arabia.

At the airport in Riyadh, Najma was received by a man who gave her a contract, which was written in Arabic, to sign. Upon signing, Najma was told her would be travelling to Qatar to work in a household for two years with a monthly salary of KES 27,000. Her passport and phone were confiscated. She was informed that her communication with relatives would only be via a phone availed by her employer. Najma boarded a plane to Qatar accompanied by a man whom she was told was her employer. Upon arrival in Qatar, she travelled with the man and his son to a rural location, three hours from the airport.

[33]For purposes of victim protection, working under the principle of do no harm, the names and designation employed here are not real.

They arrived at a three-story building, which accommodated 11 family members. Najma was informed about her duties, which included cleaning the entire house, cooking for the family and laundry. She began work the following day with the hope that an additional staff would be employed to assist her with the duties. She was only allowed two hours of sleep, and oversleeping would warrant punishment including having cold water poured on her or being burned using a hot iron box. The situation grew worse and she was only allowed to eat from the family's leftovers. Najma's family situation back home kept her going as she was hoping that, with her salary, she would support her children and her siblings as well. She requested to speak to her family but her employer would not allow it. She also did not receive her salary; her employer claimed that it was remitted to the agent and that she would only receive the remainder after agent had recovered his costs from her travel.

With this knowledge, Najma developed a plan to return home. She pretended she had contracted tuberculosis, which convinced her employer to release her to avoid the family contracting it. She received a plane ticket that enabled her to travel back home safely. Upon arrival in Kenya, Najma was referred to Trace Kenya, where she received psychological counselling and IOM Kenya offered her reintegration support to enable her to generate some income.

CASE 4

Mr. Koto[34] was born to a family of seven in Kwale County. As the eldest son in the family, he was forced to drop out of school at primary level due to the family's abject poverty. He engaged in casual jobs in the community to support his parents and his siblings. When his neighbour informed him about a man who was assisting young men to land better paying jobs, he gladly took the offer for the opportunity to earn a better living and in turn provide for his family. Koto met with the recruiter who explained the job but discouraged him from sharing any information with his family. Fearing to squander a good opportunity, Koto kept the information to himself.

Koto and other young men departed for an unknown destination in the company of the agent. Upon arrival, they were welcomed by a second agent who reassured them and explained that all necessary logistics would be taken care of. The next day, Koto and the other young men were taken to a field where they joined others digging wells. They were informed that they would be paid KES 700 per foot dug, and their effort would determine their daily earnings. They were also promised that the most hardworking workers would be considered for other jobs as well.
Koto was ordered not to inform anyone of his whereabouts and, fearing that he would lose his source of income, he obliged. Koto and the young men always travelled during the night and would use different vehicles depending on the distance and number of individuals travelling.

Koto joined a different group of mostly Somali men in Thika. At this new site, Koto and the other young men were expected to attend Madrassa classes in addition to working. Being a Muslim, Koto did not object as this would help him strengthen his faith. However, the lessons were more geared to extremism, but he decided to play along. After a month at work he received his dues and requested his supervisor to allow him to visit his family back home. The supervisor agreed but on the condition that he would not disclose where he had been and that he would return in five days. He was also requested to recruit five other men with promises of being promoted to a supervisor.

[34]For purposes of victim protection, working under the principle of do no harm, the names and designation employed here are not real.

When Koto returned after his leave, he was shocked to find a new lot of workers. He was notified that the previous group had left for work in Somalia with assurances of better pay and security, as the company had landed a contract to dig wells. He was notified that he would be travelling to Somalia to join the others. His documents were quickly prepared and he left for Somalia in company of five other men of Somali origin.

At the border, Koto was given a passport that had his picture but different names and details. He was told that this would facilitate easier access and that he would not have to pay for a visa. He was taken to a camp and immediately started training, at which point he realized that he was in an Al-Shabab camp.

Life at the camp was difficult, food was scarce and Koto and the others depended on water from boreholes within the camp. Koto soon contracted typhoid but was called back to training. He grew weak and could not keep up with the training. Koto he requested to return home but the commander made it clear that the only way he could leave would be if he died. He developed a plan with the Imam who was in charge of the camp mosque to escape, and fled during the night. His trip back home was not easy as he had to walk long distances without water until he got a lift from a truck to the border. At the Kenyan border, Koto had to evade police and hitchhiked and worked as a loader for long-distance trucks, which enabled him to get to Mombasa.

ANNEX III:
AGENDA OF CONSULTATIVE WORKSHOP

National Government Consultative Workshop on Human Trafficking Assessment
Date: 8th November 2017, Sarova White Sands Hotel, Mombasa

Time	Item	Presenters/Facilitator
8:00 - 8:15	Registration of participants	All
8:15 - 9:00	Introductions and opening remarks	Etsuko Inoue/IOM
9:00 - 10:00	Overview of the BMM project and assessment – objective and scope of the consultative workshop	Etsuko Inoue/IOM
10:00 - 10:30	TEA BREAK	
10:30 - 11:30	**Concept of Human Trafficking** • Definition and forms of trafficking • Legal Instruments • NRM and Video Clip	Paul Gitonga/IOM
11:30 - 12:00	**Plenary Discussion** Q & A and feedback from participants	Paul Gitonga/IOM
12:00 - 1:00	Focus Group discussion	Hillary Kosgei/IOM
1:00 - 2:00	LUNCH BREAK	
2:00 - 3:30	Presentations and plenary discussions	Abdi Hussein/IOM
3:30 - 4:00	Facilitated discussion	Hillary Kosgei/IOM
4:00 - 4:15	Recap and Way forward	Paul Gitonga/IOM
4:15 - 4:30	Logistics	Paul Gitonga/IOM

ANNEX IV:
LISTS OF WORKSHOP PARTICIPANTS

List of Participants, Mombasa National Government Consultative Workshop, 8 November 2017, Sarova White Sands Hotel, Mombasa

No.	Names	Designation	Organization
1.	Bwire Maurice	Immigration	Department of Immigration Services
2.	Benjamin Rotich		Nat Police Service Kwale County
3.	Josephat Muli	Dept of Criminal Investigation	National Police Service Kwale County
4.	Erick Owour	Dept of Criminal Investigation	National Police Service Kwale County
5.	Kenneth Kimani	County Commander	Kenya Police Service
6.	Aly Tima Omar	Deputy County Commissioner	Nat Govt Msa County
7.	Faith Kamande	Probation Officer	Nat Govt Kwale County
8.	Cecila Mutwiri	Asst County Commissioner 1	National Govt Kwale County
9.	Rashid A Were	Asst County Commissioner 1	National Govt Mombasa County
10.	Zuhura Mambo	Asst County Commissioner 1	National Govt Kilifi South County
11.	Nicholas J Kaito	Asst County Commissioner 1	Nat Gov Lunga lunga Kwale
12.	George Migosi	County Children Coordinator	Nat Govt Kilifi
13.	Edward Wanjala	Probation Officer	Nat Govt Mombasa
14.	Jillo J Nkaduda	Chief Education Officer	Nat Govt Kwale
15.	Sophy M Wanjala	Chief Education Officer	Nat govt Kwale County
16.	Odhiambo Absolom	Education Officer	Nat govt Kwale County
17.	Peter Mugambi		Nat Police Service Malindi
18.	Nancy Wakio	Community Development Assistant	IOM
19.	Collins Mwehendo	Community Development Assistant	IOM
20.	Etsuko Inoue	Programme Manager	IOM
21.	Abdi Hussein	Programme Support Assistant	IOM
22.	Paul Gitonga	Project Assistant AVRR	IOM

List of Participants, County Level Consultative Workshop, Mombasa County, 9 November 2017, Sarova White Sands Hotel, Mombasa

No.	Names	Designation	Organization
1.	Omar Juma	Religious Leader	Supkem Mombasa County
2.	Paul Alouch	Director	Trace Kenya
3.	Ali Fujo	Project Officer	Haki Africa
4.	Irene Randu	Sub-County Peace Committee	Mombasa County
5.	Evans Mwamuye	Sub-County Administrator	Mombasa County
6.	Patrick Mwadime	Sub-County Administrator	Mombasa County Government
7.	Riziki Juma	Chairperson	Likoni Women Society
8.	Rev Sammy Maitha	Religious Leader	CICC
9.	John Kuti	Sub-County Administrator	Mombasa County Government
10.	Ali Said	Sub-County Administrator	Mombasa County Government
11.	Rehema Foe	Chairperson	Sauti ya Wanawake
12.	Hezron Onwonga	Labour Officer	Kudheha
13.	Mwalimu Mohamed	Sub-County Administrator	Mombasa County
14.	Salim Kiungi	Sub-County Administrator	Mombasa County
15.	Alice Mbivu	Human Rights Officer	Mombasa County
16.	Patricia Nzioka	Member of County Assemble	Mombasa County
17.	Munira Faraj	Chairperson	Sauti ya Wanawake
18.	Joseph Migwi	Probation Department	Mombasa County
19.	Sammy Ngie	Religious Leader	CICC
20.	Jane Otieno	Religious Leader	EAK
21.	Esther Ngolo	Director Youth, Gender and Sports	Mombasa County
22.	Juma Mwasina	CEO	Likoni development
23.	Mwinyi Faki Abdalla	Chairperson	CIPK
24.	Julius Musyoka	Religious Leader	CICC
25.	Rev Stephen Anyenda	CEO	CICC
26.	Abdi Hussein	Programme Support Assistant	IOM
27.	Hilary Kosgei	Programme Admin Assistant	IOM
28.	Etsuko Inoue	Programme Manager	IOM
29.	Takashi Ujikawa	International Intern	IOM
30.	Paul Gitonga	Project Assistant AVRR/CT	IOM

LISTS OF WORKSHOP PARTICIPANTS cont;

Lists of the Participants –Kwale County 13th November 2017
Diani Reef Hotel

No.	Names	Designation	Organization
1.	Bernard Kuto Nyange	Sub-County Administrator	Kwale County Government
2.	Winnie Kambi	Social Worker	Compassion Kenya
3.	James Nadigwa Halli	Community Leader	KCDM
4.	Khamis Omar Mwandaro	Sub-County Administrator	Kwale County
5.	Mary Sammy Masha	Community Leader	Diani Women Rep
6.	Hamsi Mwinyi Amani	Religious Leader	KEMNAC
7.	Salim Juma Changani	Community Leader	Msambweni
8.	Nimsim Mwasina	Sub-County Administrator	Ward Admin
9.	Ramadhan Salim Mwajembe	Religious Leader – VC	CIPK Kwale
10.	Salim Juma Tunza	Community Leader	Matuga Community Development Rep
11.	Fakii Omar Mwindia	Coordinator	Kwale Community Development Programme
12.	Edward Chibu	Sub-County Administrator	County Government of Kwale
13.	Munira Chazike Abubakar	Programme Officer	Haki Yetu Organization
14.	Karisa Mcharo Godo	Community Leader	Lunga lunga
15.	Johson Mwero Ruwa	Religious Leader	AIC CHURCH
16.	Mohamed Furunzi	Community Leader Lunga Lunga	Lunga lunga Sub-County
17.	Faraji Bakari	Secretary General	CIPK
18.	Hilary Kosgei	Programme Administrative Assistant	IOM
19.	Paul Gitonga	Project Assistant AVRR	IOM
20.	Violet Kombo	Assisted Voluntary Return Reintegration Intern	IOM
21.	Nancy Wakio	Community Development Assistant	IOM
22.	Abdi Hussein A	Programme Support Assistant	IOM

Lists of Participants Kilifi County 14th November 2017
Baobab Sea Lodge

No.	Names	Designation	Organization
1.	Samoe M Ali	Project Officer	Trace Kenya
2.	Wellington Sanga	Pastor	Church
3.	Rodgers Kombo Ngala	Pastor	Church
4.	Roba Maugal	Monitoring and Evaluation Officer	World Vision Kenya
5.	Collins Mwahendo	Community Development Assistant	IOM
6.	Hezron Onwong'a	Project Officer	KUDHEIHA
7.	Andrew Thuva	Administrator	County Government of Kilifi
8.	Hemed S Wenwo	CIPK Kilifi	
9.	Abdi Hussein	Programme Support Assistant	IOM
10.	Paul Gitonga	Project Assistant AVRR	IOM
11.	Violet Kombo	Intern AVRR	IOM
12.	Albem Kalama	Director	Elimisha Africa
13.	Ruphence Munga	Secretary	Elimisha Africa
14.	Eunice M Govi	Administrator	County Government of Kilifi
15.	Wilson D Godana	Administrator	County Government of Kilifi
16.	Juma Riuba	Ward Administrator	County Government of Kilifi
17.	Joan Masani	Programme Coordinator	CISP
18.	A.A Badawy	Religious Leader	CIPK/CICC
19.	Ali Ali Kinono	Religious Leader	IMAM/CICC
20.	Furaha Dadu Chome	Ward Administrator	County Government
21.	Benard Katana Ngowa	Ward Administrator	County Government
22.	Ali Harre	Ward Administrator	Kilifi County
23.	Harun Musa	Chairman	Magarini Charcoal Association
24.	Winnie Achieng	Project Assistant	SCOPE Kilifi
25.	Josphe C Kalume	Pastor	Church
26.	Vincent Yeri	Ward Administrator	County Government of Kilifi
27.	Matilda Baya	Ward Administrator	County Government of Kilifi
28.	Joseph Charo	Director	Angaza Kenya
29.	Albert Mlamba	Project Manager	Plan International
30.	Silas K Ngundo	Sub-County Administrator	County Government