

KENYA COUNTRY STATEMENT

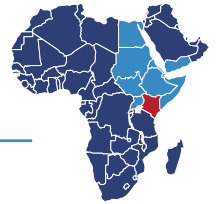
ADDRESSING MIGRANT SMUGGLING AND HUMAN TRAFFICKING

September 2017

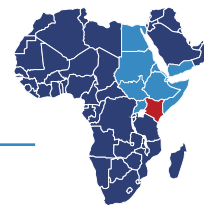
This report is one of 10 country statement reports covering:
Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Yemen



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Kenya Country Statement:
Addressing Migrant Smuggling and
Human Trafficking in East Africa



This report is one of a series of ten country statements, produced as part of the project “*Addressing Mixed Migration Flows in Eastern Africa*”, funded by the European Commission (EC) and implemented by Expertise France.

The overall project consists of three components:

- Assisting national authorities in setting up or strengthening safe and rights-respectful reception offices for migrants/asylum seekers/refugees.
- Supporting and facilitating the fight against criminal networks through capacity building and assistance to partner countries in developing evidence-based policies and conducting criminal investigations, most notably by collecting and analysing information about criminal networks along migration routes.
- Supporting local authorities and NGOs in the provision of livelihoods and self-reliance opportunities for displaced persons and host communities in the neighbouring host countries.

As part of the second component, Expertise France contracted the Regional Mixed Migration Secretariat (RMMS) in Nairobi to implement the project “*Contributing to enhanced data collection systems and information sharing on criminal networks involved in facilitating irregular migration in the Eastern Africa region*”. This project aims to provide updated knowledge on migration trends and related issues, as well as technical assistance to partner countries on data collection, analysis and information sharing. In all the country statements, the focus is on human trafficking and migrant smuggling.

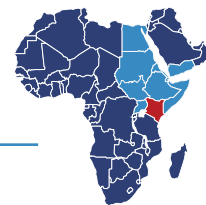
These country statements are the output of this project. They provide: a technical appraisal of existing data related to mixed migration, including data on trafficking: insight on routes and *modi operandi* of criminal networks involved in facilitating irregular migration; and assessments of existing national data collection systems and government capacity to address migrant smuggling and human trafficking. The analysis highlights technical capacity gaps and challenges faced by officials in responding to such phenomena, aiding the identification of capacity-building needs in the areas of data collection, analysis and information sharing.

Acknowledgements and disclaimer

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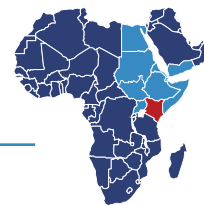
The research was commissioned by Expertise France, in the wider context of the EU-Horn of Africa Migration Route Initiative (the “Khartoum Process”). The research was conducted in 2016 by an international consultant, in cooperation with national researchers under the operational management and technical oversight of RMMS in Nairobi.

The lead researcher and author of this report was Mr. Peter Tinti (an international consultant). The final English editor was Mr. Anthony Morland



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EXECUTIVE SUMMARY

As a critical hub for mixed migration in East Africa and the Horn of Africa, Kenya is primarily a destination country for asylum seekers and economic migrants from throughout the region, as well as a transit country for irregular migrants traveling south toward South Africa. There is also evidence that Kenya is a source, destination, and transit country for men, women and children who are victims of trafficking.

Behind many of these flows are transnational networks of migrant smugglers and human traffickers which operate with varying degrees of organized criminality. The migrant smuggling networks that are facilitating irregular flows into Kenya from Ethiopia operate on both sides of the border, using well-worn paths of complicity to move men, women, and children across the border irregularly. For migrants who seek onward passage through Kenya toward southern Africa, established smuggling networks offer an array of schemes utilising a mix of overland transport, air travel, and maritime passage which may include the procurement of fraudulent documents. Other networks specialize in moving Kenyans, as well as migrants from neighbouring countries, to the Middle East via unlicensed employment agencies.

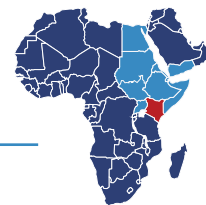
Men, women, and children from neighbouring countries are trafficked into Kenya, subjected to forced labour and sex trafficking, while others are trafficked into Kenya for onward travel to the Middle East, Europe, Asia, or elsewhere within the East Africa and Horn of Africa regions. Within the flows of economic migrants to the Gulf Region are people who are enticed abroad under the promise of employment only to find themselves victims of trafficking upon arrival. Kenyan men, women, and children are also trafficked within Kenya. Because of their often desperate circumstances and uncertain futures, internally displaced people, who number several hundred thousand in Kenya, are particularly vulnerable to exploitation and manipulation by traffickers.¹

Countering smuggling and trafficking networks remains a challenge for the Kenyan government. This is variously due to limitations in the implementation of legal and institutional frameworks; a limited capacity to coherently collect, analyse and share information and data on migrant smuggling and human trafficking; and corruption among law enforcement and security officials.

Kenya has made some progress in recent years in bolstering its capacity to tackle such networks. Over the last six years, it has passed anti-trafficking legislation in line with international norms and UN protocols, strengthened institutional frameworks, established a Counter Trafficking in Persons Advisory Committee, and developed a National Plan of Action for combating human trafficking.

Despite these efforts, migrant smuggling and human trafficking networks continue to operate in Kenya due to gaps in the implementation of existing frameworks, limited stakeholder capacity, and a lack of formal mechanisms for collecting, analysing, and sharing information on migrant smuggling and human trafficking within government institutions and between government and non-governmental institutions.

1 HAART (2015). Displacement, Violence and Vulnerability: Trafficking among internally displaced persons in Kenya. <http://haartkenya.org/wp-content/uploads/2016/03/HT-IDP-Research-2016.pdf>.



1.0

METHODOLOGY

This report is a qualitative study combining field work in Kenya with a comprehensive desk review of primary documents and secondary literature on issues of migrant smuggling and human trafficking in Kenya. In addition to interviews conducted over the phone, fieldwork was carried out for RMMS by an international consultant in Nairobi, and by a locally based consultant in Wajir, Marsabit, and Mombasa counties.

Interview subjects included government officials, representatives from international organizations and local NGOs, foreign diplomats, smugglers based in Kenya, and key interlocutors who are familiar with migrant smuggling and human trafficking networks in the region. Due to the sensitive nature of the subject, interviewees were granted anonymity on request.

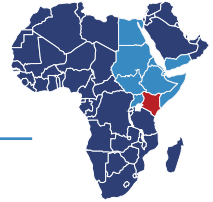
Although migrant smuggling and human trafficking are prevalent in Kenya, the researchers found that in some cases government officials demonstrated a limited understanding of the differences between migrant smuggling and human trafficking and used the terms interchangeably.

Staff of international organizations and NGOs were eager to talk about challenges related to protection for irregular migrants and victims of human trafficking, but were more reticent when discussing organized criminality and corruption, and declined to go into detail about government capacity. NGOs, specifically those which focus on trafficking, demonstrated a good knowledge of the different types of trafficking that occur in Kenya, but showed little in-depth knowledge about the networks that facilitate them beyond what could be deduced from the testimonies of victims.

Similarly, although there is considerable literature on mixed migration in Kenya, there is relatively little about the networks that facilitate irregular migration, or on government capacity to counter these networks. Much of the existing literature is several years old, and many newer reports present outdated facts and figures as if they were still current. In some cases, the same handful of reports reference each other in a manner that obscures the original source, and present widely repackaged anecdotes as confirmed fact.

Attempting to triangulate key pieces of information from all of the sources above - such as prices paid to smugglers, the structure of migrant smuggling and human trafficking networks, and levels of government complicity - proved difficult. As a result, the author of this report erred on the side of caution in quoting purported facts, figures and statistics, adding caveats where necessary. A select bibliography of pertinent literature is included at the end of this report.

This report uses the terms “migrant smuggling” and “human trafficking” according to the definitions outlined in the United Nations Convention against Transnational Organized Crime (UNTOC). Article 3 of the convention’s Protocol against the

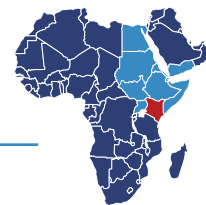


Smuggling of Migrants by Land, Sea and Air (the Migrant Smuggling Protocol) defines migrant smuggling as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national.”²

The convention’s Protocol to Prevent, Suppress and Punish Trafficking in Persons defines human trafficking as “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.”³

2 United Nations Office on Drugs and Crime (2004). United Nations Convention against Transnational Organized Crime and the Protocols Thereto. Available at: <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

3 Ibid.



2.0 INTRODUCTION

The main objective of these Country Statements is to better inform the technical assistance given to partner countries to help them develop evidence-based policies, and to build their capacity to conduct criminal investigations, notably by collecting and analysing information on criminal networks along migration routes throughout the region. To that end, the first part of this report provides a brief overview of human trafficking and migrant smuggling in Kenya, examining incoming, outgoing, and internal flows of persons who are either smuggled or trafficked. The second part focuses on the Kenyan government's capacity to respond to these phenomena by assessing the legal frameworks currently in place, and the government's ability to collect, analyse, and share information on migrant smuggling and human trafficking networks.

Kenya as a destination country

Several consecutive years of sustained economic growth, relative political stability, and levels of economic development higher than those of its neighbours combine to make Kenya an appealing destination for economic migrants from across the region. Ethiopia in particular, with a population greater than 100 million, more than twice that of Kenya, has emerged as a source country for irregular economic migration to Kenya.

As of 31 August 2016, Kenya hosted 502,194 registered refugees, including the largest refugee population of Somali nationals in the world. Most of the 334,728 registered refugees from Somalia in Kenya reside in the Dadaab and Kakuma refugee complexes, which host 263,036 and 41,111 of them respectively.⁴ The refugee complex in Kakuma also hosted 87,852 from South Sudan, as of July 2016.⁵ Although refugees from Somalia and South Sudan comprise 85 per cent of registered refugees in Kenya, significant numbers of registered refugees from Ethiopia (28,742), the Democratic Republic of the Congo (27,485), and Burundi (7,864) also reside in country.⁶ These figures, however, only represent those who are formally registered, and tens of thousands more are believed to be living in or transiting through Kenya outside the formal refugee system.⁷

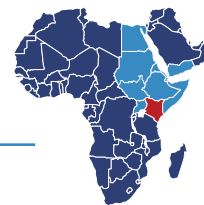
Men, women, and children from neighbouring countries such as Somalia, South Sudan, Uganda, Tanzania, Rwanda, Burundi, and Ethiopia, as well as from countries in Asia, are trafficked into Kenya, where they are subjected to forced labour, including sex work. Urban areas such as Nairobi and Mombasa are key demand

4 UNHCR (2016). Kenya Factsheet, August 2016. Available at: <http://www.unhcr.org/ke/wp-content/uploads/sites/2/2016/09/August-2016-Kenya-Operation-Factsheet.pdf>
http://reliefweb.int/sites/reliefweb.int/files/resources/KakumaCampPopulation_20160930.pdf

5 Ibid.

6 Ibid.

7 Key informant interviews in Kenya, May-July 2016.



hubs for unpaid labour, as well as a source of human trafficking to rural areas within Kenya⁸ According to Awareness against Human Trafficking (HAART), an NGO working to end human trafficking in Kenya, children are trafficked into the country for the purposes of begging, street hawking, organ removal, and illicit adoption.⁹

Kenya as a transit country

In addition to being a destination country for mixed migration flows and trafficking, Kenya is a transit country, particularly for migrants from Ethiopia and Somalia heading to South Africa. There are no reliable current data on the numbers of irregular migrants smuggled or trafficked through Kenya. In 2009, the International Organization for Migration (IOM) reported that “an estimated 20,000 Somali and Ethiopian male migrants are being smuggled to South Africa, mostly via Kenya, every year.”¹⁰ Key informant interviews in Nairobi and Mombasa County confirmed that these flows continue to take place now, but credible information on the numbers of migrants transiting along these routes could not be obtained.¹¹ An upcoming briefing paper by the Regional Mixed Migration Secretariat (RMMS), will provide an updated overview on mixed migration flows from the Horn of Africa to South Africa. While it has not been possible to establish with certainty whether the still widely quoted 2009 figures remain valid seven years later, recent quantitative research suggests it is safe to assume that they are. The paper also concludes that the smuggling business is still very active on this southern route, with 96 per cent of migrants and asylum seekers interviewed (287 interviews were carried out in South Africa), saying they had used a smuggler along stretches of the journey south, paying on average USD 3,300 for the trip from the Horn of Africa to South Africa.¹²

Victims of human trafficking also transit through Kenya. For the most part they are nationals of other countries in the region who are brought to Kenya for onward travel to nearby states as well as the Middle East, Europe, and Asia.¹³ Government officials interviewed in Somaliland cited stories of local children being recruited to Koranic schools in Kenya which unsuspecting parents believed were legitimate institutions of religious scholarship. These schools, however, turned out to be recruitment facilities for Al Shabaab, an Islamist insurgent group based in Somalia which is also active in Kenya. After a period of indoctrination and radicalization, the government officials said, youths are incorporated into the ranks of Al Shabaab in South Central Somalia.¹⁴ To what extent this occurs on a systematic basis, if at all, is unknown. The reality may be a few isolated cases involving a low number of children.

8 HAART (2015). Kenya’s Child Market – Lure, Sell and Dispose. <http://haartkenya.org/wp-content/uploads/2015/12/Child-Trafficking-Research-2015.pdf>

9 Ibid.

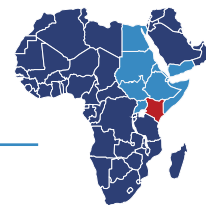
10 RMMS (2013). Migrant Smuggling in the Horn of Africa and Yemen: The political economy and protection risks. See also: Horwood, C. (2009). In Pursuit of the Southern Dream: Victims of Necessity. Assessment of the Irregular Movement of Men from East Africa and the Horn to South Africa. Geneva: International Organisation for Migration.

11 Key informant interviews in Nairobi, May 2016. Key informant interview in Mombasa County, June-July 2016.

12 RMMS (forthcoming). An updated overview of mixed migration from the Horn of Africa to South Africa.

13 Key informant interviews in Nairobi, May 2016.

14 Key informant interviews in Hargeisa, June 2016.



Kenya as a source country

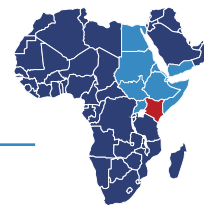
Kenya is not a major source country of irregular migration within the Greater Horn of Africa. According to RMMS, most Kenyan emigrants are skilled and well-educated, often migrating through legal channels (initially, at least) to countries within the region but also to North America, Europe and the Middle East. Some may later become irregular migrants, either overstaying work or student visas, or transiting to a third country irregularly. Reliable data on the number of Kenyans living abroad is not available: estimates range between just under half a million and three million.¹⁵ The Gulf Region is a major labour market for unskilled Kenyan migrants, many of whom are women seeking jobs as domestic workers. According to Kenyan government figures, approximately 100,000 Kenyans are working in the Gulf Region, but other sources indicate that the true figure is probably much greater. The government of Saudi Arabia, for example, reports that 80,000 Kenyans live in its territory, while Trace Kenya, an NGO that works with victims of trafficking, estimates that the total number throughout the Gulf is closer to 300,000.¹⁶ Within the flows of economic migrants to the Gulf Region are victims of human trafficking, who are either lured to the Middle East by traffickers with the false promise of legitimate employment, or who find themselves in situations that constitute human trafficking once they arrive. Furthermore, Kenya is a source country of male, female and child victims of human trafficking within the region, as well as within Kenya itself, where children from low-income families and rural areas are most vulnerable to being trafficked to urban areas and the coastal region.¹⁷ A recent report by HAART found that internally displaced persons (IDPs) within Kenya, including those who have been forced to leave their home due to conflict, political violence, or natural and man-made disasters, are more vulnerable to human trafficking than non-IDPs.¹⁸

15 RMMS (2016). Country Profiles: Kenya. <http://www.regionalmms.org/index.php/country-profiles/kenya>

16 Reuters (2015). Desperate Kenyan maids abused in Middle East despite ban. <http://www.reuters.com/article/us-rights-domesticworkers-kenya-idUSKBN0OC02K20150527>

17 HAART (2015) Kenya's Child Market – Lure, Sell and Dispose. <http://haartkenya.org/wp-content/uploads/2015/12/Child-Trafficking-Research-2015.pdf>

18 HAART (2015) Displacement, Violence and Vulnerability: Trafficking among internally displaced persons in Kenya. <http://haartkenya.org/wp-content/uploads/2016/03/HT-IDP-Research-2016.pdf>



3.0 MIGRANT SMUGGLING AND HUMAN TRAFFICKING IN KENYA

Smuggling and trafficking networks

Irregular flows of migrants into, through and out of Kenya are facilitated by networks of migrant smugglers and human traffickers operating within Kenya and abroad. Their activities take place within the context of expanding and increasingly sophisticated transnational organized crime networks in East Africa. In 2009, for example, the then executive director of the United Nations Office on Drugs and Crime (UNODC) characterized the region as “becoming a free economic zone for all sorts of trafficking,” including that of drugs, guns, hazardous waste, natural resources, and migrants.¹⁹ Kenya in particular has emerged as a hub for organized criminal activity in the region. A 2011 study looking into the impact of organized crime in Kenya concluded that while the country was by no means a “criminalized state” as some in West Africa have been described, its relative stability and wealth compared to its neighbours can mask the serious threat corruption and organized crime pose to its long term prospects.²⁰ Migrant smuggling and human trafficking are taking place in Kenya, with high levels of existing criminal expertise (in sometimes related activities such as money laundering and trade in illicit commodities) available to seek profits wherever there is an opportunity.²¹

Migrant smuggling and human trafficking networks in Kenya take advantage of the limited capacity of state institutions already grappling with other forms of organised crime to effectively address these phenomena. The revenue generated by migrant smuggling and human trafficking - estimated to amount to tens of millions of dollars annually in Kenya alone - allow the networks to allegedly corrupt some state officials, buy protection and reinvest proceeds into legitimate and criminal enterprises.²²

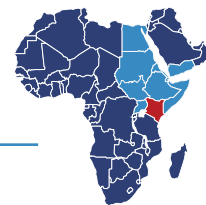
According to interviews with analysts in Nairobi and interlocutors in key trafficking hubs, the structure of migrant smuggling networks in Kenya is generally non-hierarchical. Rather, it takes the form of a nexus, with criminal actors operating at each node. While some of these actors might also operate within organizations

19 UNODC (2009). Africa under attack Drug trafficking has acquired a whole new dimension. <https://www.unodc.org/unodc/en/about-unodc/speeches/2009-08-12-africa-under-attack.html>

20 Gastrow, P. (2011). Termites at Work: Transnational Organised Crime and State Erosion in Kenya. New York: International Peace Institute.

21 For more on organized crime in Kenya. See: Gastrow, P. (2011). Termites at Work: Transnational Organised Crime and State Erosion in Kenya. New York: International Peace Institute; National Research Crime Centre (2012). Summary of a Study on Organized Criminal Gangs in Kenya. http://www.frank-cs.org/cms/pdfs/KE/NCRC/NCRC_Organized_Crime_Kenya_30.8.13.pdf

22 Key informant interview in Kenya, May 2016.



that carry out other criminal activities within hierarchically structured networks, migrant smuggling in Kenya, with few exceptions, lacks an easily traceable organizational coherence. High-level smugglers rely on a range of brokers, recruiters, facilitators, logisticians, and drivers to facilitate migrant journeys from one hub to the next, but they do not oversee an entire migrant journey from Kenya to South Africa, for example. Rather, they facilitate “receiving” and “sending” migrants within the areas in which they have developed their networks and paved “paths of collusion”.²³

Crossings into Kenya from Somalia and Ethiopia

The main corridors for irregular migration facilitated by migrant smuggling networks in Kenya are along Kenya’s porous, 867 km northern border with Ethiopia, and its 684 km border with Somalia. The numbers of Ethiopian migrants crossing irregularly into Kenya are unknown due to a lack of data collection and publicly available information, but key informant interviews near the borders of Ethiopia and Somalia suggest that there are tens of thousands of “undocumented and illegal Ethiopians” living in Kenya and that flows are increasing.²⁴

Ten years ago, these flows were mainly made up of Somali nationals, who often sought the services of smugglers because of the impossibility of obtaining Kenyan visas prior to travel. These Somali flows still exist, but key informant interviews in north-eastern Kenya suggest that 2010 marked a turning point, with the vast majority of economic migrants arriving in the area from then being Ethiopian.²⁵ One explanation offered by government officials in Wajir County, which borders both Ethiopia and Somalia, is that the Kenyan government had redoubled efforts to control its border with Somalia in the wake of increased security threats emanating from that country, thereby preventing its nationals from entering Kenya irregularly.²⁶ However, there is no reliable data or credible evidence to back up the claim that the long, porous border now presents an insurmountable obstacle to migrants and smugglers.²⁷ In fact, as has been demonstrated in other parts of the world, the hardening of porous borders is often a boon for smuggling networks, because the additional challenges involved in crossing them allow smugglers to charge irregular migrants more for their services.²⁸

Of the several official crossings from Ethiopia and Somalia into Kenya, those at Moyale, at the Kenya-Ethiopia border, and Mandera, near the Kenyan borders with both countries, are the most prominent hubs for migrant smuggling activity. Ethiopian citizens do not require a visa to enter Kenya legally, but do need some official documents, including a passport (for stamping at the border), which many Ethiopians do not possess. Even for those who do have proper documentation, dealing with border officials and police is not widely considered a straightforward

23 Key informant interviews in Kenya, May-July 2016.

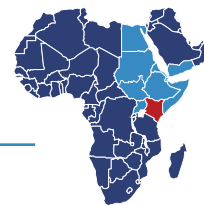
24 Key informant interviews in Kenya, July 2016.

25 Ibid.

26 Ibid.

27 Ibid.

28 See, for example, Glenny, M. (2015). *The Refugee Crisis Has Produced One Winner: Organized Crime*. The New York Times. Available at: <http://www.nytimes.com/2015/09/21/opinion/the-refugee-crisis-has-produced-one-winner-organized-crime.html>; and Shaw, M. (2016). *Smuggling Networks to Europe: A Spectrum from Organized to Disorganized Crime*. Available at: <http://f3magazine.unicri.it/?p=1232>



process, and most Ethiopians can expect to pay a bribe even though the entrance pass is supposed to be free.²⁹ Thus, Ethiopians migrating to Kenya for economic opportunities who lack proper documentation, or who intend to stay in Kenya illegally, seek out smuggler services to either bypass official border crossings altogether, or to obtain the necessary paperwork in advance and arrange bribes at border crossings.³⁰ Somalis, who do need a visa and documentation to cross into Kenya, pay smugglers to procure fraudulent documents, including Kenyan passports, or to bypass border controls altogether.³¹

There are no reliable estimates breaking down the numbers of Ethiopians paying for smuggler services to cross into Kenya as part of a longer journey to South Africa against those that are seeking employment opportunities in northern Kenya. Interviews in Wajir County and Marsabit County indicated that in recent years there has been considerable demand for “cheap” Ethiopian labour there, particularly in the form of domestic workers, farmhands, and construction workers.³² As demand for cheap labour increased, households and business owners began reaching out to Ethiopian migrants, asking them to tell people back home that there were job opportunities. The prospective employers would apparently specify the nature of the job and whether they wanted a male or female, and offer to pay the necessary transport and smuggler fees.

Migrant smuggling networks began to evolve around bringing Ethiopians into Kenya and providing them with fraudulent documents that allowed them to stay in the country. Reportedly, the interval between an employer asking an Ethiopian migrant to “find someone back home” and the arrival of a new worker reduced from several weeks to just one to two weeks as the smuggling process became more streamlined.³³

Most Ethiopian migrants arriving in Kenya come from the south of their country, particularly the Oromia Region and the Southern Nations, Nationalities, and People’s Region (SNNPR). The profiles of smugglers and the prices they charge for their services were difficult to confirm. The smugglers are purported to be Ethiopian on the Ethiopian side of the border, and Kenyans on the Kenyan side. The majority of smugglers on the Kenyan side of the border are believed to be ethnic Somali or Kenyan citizens of Ethiopian descent. Migrants use a variety of crossings along the border, and journeys may include a mix of motorized vehicles and travelling on foot depending on the nature of the crossing.³⁴ Estimates vary, but key informant interviews indicated that the cost of going from locations within SNNPR and Oromia through key border crossing such as Moyale and onward to major towns in northern Kenya is roughly USD 500-600. This reportedly covers transport, paperwork, and receiving a Kenyan immigration stamp at the Moyale border crossing, which aids further travel within Kenya.³⁵ Between Moyale and Nairobi or Mombasa the migrant and smuggler can expect to be stopped at numerous road blocks. Key informant interviews in northern Kenya point to collusion between brokers and facilitators working for smugglers and some border officials, local police, and administrators to facilitate

29 Key informant interviews in Kenya, July 2016.

30 Ibid.

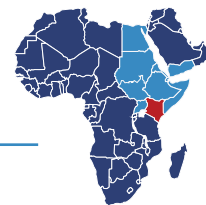
31 Ibid.

32 Ibid.

33 Key informant interviews in Kenya, May and July 2016.

34 Key informant interviews, July 2016.

35 Ibid.



migrant smuggling.³⁶ Less expensive smuggling services are on offer for as little as USD 50-100, though these schemes rarely include more than just an irregular border crossing. Migrants who use these schemes risk being detected by authorities and arrested, extorted, or deported³⁷.

Overland routes to South Africa

For the estimated tens of thousands of Ethiopians and Somalis paying smugglers for transit toward South Africa each year, crossing into Kenya is the first step in a process that can take several weeks, or even months to conclude. Journeys through Kenya may include a mixture of overland, maritime and air travel depending on the profile of the migrant, the amount they are willing to pay, and the smuggling network facilitating their journey. Regardless of where migrants first enter Kenya, the vast majority of those seeking passage to South Africa will pass through Nairobi. According to a 2011 report by the International Peace Institute (IPI), at least five to ten networks, each headed by smugglers who tend to be prominent figures and operate within legitimate businesses, coordinate and organize smuggling journeys from northern Kenya and Nairobi.³⁸ The same IPI report, citing a senior police source in Moyale, claimed that these smugglers (referred to as *mukhali* in the report) have connections with governments officials which contributes to what is seen as the low-risk environment in which they operate.³⁹

Those who have procured documents and an immigration stamp can take public transportation to Nairobi, but can expect to pay some police and soldiers at several roadblocks along the way.⁴⁰ Those who do not have documents, or those that do but would rather not risk interacting with Kenyan authorities, as is often the case with Somalis, will pay smugglers to either bypass checkpoints or facilitate passage through established connections and bribery.⁴¹ Key informant interviews indicated that these smuggler services, which guarantee successful arrival from north-eastern Kenya to Nairobi, cost between USD 600 and USD 800.⁴²

Key informant interviews suggested that for both Ethiopian and Somali migrants, the smugglers who facilitate journeys from northern Kenya to Nairobi are usually ethnic Somali Kenyan citizens, who bring migrants to Eastleigh, a predominantly Somali suburb of the capital.⁴³ Nairobi serves as the main consolidation point for several reasons. In addition to being the premier hub (along with Mombasa) of organized crime in Kenya, it is a key transport hub from where smugglers can use buses, trucks, and cars to ferry people to Mombasa for onward transit to South Africa. Second, not all migrants who pay for smuggler services come directly from Ethiopia or Somalia, and many will have already been living in Nairobi, or a refugee camp, for years, even decades,

36 Ibid.

37 Key informant interviews May and July 2016.

38 Gastrow, P. (2011). *Termites at Work: Transnational Organised Crime and State Erosion in Kenya*. New York: International Peace Institute.

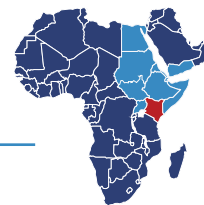
39 Ibid.

40 Horwood, C. (2009). In *Pursuit of the Southern Dream: Victims of Necessity. Assessment of the Irregular Movement of Men from East Africa and the Horn to South Africa*. Geneva: International Organisation for Migration.

41 Key informant interviews in Kenya, May 2016.

42 Key informant interviews in Kenya, June-July 2016.

43 Key informant interviews in Kenya, May 2016.



before deciding to migrate to South Africa. Thus, Nairobi is an essential staging ground for migrant departures southward.⁴⁴

Interviews in north-eastern Kenya and Nairobi suggested several common routes used by smugglers to move migrants from Moyale to Nairobi, with the town of Isiolo often serving as a place where various routes flowing south converge, and then disperse again.⁴⁵ In late November 2015, the Kenyan government deployed its AntiTerrorism Police Unit along with members of the Kenyan military to conduct operations against smuggling cartels moving people from Moyale to Nairobi. According to local press accounts, more than 1,000 “illegal immigrants” from Ethiopia were arrested, and over 200 repatriated in a single week.⁴⁶ In March 2016, three police officers were reportedly arrested for allegedly ferrying 23 Ethiopian migrants to Nairobi.⁴⁷

Smuggling bosses are reported to rent large, gated mansions or complexes in suburbs of Nairobi where sometimes more than a hundred migrants are confined with few amenities, often for weeks at a time, as smugglers prepare for departures, sort out payments, and arrange logistics. Smugglers often pay an entire year or two of rent in advance in exchange for being left alone by landlords, and after a certain period of time, they will move operations to a different house⁴⁸ From Nairobi, smugglers have their point men who oversee the logistics of the migrant smuggling operation and arrange transport from Nairobi to Mombasa, or directly to key border crossings along the Tanzanian border, using buses, commercial trucks, or cars.⁴⁹

According to interviews with smuggling interlocutors in Nairobi, smugglers often refer to their clients as “boxes” in order to keep conversations sufficiently vague should authorities be monitoring their communications. Once in Mombasa, migrants are often reconsolidated and “repackaged.” Some are placed inside shipping containers on the back of trucks often hidden amid other cargo to reduce the risk of discovery in the event of an inspection by authorities. Others are placed directly in trucks and other types of vehicle. At this point, the lower-level smugglers who facilitated transport from Nairobi to Mombasa, or from Nairobi to the border, subcontract their duties to new actors who inherit the “boxes” and are then responsible for taking the migrants into Tanzania.

44 Ibid.

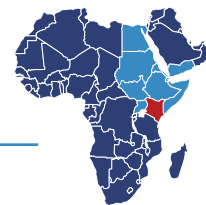
45 Key informant interviews in Kenya, June-July 2016.

46 Abdi, A. (2015). Kenyan military begins search for human traffickers from Ethiopia border. Standard Media. Available at: <http://www.standardmedia.co.ke/article/2000184264/kenyan-military-begins-search-for-human-traffickers-from-ethiopia-border/?pageNo=1>

47 Bett, K. and Muinde, J. (2016). Kenya: Police Officers Arrested In Marsabit for Human Trafficking. Daily Nation. Available at: <http://allafrica.com/stories/201603140877.html>

48 Key informant interviews in Kenya, May and July 2016.

49 Ibid.



There is no set route into Tanzania, and each itinerary can have several different permutations. The most commonly used overland routes from Nairobi into Tanzania identified for this report, in no particular order, included:

- Nairobi to Mombasa to Lunga-Lunga at the border of Tanzania;
- Nairobi to Mombasa to Taveta at the border of Tanzania;
- Nairobi to Taveta at the border of Tanzania; and
- Nairobi to Namanga at the border of Tanzania.

The price of transit from Kenya to South Africa varies widely depending on a range of factors, including but not limited to: the routes taken, the networks involved, the types of documents the migrants have acquired, the extent of bribes and extortion fees paid to authorities, as well as ransoms and extra charges paid to predatory smugglers or traffickers. For Ethiopian and Somali migrants transiting overland from Kenya to South Africa, the first stop is almost always Tanzania. From Tanzania, the majority of migrants are reported to be taken to Malawi for onward travel to Mozambique. Others will travel directly from Tanzania to Mozambique. Once in Mozambique, migrants either pass through Zimbabwe on their way to South Africa, or travel directly to South Africa.

Since separate smuggling networks tend to operate at the different stages of the journey from Kenya to southern Africa, rather than one providing services along its entirety, sprawling refugee camps in Tanzania, Malawi and Zimbabwe have emerged as essential way-stations on many if not all of the various routes used. On arrival at such camps, migrants make contact with smugglers to facilitate the next leg of their southbound journey.⁵⁰

Key informant interviews in Kenya indicated that USD 2,500 is about the minimum a migrant can expect to pay from start to finish during their overland odyssey, but that the more common price-point is USD 4,000. ⁵¹These estimates, however, are hard to verify, in part because there is such a wide range of overland itineraries and estimates may or may not include non-smuggler expenses, such as lodging, meals, transport, and bribes.⁵²

Air and sea routes to southern Africa

Although the vast majority of Ethiopian and Somali migrants heading to South Africa travel exclusively overland, some will use air or maritime means as part of their journey. On rare occasions, Ethiopian and Somali irregular migrants will fly directly from Kenya to South Africa, but more common air itineraries involve flying to another regional hub and continuing overland to South Africa.⁵³

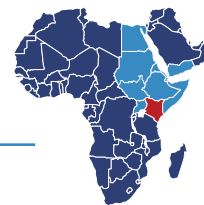
According to sources interviewed for the IOM study in 2009, Kenyan passports are allegedly available to non-Kenyans for a price, and visas for South Africa can be acquired for USD 400-600

50 Key informant interviews in Kenya, May-July 2016.

51 Ibid.

52 Ibid.

53 Key informant interviews in Kenya, May 2016. See also: Horwood, C. (2009). *In Pursuit of the Southern Dream: Victims of Necessity. Assessment of the Irregular Movement of Men from East Africa and the Horn to South Africa*. Geneva: International Organisation for Migration.



through a facilitator. Kenyan passports are particularly appealing for Somalis, many of whom do not have a Somali passport or the means to acquire one. In other cases, smugglers match up stolen passports with potential Somali clients who physically resemble the rightful owner.⁵⁴

In addition to providing fraudulent or forged documents, smugglers are reported to have contacts within regional airports, including some airport officials, ticketing agents, and immigration authorities, who can facilitate entering and exiting airports through unofficial channels.⁵⁵ Interviews carried out as part of this study suggested that while airport security screenings in the region have improved in recent years, irregular migration is still taking place, as evidenced by passengers departing from Nairobi who are found to be using fake or fraudulent documents upon arriving in other airports.⁵⁶

Itineraries involving maritime travel include those used by migrants from Somalia, who may first enter Kenya by paying smugglers to take them from the Somali coast to the Kenyan coast via privately owned fishing vessels or dhows, or aboard commercial ships sailing from Mogadishu and Kismayo in Somalia to Mombasa.⁵⁷

Once in Mombasa, these Somalis might begin an overland journey to Tanzania, or join up with other Somalis and Ethiopians who have come to Mombasa overland, and look for space on ships departing for Tanzania and Mozambique. Smugglers may arrange for them to board commercial vessels at the port of Mombasa, or they may hire local fisherman to ferry migrants from a coastal launching point south of Mombasa to an area inside Tanzanian territory.⁵⁸

There is little reliable information on prices migrants pay for coastal departures out of Kenya. Interviews with key informants suggested that these vary depending on the type of boat, the departure point, and the destination. Trips on wooden dhows from departure points south of Mombasa to just over the Tanzanian border, operated by fisherman who have been hired by local smugglers, were reported by one interlocutor to cost in the range of USD 200-300. This figure could not be reliably confirmed.⁵⁹ The 2009 IOM report cited a fisherman who smuggled 20 to 30 Somalis and Ethiopians from south of Mombasa to Tanzania on his dhow and claimed that his boss, a boat owner in Tanzania, earned approximately USD 4,500 per trip. The same report, citing interviews with boat captains, said that USD 300 was standard payment to certain local police and immigration authorities to allow a journey to continue in the event that they were stopped.⁶⁰

54 Horwood, C. (2009). In Pursuit of the Southern Dream: Victims of Necessity. Assessment of the Irregular Movement of Men from East Africa and the Horn to South Africa. Geneva: International Organisation for Migration.

55 Ibid.

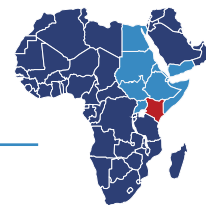
56 Key informant interview in Kenya, May 2016.

57 Ibid.

58 Key informant interview in Kenya, May 2016.

59 Ibid.

60 Horwood, C. (2009). In Pursuit of the Southern Dream: Victims of Necessity. Assessment of the Irregular Movement of Men from East Africa and the Horn to South Africa. Geneva: International Organisation for Migration.



Smuggling networks in Kenyan refugee camps

Migrant smuggling networks are believed to be operating out of Kenya's Dadaab and Kakuma refugee complexes, facilitating journeys to locations elsewhere Kenya, principally Nairobi, but also onward travel to South Africa.⁶¹ Refugee movements outside designated camps are restricted, and require authorization from the Refugee Affairs Secretariat (which has replaced the Department of Refugee Affairs, disbanded after the government announced its intention to close Dadaab).

Information on smuggling networks facilitating movement out of Dadaab is limited, with many reports still referring to a 2011 report by the Refugee Consortium of Kenya which outlined smuggling services there.⁶² Key informant interviews in Nairobi indicate these smuggling services are still available⁶³ although opinions vary on the associated costs and risks. The current political climate, in which the government increasingly portrays refugees and refugee camps through the lens of counter-terrorism and security, has complicated the process of being smuggled out of Dadaab.⁶⁴

Smuggling to the Middle East and the Gulf

The Arabian Gulf region is a major labour market for unskilled migrants from Kenya, many of whom are women seeking jobs as housemaids and domestic workers. Some skilled and semi-skilled migrants also migrate to work as secretaries, hotel managers, accountants, drivers, and guards. According to figures reported by the Kenyan government, there are approximately 100,000 Kenyans working in the Gulf region, but other sources have suggested the number is closer to 300,000.⁶⁵ In 2014, in the wake of reports of widespread abuse of Kenyans in the Gulf, the Kenyan government banned its citizens from seeking domestic work in the Middle East and revoked the licenses of 930 agencies recruiting Kenyans to work there.⁶⁶ The government also established a new process by which the Ministry of Labour must approve all employment contracts prior to applicants signing them and leaving the country for employment, and employees are required to register with the Kenyan embassy in the destination country.⁶⁷

Key informant interviews in Kenya, however, suggested that while these efforts have reduced the numbers of Kenyans seeking employment in the Middle East and Gulf, smuggling networks are still able to get domestic workers to the region.⁶⁸ Unlicensed and unregulated recruitment agencies are reported to easily bypass the system by arranging travel on tourist visas, or by booking flights via a third country. After Uganda banned domestic workers travelling overseas

61 Key informant interview in Kenya, May 2016.

62 RCK (2012). *Asylum under Threat: Assessing the Protection of Somali Refugees in Dadaab Refugee Camps and Along the Migration Corridor*. Nairobi: Refugee Consortium of Kenya.

63 Key informant interview in Kenya, May 2016.

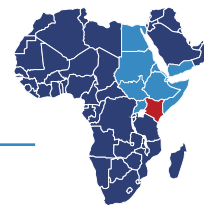
64 Ibid.

65 Reuters (2015). *Desperate Kenyan maids abused in Middle East despite ban*. <http://www.reuters.com/article/us-rights-domesticworkers-kenya-idUSKBN0OC02K20150527>

66 Ibid.

67 RMMS (2016). *Country Profiles: Kenya*. <http://www.regionalmms.org/index.php/country-profiles/kenya>

68 Key informant interview, Kenya, May 2016.



to the Middle East and the Gulf, agencies based in Kenya allegedly began recruiting women inside Uganda, bringing them to Kenya to bypass the bans imposed by both countries.⁶⁹ Others maintain that the Kenyan ban has not been properly implemented and that corruption, combined with a lack of oversight, has enabled recruiting agencies to continue sending domestic workers to the Middle East.⁷⁰ The executive director of Trace Kenya, a charity that works with trafficking victims, told Reuters in 2015 that most agents were still recruiting despite the ban.⁷¹

Trafficking

Although there is evidence that human trafficking may be prevalent in Kenya, relevant data are extremely limited. Men, women and children are trafficked into Kenya from neighbouring countries and further abroad, while Kenyan men, women, and children are trafficked abroad. According to the website Havocscope, which monitors black market activity, human trafficking in Kenya is estimated to have a value of USD 40 million.⁷²

Children are particularly vulnerable. A 2012 report by the Journal of Defence Resource Management, cited by a 2015 IOM report, estimated that 20,000 children are trafficked in Kenya annually.⁷³ According to the 2016 US State Department's Trafficking in Persons report, children in Kenya are "subjected to forced labour in domestic service, agriculture, fishing, cattle herding, street vending, and begging."⁷⁴ The problem of sexual exploitation of children is reported to be particularly bad in urban areas, specifically in Mombasa and coastal areas where, to quote a 2014 report by the children's rights NGO Terre des Hommes, "sex tourism is rife."⁷⁵

An NGO based in Garissa, cited in a 2011 IPI report, reported that vehicles transporting the mild stimulant *khat* from Kenya to Somalia sometimes return loaded with young girls and women, who "end up in brothels in Nairobi or who are shipped to Mombasa and destinations outside Kenya."⁷⁶ The same IPI report, citing a tour operator in Mombasa, explained how tour operators and hotel workers also operate as traffickers and brokers to service the sex tourism and child pornography industries.⁷⁷

Kenyans who are trafficked to the Middle East and Gulf Region often migrate willingly, at least at first, having been lured by the promise of a well-paying job by a recruitment agency based in Nairobi. Upon arrival, their passports are confiscated and victims find themselves "exploited

69 Key informant interview, Kenya May 2016. Uganda, July 2016.

70 Key informant interview in Kenya, May 2016.

71 Reuters (2015). Desperate Kenyan maids abused in Middle East despite ban. <http://www.reuters.com/article/us-rights-domesticworkers-kenya-idUSKBN0OC02K20150527>

72 Havocscope. Black Market Crime in Kenya. <http://www.havocscope.com/tag/kenya/>

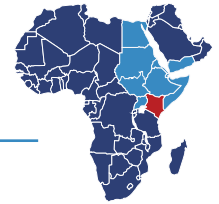
73 IOM (2015) Migration in Kenya: Country Profile. http://publications.iom.int/system/files/pdf/migration_profile_kenya.pdf

74 US State Department (2016). Trafficking in Persons Report: Kenya. <http://www.state.gov/j/tip/rls/tiprpt/countries/2016/258795.htm>

75 Terres des Hommes (2014). Child Trafficking in Urban Kenya: Preliminary rapid assessment. Terre des Hommes. Netherlands.

76 Gastrow, P. (2011). Termites at Work: Transnational Organised Crime and State Erosion in Kenya. New York: International Peace Institute.

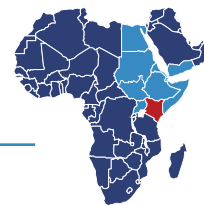
77 Ibid.



in domestic servitude, massage parlours and brothels, or forced manual labour.”⁷⁸ A 2013 Master’s Thesis at the University of San Francisco examining the plight of Kenyan domestic workers in Gulf countries concluded that Kenyan domestic workers are subject to physical abuse, sexual abuse, psychological abuse, sleep deprivation, and starvation, among other forms of abuse.⁷⁹

78 US State Department (2016). Trafficking in Persons Report: Kenya. <http://www.state.gov/j/tip/rls/tiprpt/countries/2016/258795.htm>

79 Gikuru, P.M. (2013). The Plight of Kenyan Domestic Workers in Gulf Countries. University of San Francisco.



4.0

THE KENYAN GOVERNMENT'S FRAMEWORK TO RESPOND

4.1 Legal and institutional frameworks

Kenya acceded to United Nations Convention against Transnational Organized Crime on 16 June 2004.⁸⁰ On 5 January 2005, Kenya acceded to the supplementing Protocol against the Smuggling of Migrants by Land, Sea and Air,⁸¹ as well as to the Protocol to Prevent, Suppress and Punish Trafficking in Persons.⁸² At the time of accession, however, Kenya did not have domestic legislation in line with either protocol.

In 2010, Kenya passed the Counter-Trafficking in Persons Act, which for the first time legally defined the trafficking in persons as a crime, and which was later revised and operationalized in 2012.⁸³ Prior to the law, trafficking cases were handled under the Penal Code, the 2001 Children's Act and the 2006 Sexual Offences Act.⁸⁴ In 2014, existing legal frameworks for combating trafficking were further reinforced with the passage of the Victim Protection Act, which aimed to make it easier to secure convictions of human trafficking by bolstering support to victims.⁸⁵ Before the 2014 Act, lawyers for victims sat in court as silent observers, while prosecutions were led by police. The 2014 law gave victims' lawyers the right to address the court, to cross-examine the accused, and to introduce new evidence.⁸⁶

In accordance with section 19 of the 2010 Counter-Trafficking in Persons Act, the Counter Trafficking in Persons Advisory Committee was launched in 2014 by the cabinet secretary (minister) of labour, social security and services (MLSS). The role of the Advisory Committee is to coordinate the implementation of policies related to human trafficking, to provide prevention and protection services to victims, as

80 United Nations Treaty Collection: https://treaties.un.org/pages/ViewDetails.aspx?s-rc=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=_en

81 Ibid.

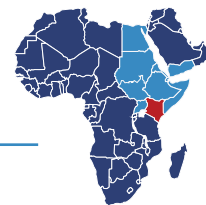
82 Ibid.

83 Government of Kenya (2012). The Counter-Trafficking in Persons Act. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/84999/115494/F-2071338712/KEN84999.pdf>

84 IOM (2015). Migration in Kenya: Country Profile. http://publications.iom.int/system/files/pdf/migration_profile_kenya.pdf

85 Government of Kenya (2014). The Victim Protection Act. <http://kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/VictimProtectionAct17of2014.pdf>

86 Migiry, K. (2014). Kenya passes law to step up fight against human trafficking. Thomson Reuters Foundation. Available at: <https://www.theguardian.com/global-development/2014/aug/29/kenya-law-human-trafficking>



mandated by the Counter-Trafficking in Persons Act,⁸⁷ and to maintain data and documentation on trafficking in persons.⁸⁸

The 2010 law also set up a National Assistance Trust Fund for Victims of Trafficking in Persons, administered by a Board of Trustees and funded by “Parliamentary allocations, proceeds of crime confiscated or forfeited, income generated by investments, and donations. The Fund is to be used for expenses associated with victims of trafficking, damages, and other purposes upon the advice of the Advisory Committee.”⁸⁹

Government efforts to combat human trafficking are, in theory, guided by the National Plan of Action (NPA) for Combating Human Trafficking 2013-2017, launched in May 2015. According to the NPA Strategic Framework, the plan is to be implemented by the Advisory Committee, which is also responsible for monitoring and evaluating its own implementation of the plan.⁹⁰ The NPA describes its approach to combatting human trafficking as guided by the “3Ps”: Prevention, Protection, and Prosecution. Per the NPA Strategic Framework, the 3P paradigms “serve as the fundamental frameworks used by governments around the world to combat human trafficking” and is an approach followed by the United State and reflected in the UN protocols against trafficking in persons.⁹¹

In July 2016, the Government of Kenya launched the National Migration Coordination Mechanism (NCM), a government led inter-agency coordination platform that will be in charge of national migration issues in Kenya. The NCM is tasked with facilitating interagency coordination, collaboration and information-sharing on migration concerns at the national level. The NCM is hosted by the Department of Immigration Services, within the Ministry of Interior and Coordination of National Government, and brings together other relevant ministries and departments as well as non-state actors. The establishment of the NCM builds upon the findings and recommendations of a joint assessment by Intergovernmental Authority on Development (IGAD) and IOM in 2014.

Taken as a whole, the establishment of these legal and institutional frameworks constitute several steps in the right direction in the fight against human trafficking. After spending three years on the US State Department’s “Tier 2 Watch List” for failing to make serious efforts to combat human trafficking, Kenya was upgraded to “Tier 2,⁹²” and successful prosecutions of human traffickers have increased considerably in the last three years.

According to the US State Department’s Trafficking in Persons report, the Kenyan government reported initiating 15 child trafficking prosecutions during the reporting period for 2013, but “provided no additional information to substantiate that they involved human trafficking

87 Government of Kenya (2012). The Counter-Trafficking in Persons Act. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/84999/115494/F-2071338712/KEN84999.pdf>

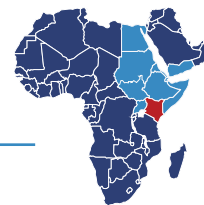
88 Ibid.

89 IOM (2015). Migration in Kenya: Country Profile. http://publications.iom.int/system/files/pdf/migration_profile_kenya.pdf

90 Government of Kenya. The National Plan of Action for Combating Human Trafficking: Strategic Framework 2013-2017. <http://haartkenya.org/wp-content/uploads/2015/09/NPA.pdf>

91 Ibid.

92 For an explanation of the tiers, see: <https://www.state.gov/j/tip/rls/tiprpt/2016/258696.htm>



offenses rather than other types of crimes.⁹³ The Kenyan government prosecuted 30 trafficking cases, and convicted seven traffickers during the 2014 reporting period.⁹⁴ For the 2015 reporting period, there were 65 trafficking cases and 33 convictions of traffickers.⁹⁵ For the most recent reporting period, the government reported prosecution of 762 suspected traffickers and 456 convictions, a massive increase from previous reporting periods.⁹⁶ This increase could be attributed to the development of better frameworks, increased capacity, and greater vigilance on the part of Kenyan authorities and society, but the fact that the 2016 reporting period was the first year in which the Kenyan government received law enforcement data from all 47 counties might also be a factor.⁹⁷

4.2 Government structures to collect, analyse and share information

Despite these improved legal frameworks and institutional structures, challenges with regard to the implementation of anti-trafficking efforts remain.

At present, the system and coherence with regard to collecting, analysing and sharing information regarding human trafficking in Kenya could be improved, despite the fact that the Counter Trafficking in Persons Advisory Committee is tasked with this responsibility. Under the NPA, “Data and Research”, “Collection of Data by Protective and Victim Service Providers” and “International Cooperation”, which includes sharing data and information with international counterparts, are all considered “Strategic Priorities” under the category of “Cross Cutting Issues.” The NPA also calls for creating a database on case law and research.⁹⁸

In an important step in the right direction, the Advisory Committee is in the process of developing a database to share relevant information on trafficking across all 47 counties of Kenya,⁹⁹ while the NCM will also facilitate inter-agency coordination, collaboration and information-sharing on migration.

There is no mechanism in place for organizations, such as anti-trafficking NGOs, humanitarian agencies, and civil society groups to share data on migrant smuggling or human trafficking with the Kenyan government.¹⁰⁰ As IOM reported in 2015, “anti-trafficking organizations that provide direct assistance to trafficked persons usually collect their own internal data, but no centralized mechanisms for data collection and analysis exist. No modalities for data sharing

93 US State Department (2013). Trafficking in Persons Report: Kenya. <http://www.state.gov/j/tip/rls/tiprpt/countries/2013/215492.htm>

94 US State Department (2014). Trafficking in Persons Report: Kenya. <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226751.htm>

95 US State Department (2015). Trafficking in Persons Report: Kenya. <http://www.state.gov/j/tip/rls/tiprpt/countries/2015/243466.htm>

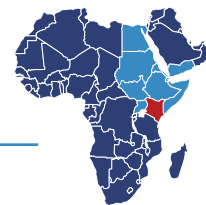
96 US State Department (2016). Trafficking in Persons Report: Kenya. <http://www.state.gov/j/tip/rls/tiprpt/countries/2016/258795.htm>

97 Ibid.

98 Government of Kenya. The National Plan of Action for Combating Human Trafficking: Strategic Framework 2013-2017. <http://haartkenya.org/wp-content/uploads/2015/09/NPA.pdf>

99 Key informant interview, May 2016.

100 Ibid.



between service providers, NGOs, government agencies, and law enforcement agencies on trafficking complaints, referrals, investigations, or prosecutions exist, hampering the anti-trafficking sector's ability to develop evidenced-based programmes."¹⁰¹

A general lack of resources and capacity has slowed the implementation of existing frameworks, in part because, at the time of writing this report, limited progress had been made in establishing the National Assistance Trust Fund for Victims of Trafficking in Persons.¹⁰² Similarly, within Advisory Committee, the tasks assigned to ministries, institutions and organisations, as outlined by the NPA, "shall be financed at their disposal" and concerned "Ministries, Departments and Agencies (MDAs) shall factor in their expenditure a budget on counter trafficking activities related to their operations as they form part of their mandates."¹⁰³ Thus, funding for the Advisory Committee and its activities is reliant on budgets from a range of MDAs, each of which has its own priorities and core functions outside the purview of human trafficking.

Although Kenya has acceded to the Protocol against the Smuggling of Migrants by Land, Sea and Air, none of its national laws deal with the issue of migrant smuggling directly and the country does not have a smuggling law equivalent to the Counter-Trafficking in Persons Act. The offence of migrant smuggling is, however, defined in the Citizenship and Immigration Act of 2011 in terms that are in line with the Protocol against the Smuggling of Migrants by Land, Sea and Air.¹⁰⁴ According to an article in the journal *Law, Democracy and Development*, "the Citizenship Act represents the first attempt by the Kenyan legislature to encapsulate the offence of migrant smuggling," but, "it is not recommended as an international best practice to include smuggling and related offences in domestic immigration law. The offence of smuggling should be dealt with separately under the organised crime framework of a state party."¹⁰⁵

Consequently, the role of organised crime is largely absent from legal discussions about migrant smuggling and human trafficking networks in Kenya.

Interviews in Kenya revealed a need to educate and familiarize law enforcement officials and the judiciary on the details of the Counter-Trafficking in Persons Act. Interviews with local NGOs in particular highlighted the fact that some local officials are still unfamiliar with the basic concepts of human trafficking and with the antitrafficking law.

Some security officials are known to harass irregular migrants and asylum seekers, especially within the heightened security context stemming from concerns over terrorism. Immediate

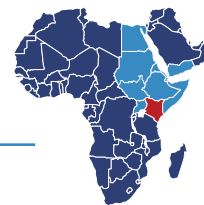
101 IOM (2015). Migration in Kenya: Country Profile. http://publications.iom.int/system/files/pdf/migration_profile_kenya.pdf

102 Key informant interview, May 2016.

103 Government of Kenya. The National Plan of Action for Combating Human Trafficking: Strategic Framework 2013-2017. <http://haartkenya.org/wp-content/uploads/2015/09/NPA.pdf>

104 Government of Kenya (2011). The Kenya Citizenship and Immigration Act of 2011. Available at: http://www.nairobi.diplo.de/contentblob/3356358/Daten/1788002/d_KenyanCitizenship_No12_of_2011.pdf

105 Barasa, N. and Fernandez, L. (2015). Kenya's implementation of the Smuggling Protocol in response to the irregular movement of migrants from Ethiopia and Somalia. *Law, Democracy and Development*, vol. 19. Available at: http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2077-4907201500100002#top_fn140



detention and accusations of illegal entry are often the natural impulse of many law enforcement officials and prosecuting authorities towards smuggled migrants¹⁰⁶ while adult men who are trafficked are looked upon with suspicion, in part because human trafficking is widely perceived to be something that only happens to children and women.¹⁰⁷ All this impedes effective data collection.

It has been argued (*see Law, Democracy and Development*) that there is a need to decriminalise the migrant and to criminalise facilitators. “Thus far, Kenya has dedicated the bulk of its resources and time to the prosecution and deportation of the smuggled migrant, rather than targeting organisers, facilitators and profiteers of the movement. Presently, law enforcement officers can no longer claim a restrictive legislative framework.” The article continues, “The smuggling of migrants is now defined in the Kenya Citizenship and Immigration Act and is criminalised. The Prevention of Organised Crimes Act and the Money Laundering Act can also be applied creatively in prosecuting conduct related to the smuggling of migrants.”¹⁰⁸

It is further argued that decriminalizing migrants would open the door to better access to information and data on the networks that facilitate migrant smuggling, as migrants are likely to have valuable information regarding the smuggling process, the persons involved, the routes utilized, and officials implicated.¹⁰⁹

Several government officials interviewed during the course of fieldwork for this report in areas where human trafficking and migrant smuggling are both prevalent maintained that neither were taking place, and so posed no security problem for Kenya. Other government officials working in an area known for trafficking and smuggling were hesitant to share information concerning either issue.¹¹⁰ This in part explains why collecting information on migrant smuggling and human trafficking has proved so difficult.

Corruption and collusion compound the problem. Every non-governmental official interviewed as part of the research for this report, and many within government, cited corruption as a primary contributor to not only the existence of migrant smuggling and human trafficking networks in Kenya, but also the dearth of information about these phenomena.

Collusion with some government officials, coupled with the *realpolitik* of local security dynamics, has allowed powerful smugglers to enmesh themselves within formal and informal structures, making even more challenging for the State to act against migrant smugglers and human traffickers.¹¹¹

106 Ibid.

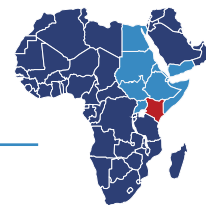
107 Key informant interviews, May 2016.

108 Barasa, N. and Fernandez, L. (2015). Kenya’s implementation of the Smuggling Protocol in response to the irregular movement of migrants from Ethiopia and Somalia. *Law, Democracy and Development*, vol. 19. Available at: http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2077-4907201500100002#top_fn140

109 Ibid.

110 Key informant interviews, June-July 2016.

111 Ibid.



Local clan leaders were warning of this as early as 2009, when one tribal chief in Mandera told researchers from IOM, “An attempt to arrest a smuggled person could easily trigger a clan war. . . so we let things go on. If I stop them, the clan members can kill me in revenge for stopping their sons enjoying the prospect of a better life.”¹¹²

International support for capacity building

The Kenyan government, in tandem with a range of international partners, has engaged in several capacity building activities to improve its ability to counter migrant smuggling and human trafficking networks over the last two years.

In 2014, 20 prosecutors, police, children and gender officers from four counties took part in a four-day training organized by IOM on the Sexual Offences Act and the Counter-Trafficking Act with the aim “to improve the ability for law enforcement officials to promote social protection and legal services to victims of sexual and gender-based violence and human trafficking.” The training was supported through funding from the Swedish International Development Agency (SIDA).¹¹³

Also in 2014, the UNODC provided technical assistance to the Government of Kenya to strengthen its capacity “to reinforce their criminal justice responses to Trafficking in Persons (TiP) and Smuggling of Migrants (SoM), illicit trafficking of Drugs, and Wildlife crime.”¹¹⁴

In September 2015, a consultative session was held with civil society actors to “consolidate input on the structure and content of a proposed national referral mechanism aimed at enhancing victim protection and assistance.” As part of the session, “UNODC, the office of the Director of Public Prosecution, the National Police Service and victim service providers met to deliberate on an appropriate case reporting procedure for trafficking cases and the contents of a draft standard reporting form.” These activities were “anchored in regulations [related to the] Counter Trafficking in Persons Act 2010, being developed in close coordination with the Advisory Committee constituted under the Act and mandated to oversee activities to address trafficking in persons in Kenya.”¹¹⁵

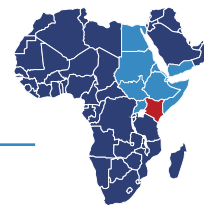
Although not directly related to migrant smuggling and human trafficking, UNODC has two ongoing programs devoted to improving the overall capacity of police, both through its Police Reforms Programme. The first seeks to roll out key message from “29 reforming policies and

112 Horwood, C. (2009). In Pursuit of the Southern Dream: Victims of Necessity. Assessment of the Irregular Movement of Men from East Africa and the Horn to South Africa. Geneva: International Organisation for Migration.

113 IOM (2014). IOM Organizes Training Workshop on Sexual Offences Act and the Counter-Trafficking Act. Available at: <http://kenya.iom.int/news/item/595-iom-organisers-training-workshop-on-sexual-offences-act-and-the-counter-trafficking-act>

114 UNODC (2015). UNODC May 2014 - April 2015. Available at: <http://www.un.org/en/africa/osaa/pdf/unsystemfolder/2015/unodc2015.pdf>

115 UNODC (2015). Legislative initiatives on trafficking in persons in Kenya and Somalia. Available at: <http://www.unodc.org/easternafrika/en/Stories/legislative-initiatives-on-trafficking-in-persons-in-kenya-and-somalia.html>



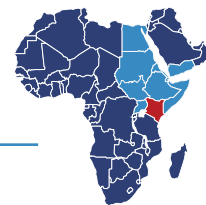
regulations to 1000 police stations and posts throughout the country,¹¹⁶ while the other aims to support police reform by engaging “23 mid-to-senior ranking police officers who volunteered to lead the transformation process at the police station level.”¹¹⁷

Lastly, in July 2016, immigration and border management experts from IOM’s African Capacity Building Centre, in coordination with IOM Kenya trained 16 high ranking officers from the Department of Immigration Services. The training focused on “human trafficking and smuggling and imparted critical document examination and fraud detection skills.”¹¹⁸

116 UNODC (2016). Police Reforms Programme Moves Ahead with Reform Roll Out across Kenya

117 UNODC (2016). Addressing Mindsets at the top of the Reform Agenda for Kenya’s National Police Service. Available at: <https://www.unodc.org/easternafrika/en/Stories/kenya-police-reform-coaching-session.htm>

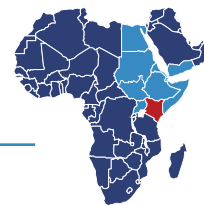
118 IOM (2016). IOM Trains Kenyan Immigration and Border Officers. Available at: <http://www.iom.int/news/iom-trains-kenyan-immigration-and-border-officers>



5.0

RECOMMENDATIONS

- Provide direct support to the Counter Trafficking in Persons Advisory Committee, with a particular emphasis on developing a central database for information on human trafficking.
- Establish clear mechanisms and frameworks for collecting and sharing information across government departments, ministries, and agencies, as well as between local and national authorities, so that information on human trafficking can be easily analysed.
- Establish clear mechanisms and frameworks for collecting and sharing information between government authorities and NGOs, humanitarian organizations, and civil society organizations.
- Develop a comprehensive legal framework that specifically addresses the issue of smuggling (as opposed to trafficking), that is in line with the UNTOC protocol on migrant smuggling.
- Develop structures to address migrant smuggling in parallel to those now taking shape to address trafficking in persons, ensuring the differences between the two phenomena are clearly understood by all stakeholders.
- Train law enforcement and judiciary officials to make sure they understand the content of the Trafficking in Persons Act.
- Increase efforts to prosecute, convict, and punish trafficking offenders by strengthening the penal chain, and training everyone along the chain to understand each other's roles and responsibilities.
- Develop a fact sheet that explains the Counter Trafficking in Persons Act in plain terms so that civil society organisations, NGOs and other actors who do not receive specialized training can understand it.
- Increase training of Kenyan officials at border crossings, including airports, to recognise victims of human trafficking.
- Continue anti-corruption and police-reform programming as first steps to untangling government structures from migrant smuggling and human trafficking networks.



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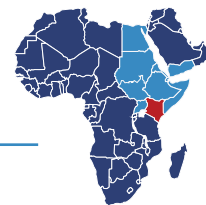
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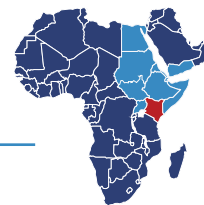
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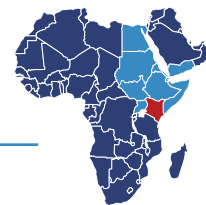
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ANNEX

CHALLENGES AND NEEDS OF NATIONAL INSTITUTIONS

Introduction

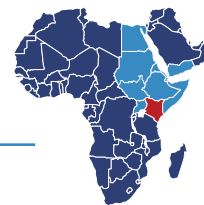
This analysis has been processed through the organisation of a consultative workshop held on the 14 November 2016 with representatives from the National Coordination Mechanism and the Counter Trafficking in Persons Advisory Committee. This exercise was facilitated by Expertise France with support from European Union police experts from the French Ministry of Interior, “*Direction de la Coopération Internationale*” and the Italian Ministry of Defence “*Carabinieri*”. The aim of the consultation was to review the country research and analyse the institutional needs for capacity building and training.

Summary of the findings

1. Review of the country statement by national institutions

The Regional Mixed Migration Secretariat (RMMS) presented the major outcomes of its research on Kenya, after which the floor was opened for discussion, comments and questions. Issues and points raised by participants included:

- Kenya is a transit and destination country for mixed migration flows originating from the Horn of Africa and Great Lakes regions, with major push and pull factors driving migrants and asylum seekers from neighbouring countries into and/or through Kenya. As such, there is a need to ensure that the objectives of the Khartoum Process are fully implemented to enhance better management of migration in Kenya and neighbouring countries.
- The need for transit countries in the Horn of Africa to work together to address the challenges posed by human trafficking and migrant smuggling in the region.
- The need for Kenya to establish a comprehensive information management system on human trafficking and migrant smuggling. Related to this suggestion, is the need to establish the status of existing databases and information sharing platforms and assess whether to establish new systems or harmonize the existing ones (e.g. Child protection MIS).



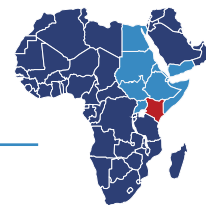
- The need to harmonize certain roles of the NCM and the Counter-Trafficking in Persons Advisory Committee to prevent duplication and enhance effectiveness in addressing human trafficking and migrant smuggling in Kenya.
- The need for countries in the region – including Kenya, to establish a regional mechanism or regional legislation through regional bodies such as IGAD and the East African Community (EAC), that would facilitate sharing of information related to trafficking and smuggling.
- The need for sufficient sensitization and awareness creation about human trafficking and migrant smuggling targeting citizens, government agencies and CSOs.
- The Kenyan government should establish humane holding facilities for irregular migrants – currently irregular migrants are held in police or prison cells together with other offenders.

2. Challenges and capacity needs

The participants were divided into three discussion groups and reviewed a case study to assess the existing capacities, challenges and needs of key institutions and procedures in handling trafficking and smuggling. Participants were also tasked to identify potential training needs. Four aspects were identified as key priority needs for capacity building:

Policy and strategic planning

- The participants noted that legislation and regulations exist in Kenya to address trafficking in persons, but also that the country lacks an adapted and differentiated response to distinguish trafficking in persons from smuggling of migrants, for which there is no national legal framework. One of the top priority needs identified by the participants is the provision of specific trainings and sensitization to policy makers and legislators in order to support normative and policy reforms to establish such a comprehensive legal framework and other forms of response to the smuggling of migrants.
- The participants also observed that there is limited knowledge regarding the content of the Counter-Trafficking in Persons Act and the Victim Protection Act by law enforcement agents and first responders. Therefore there is a need to provide adequate trainings and information to prosecutors, law enforcement agencies and institutions responsible for providing protection and assistance to victims on applicable legislation related to trafficking in persons and protection of victims.
- Bureaucracy was highlighted as a key challenge to the efficient response to smuggling and trafficking – this should be addressed as stakeholders in the sector seek to establish a comprehensive, harmonised and integrated operational platform. The National Coordination Mechanism (institutional level) and the Counter Trafficking in Persons Advisory Committee (ministerial level) are in still in their formative stages and require



adequate technical assistance to achieve their strategic objectives and improve financial and resource mobilisation.

- It was also noted that there are multiple operating procedures used by different law enforcement agencies (e.g. immigration and police services, including criminal police) and responsible institutions to manage the operationalisation of responses to human trafficking and smuggling of migrants. Those procedures should be interlinked or harmonised and boosted by training to identify best practices and establish operational priorities, which include mapping of areas of intervention, allocation of resources and strategic tools and reports.
- There is currently no formal system in place to ensure accountability and effectiveness of institutional responses to trafficking in persons and smuggling of migrants, including for law enforcement agencies. Participants suggested the possibility of reinforcing monitoring and evaluation mechanisms to ensure appropriate use of resources, prevent corruption and evaluate the impact of national intervention.

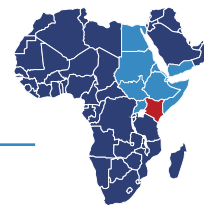
Information collection and sharing

Participants highlighted the challenges facing law enforcement and other front line state agencies in conducting timely identification and referral of cases of smuggling and trafficking. This affects the quality of data on suspected smugglers and traffickers, the documentation of cases for criminal investigation and prosecution, as well as the protection and assistance provided to victims and witnesses.

- The priority focus should be to establish coordinated and centralised mechanisms for data collection and referral of information to ensure well-timed collection and sharing of important information (when, where, how, why and who). This action should be reinforced through formal standard mechanisms and operational procedures for collecting and sharing information from testimony or evidence and information transfer across government institution, NGOs and other stakeholders for referral of victims of trafficking and migrants with specific protection needs.

Data management and records

- According to participants, there is currently no centralised information management system (IMS) accessible by front line agencies to ensure appropriate record data recording. The project to establish such tools is a priority of the National Plan of Action and participants suggested that support should be provided to the Counter Trafficking in Persons Advisory Committee and the National Coordination Mechanism to develop the necessary characteristics and methodology for establishing an information management and record system.
- Despite the availability of well-trained forensic officers in major urban hubs, the capacity to manage and record available scientific data remains scarce. Representatives from law enforcement agencies and the judiciary stressed the need to improve the management of forensic materials, which include security, records and documentation.

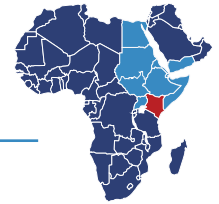


Analysis & reports

- The need to reinforce analytical reporting systems was also identified as key, in particular the improvement of institutional and policy response through the development of information notes and reports to policy makers that include government authorities and members of parliament.
- The provision of profiling reports and analysis to highlight the needs and available services for victims of trafficking and migrants with specific protection vulnerabilities was also mentioned with the aim of improving the response and influencing decision makers.

3. Training needs and priorities

- Training and sensitization of legislators and policy makers on trafficking and smuggling.
- Joint training for investigators, prosecutors, judicial officers and first responders on issues of smuggling/trafficking.
- Training on monitoring and evaluation of intervention (methodology for accountability and impact).
- Training on coordinated strategic and operational planning.
- Key aspects of investigative procedures and standard operational procedures for collecting and sharing information on trafficking and smuggling (including referral of victims and suspects).
- Training on capacity and resources to establish a harmonized information management system (IMS).
- Training on managing and recording forensic resources and materials (best practices, innovation & technology to record and secure data).
- Training on analysing and reporting situations and cases of trafficking and smuggling.
- Training on establishing victim protection response (profiling needs of victims and mapping protection services).



Conclusion

The Government of Kenya has made substantial efforts to address the issues related to irregular migration, particularly trafficking in persons. However, there are remaining challenges for the national response to the phenomenon. The institutional response to smuggling of migrants is not incorporated in the legislative and policy framework. Participants from national institutions have shown a clear understanding of the opportunities to improve their operational response to smuggling and trafficking in Kenya. The establishment of dedicated coordination forums at policy and technical levels (e.g. the Counter Trafficking in Persons Advisory Committee and the National Coordination Mechanism) is a positive expression of political will and step towards an effective response in reducing the negative impact of irregular migrations.

Data management and records

Topics/ issues	Gaps & challenges	Existing framework/response
Information collection and referral	<p>Lack of time-bound identification and referral of smuggling of migrants (SoM) and trafficking in persons (TiP) cases.</p> <ul style="list-style-type: none"> • Insufficient data on suspected smugglers and traffickers. • Lack of coordinated and centralised mechanisms for data collection and referral of victims of trafficking (VoT) and migrants with specific protection needs. • Lack of formal procedures for collecting and sharing information from testimonies. 	<p>Section 19 of the 2010 Counter-Trafficking in Persons Act/Established Counter Trafficking in Persons Advisory Committee.</p> <p>National Plan of Action (NPA): Data and Research. Availability of existing good practices in identification and referral of cases use by immigration and criminal police.</p> <p>Section 19 of the 2010 Counter-Trafficking in Persons Act/Established Counter Trafficking in Persons Advisory Committee.</p>
Data management	<p>Lack of a centralised information management system (IMS).</p> <ul style="list-style-type: none"> • Insufficient tracking record of smugglers and traffickers • No data record and follow-up on status of VoT. • Security and protection of confidential data. <p>Lack of sustainable forensic record.</p>	<p>NPA/Counter Trafficking in Persons Advisory Committee: Plan for the development of database on TiP in 47 national counties.</p>
Analysis & reports	<p>Insufficient reporting and analytical mechanisms for TiP and SoM.</p> <ul style="list-style-type: none"> • Lack of information and understanding on trends and patterns of TiP and SoM (including among legislators and executive bodies). • Lack of analysis of migrant profile and mapping of available services in response to VoT and migrants with protection needs. 	<p>National Plan of Action (NPA) for Combating Human Trafficking 2013-2017.</p> <p>Counter Trafficking in Persons Advisory Committee.</p> <p>National Coordinating Mechanism (NCM).</p>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Strategic planning</p>	<p>Lack of dedicated and differentiated responses to SoM and TiP by law enforcement and other state agents due to the lack of national legislation on SoM.</p> <p>Limited knowledge about the content of the Counter-Trafficking in Persons Act for law enforcement agencies.</p> <p>Lack of appropriate response in key areas affected by smuggling and trafficking.</p> <ul style="list-style-type: none"> • Identification of key routes and corridors use for TiP and SoM, including specific period. • Unequal or insufficient presence of technical resources in most areas affected by smuggling and trafficking. • Insufficient funding for key institutional response, including National Coordination Mechanism. • Planning & operational process. <p>Accountability and effective use of law enforcement and other institutional response.</p>	<p>UNTOC, Protocol against the Smuggling of Migrants by Land, Sea and Air (SoM) and Protocol to Prevent, Suppress and Punish Trafficking in Persons.</p> <p>Counter-Trafficking in Persons Act (TiP). Victim Protection Act.</p> <p>National Plan of Action (NPA) for Combating Human Trafficking 2013-2017.</p> <p>National Coordination Mechanism.</p>
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Training priorities

Topics/ issues	Priority Needs	Training Needs
Information collection and referral	<p>Establish mechanisms and procedures for collecting and sharing information across government departments, ministries, and agencies (SoPs).</p> <ul style="list-style-type: none"> Enhance knowledge identify and refer suspected smugglers and traffickers. Enhance knowledge for identification and referral of VoT and migrants with protection needs within law enforcement agencies and other governmental institutions and non-governmental organisations. <p>Improve interview methodology.</p>	<p>Key aspects of procedures and standard operating procedures in investigating TiP and SoM.</p> <ul style="list-style-type: none"> Collecting/documenting data on smugglers & traffickers (profiling data). Identification and referral VoT and witness (patterns of the needs/ mapping existing services). <p>Methodology and approach to conduct an interview (key aspects and soft skills).</p>
Data management	<p>Establishment of IMS, including appropriate platform and database.</p> <ul style="list-style-type: none"> Records & database for suspects and convicted smugglers and traffickers. Records & database for VoT. Security protocol and SOPs for confidential data. <p>Improved forensic management capacity.</p>	<p>Capacity and resource to establish a harmonised IMS (why, what and how).</p> <ul style="list-style-type: none"> Record identity and & establish profile of suspects and convicts of SoM and TiP. Record identity and & establish profile of VoT. Protection and security of confidential data (e.g. witness and victim identity and testimony). <p>Training on managing and recording forensic resources and materials (best practices to record and secure).</p>
Analysis & reports	<p>Improve analytical and reporting system.</p> <ul style="list-style-type: none"> Develop information notice, sensitisation and reports to Members of Parliament on TiP and SoM. Conduct profiling exercise and mapping of available service for VoT and migrants with protection needs. 	<p>Training on analysis and reports on TiP and SoM.</p> <ul style="list-style-type: none"> Reporting on TiP and SoM. Profiling and reporting situation of irregular migrants and victims of trafficking/use of evidence based data

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Strategic planning</p>	<p>Develop a comprehensive legal framework and response that specifically addresses the issue of smuggling (as opposed to trafficking) in line with the supplemental UNTOC protocol on migrant smuggling.</p> <p>Key aspects and definition of TiP and SoM.</p> <ul style="list-style-type: none"> • Develop a fact sheet providing key aspects for the identification of situation of TiP as defined in the Counter Trafficking in Persons Act for front line police officers, civil society organisations and NGOs. • Enhance knowledge on SoM and TiP within law enforcement agencies, conduct sensitization on the Counter-Trafficking in Persons Act. <p>Improve planning and operational management. Mapping of priority areas of intervention (where, when, why). Allocation of technical resources (special police units/agents, Protection services, etc.). Establishment of funding requirement. Improve strategic & operational planning.</p> <p>Establish a monitoring and evaluation system for public intervention.</p>	<p>Support legislative reform through training and sensitization to legislators on trafficking and smuggling.</p> <p>Joint training and sensitization on SoM and TiP Methodology and tools to identify trends and patterns of SoM and TiP (when, where, how and why). Training and sensitization on how to identify situation of SoM and TiP.</p> <p>Training on coordinated strategic and operational planning, including.</p> <ul style="list-style-type: none"> • Mapping of intervention. • Identification and deployment of technical resources. • Budget planning and management. • Strategic and operational tools & reports. • M&E of intervention (methodology for accountability and impact).
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Workshop Participants

Last name	Given name	Institution	Title	Email
KIHALONGWA	Maj General (Rtd) Dr. Gordon	Dept. of Immigration	Director	gordonkihalongwa@yahoo.co.uk
OPON	Dr. Dan	Dept. of Immigration/NCM	Assistant Director	danopon@yahoo.com
AHMED	Omar	Border Management Secretariat	Head	elmashjary@yahoo.com / ahmed.omar@interior.go.ke
SANGOROH	Allan	Kenya Police Service	Staff Officer Operations	sssangorohallan@yahoo.co.uk
WAMBILIANGA	David	Dept. of Immigration	Assistant Director	habari4wambi@yahoo.com
NYAMBU	Valence	Refugee Secretariat	Administration	valence.nyambu@yahoo.com
RIGHA	Edwin	Dept. Of Immigration	Chief Immigration Officer	edwin.righa@immigration.go.ke
NJUGUNA	Ruth	State Dept. for Social Protection/ dept. Of Children Service	Senior Children Office	nyakiowanbui@gmail.com
BEN BERNOU	Hanina	EUD	Program Manager	haninaben-bernou@eeas.europa.eu
KEZZAH	Mary	Ministry of Labour	ALC	maryvulule@gmail.com
OUCHO	Linda	AMADPOC	Director	linda.oucho@amadpoc.org
HOPP	Judith	GIZ	Advisor	judith.hopp@giz.de
LIKAKA	Alexander	National Crime Research Centre	Researcher	luchetu@gmail.com
NDETEI	Immaculate	National Registration Bureau	PRO	immandetei@yahoo.com
KAHURIA	Catherine Bunyassi	Office of the Attorney General	Senior Principal Court Counsel	kahuriaanyassi@yahoo.com
MUJUMBA	Patrick	Ministry of Foreign Affairs	First Secretary	pmujumba@yahoo.com

HOWE	Tim	IOM	Regional Thematic Specialist	thowe@iom.int
HAMPSON	Silke	GIZ	BMM Country Coordinator	silke.hampson@giz.de
KOECH	Kiprop	National Intelligence Security		okiligei@gmail.com
MINNAAR	Emanuel	Netherlands Embassy	Immigration Liaison Officer	ej.minnaar@minbuza.nl



Laurent Grosbois
Chef de Projet / Project Director
« addressing mixed migration flows in East Africa »
Tel.: +251 (0) 930604033
Laurent.grosbois@expertisefrance.fr
www.expertisefrance.fr

This report is one of a series of ten country statements, produced as part of the project *Addressing Mixed Migration Flows in East Africa*. These reports provide an updated overview of migrant smuggling and human trafficking trends and dynamics and the modus operandi of criminal networks involved in facilitating irregular migration. The reports also highlight capacity gaps and challenges faced by governments in the region in responding to these phenomena, informing the identification of capacity-building needs in the areas of data collection, analysis and information sharing. The project is managed by Expertise France and is funded by the European Commission in the context of the EU-Horn of Africa Migration Route Initiative (the Khartoum Process).

This report is one of 10 country statement reports covering:
Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Yemen

