



Human Trafficking in Kenya: Analysis of data obtained from victims

Draft

Nairobi, August 2015

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Abbreviations and concepts

Child:	a person below the age of 18
Horn Of Africa:	Ethiopia, Eritrea, Somalia
Human Trafficking:	shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation ¹
East Africa:	Kenya, Uganda, Tanzania
Middle East:	Bahrain, Cyprus, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Palestine, Qatar, Saudi Arabia, Syria, Turkey, United Arab Emirates, Yemen
VOT:	Victim of Trafficking

¹ UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.

Key Insights

- Victims of human trafficking assisted by HAART are exploited both in Kenya (internal trafficking) and abroad (cross border trafficking)
- The primary international destination is Middle East while within Kenya Nairobi and its environs
- Victims trafficked to Middle East are abused mostly in a form that combines forced labor together with sexual exploitation. Victims who undergo this type of trafficking are female VOTs
- Both men and women are trafficked for the purpose of forced labor but also for the purpose of sexual exploitation
- The prevalent form of recruitment is through deceit (promise of false job)
- HAART recorded trafficking boys for the purpose of organ donation in Nairobi
- HAART recorded trafficking of children to the Horn of Africa (Somalia and Ethiopia)
- The trafficker – recruiter are likely to be a male Kenyan who is either a job agent, businessman or religious leader

Introduction

This brief report presents the analysis of data from HAART database. The data is composed of cases of victims of human trafficking (VOTs) that has been assisted by HAART (84.5% of total database) together with stories of human trafficking collected by HAART volunteers during the workshops at the community level (15.5% of total database). The total number of cases is 234.

The data presented in this report was collected between July 2012 and December 2014 and was presented during the Human Trafficking Conference organized by HAART on 26th of June 2015 at Pride Inn Hotel Nairobi.

The data presented below is not a full-fledged research that aims at presenting the flows and emanations of human trafficking in Kenya, since there was no sampling procedure undertaken.

However, the fact that the total number of cases is 234 in total it is plausible to draw certain generalizations. This, as well as the scarcity of data on human trafficking (especially insufficient data from human trafficking victim's cases) in Kenya, as well as in the region adds value to the findings presented below.

The data analysis and report writing was prepared by Radoslaw Malinowski – HAART CEO and Phyllis Mburu HAART Project Assistant

Who is a Victim of Human Trafficking?

According to IOM Glossary on Migration (2011), Victim of Human Trafficking is *Any natural person who is subject to trafficking in human beings*. Victims of human trafficking are thereof those who have been subjected to activity with the use of means and for purpose as specified in the Relevant International and Domestic law that addresses the problem of trafficking in persons². As it is beyond the scope of this paper to discuss the VOT's profile, it can be mentioned that victim of human trafficking can be any person regardless gender, race, tribe, age, religion and social status, although some people are more vulnerable to trafficking than others. Victims of trafficking are exploited both outside and within Kenya (contrary to myth that trafficking in persons is always through international borders), and there are many forms of exploitation like sexual exploitation, forced labor, domestic servitude but also forced marriage, organ removal, among others.

HAART in its VOTs' assistance uses IOM Handbook on Direct Assistance for Victims of Trafficking³ together with the IOM Guidelines on Assisting Victims in Eastern Africa⁴. The latter divides assistance to VOTS into the three stages:

- Identification
- Direct Assistance
- Reintegration

The first stage, namely Identification is crucial, as it enables direct assistance. If victim is not identify as Victim of Trafficking, there will be no assistance and subsequently the person won't be recognized as victim of this particular crime. Unfortunately identification of victims of trafficking is not an easy task as human trafficking is clandestine in its nature. In addition to that, many stakeholders have problem in distinguishing between human trafficking and human smuggling, therefore at least some victims of

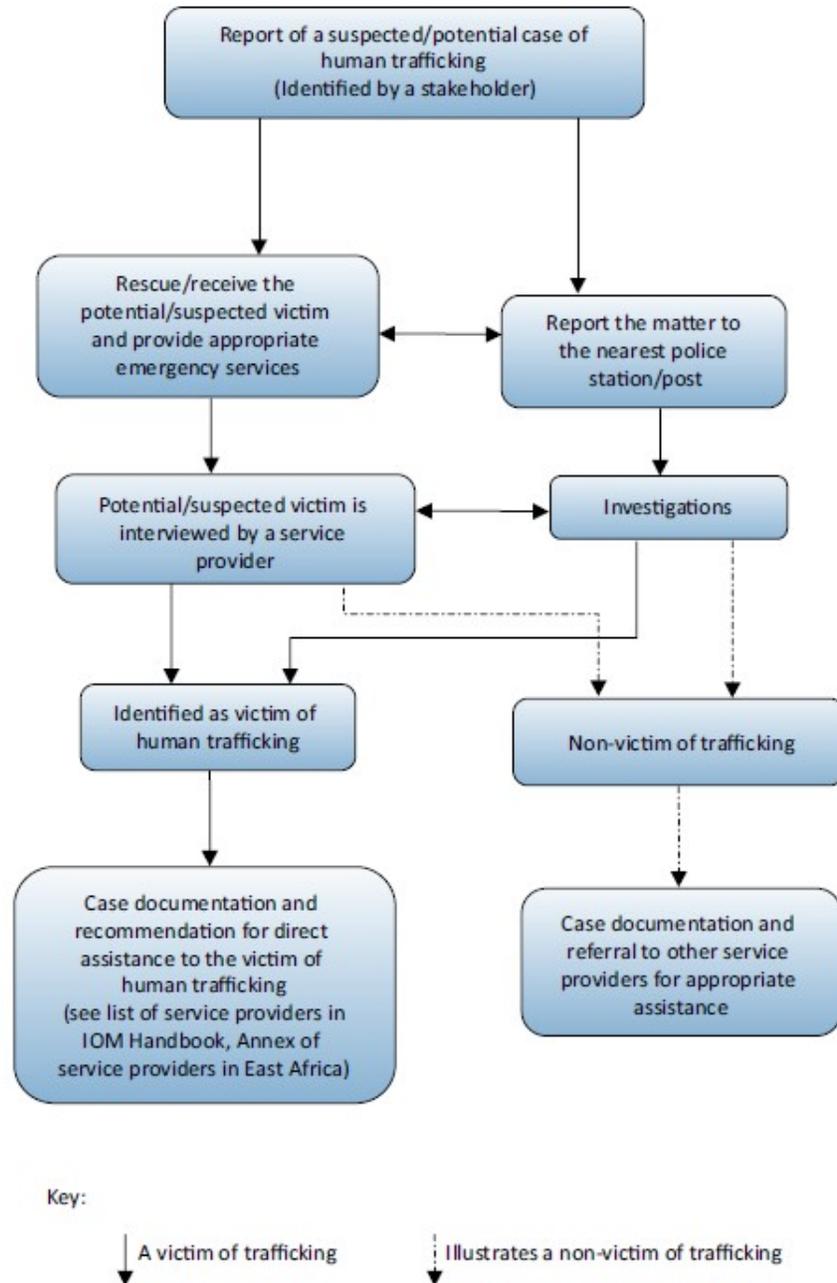
2 Internationally By Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Conventions Against Transnational Organized Crime (2000); and in Kenya by Counter Trafficking in Persons Act 2010.

3 IOM Handbook on Direct Assistance for Victims of Trafficking (2007) available online: http://publications.iom.int/bookstore/free/IOM_Handbook_Assistance.pdf

4 T. Odera & R. Malinowski: Guidelines for Assisting Victims of Human Trafficking in the East Africa Region (2011) available online: http://publications.iom.int/bookstore/free/GuidelinesforAssistingVictims_EN_A5.pdf

trafficking are treated as smuggled people (which will be explained later was one of the reasons why there are no victims of trafficking other than Kenyans in HAART database). Also there is a problem with self awareness among victims, especially when it comes to victims of less discussed types of trafficking (for example domestic trafficking within Kenya). The figure 1 below presents the procedure of handling the VOTs by HAART.

Figure 1:



The identification of VOTs by HAART typically happens through:

- Awareness workshop at the grass root level
- Through the network of trained volunteers in Kiambu, Nairobi, Machakos, Makueni, Kajiado and Narok counties (see the figure no 2 with the area of HAART operation)
- Through referral from our partners
- Through social media

Assistance to victims is key in any counter trafficking activity. VOTs that are not identified and therefore not assisted have more chances to be further exploited or re-trafficked. In some extreme cases some victims might become traffickers and traffic others. Also, for the societal level, identification of victims helps in understanding the problem itself and helps in improving other counter trafficking activities like prevention or prosecution of traffickers.

Figure no 2: Counties where HAART conducts its workshop at the local community level

Brief overview of HAART data on Victims of human trafficking

Source of HAART Data: Data presented in this report derives from the two sources: documented HAART interventions (assistance) on VOTs and from collected stories – noted and verified cases of human trafficking at the grass root level. As it is presented in the figure no 3 below this document is based more on interventions rather than documented cases.

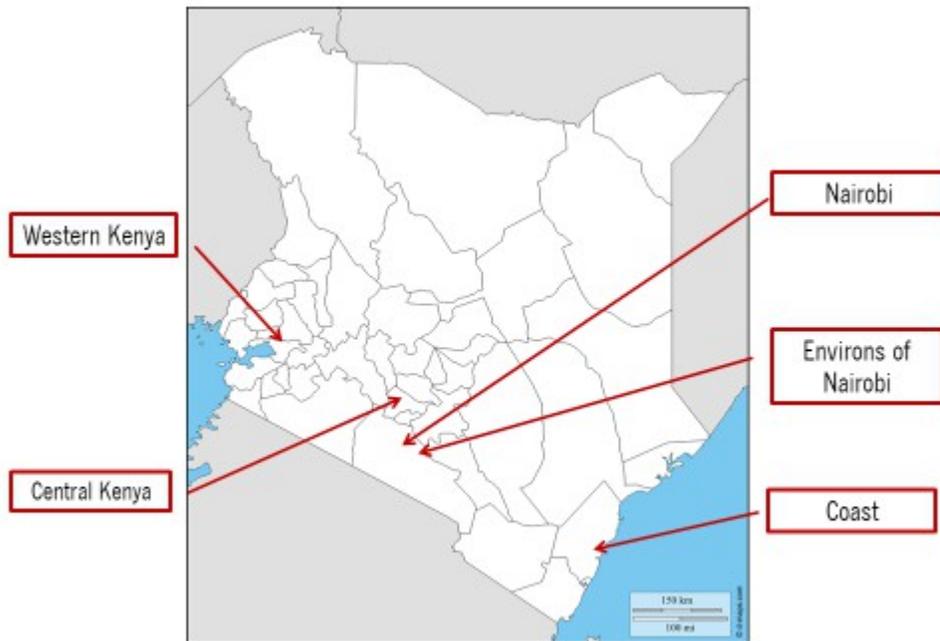
Figure no 3: Sources of Data

Figure no 4: Gender Profile of Victims

The figure no 4 shows that over three quarters of victims registered by HAART are female. This is in line with various international and regional reports that point out women as main victims of trafficking. However, the 22.4 % of cases are male which is also statistically phenomenon. It is also highly plausible that the real figure of male victims of human trafficking could be higher as men hardly report cases of exploitation due to cultural reasons and shame.

Where the victims are coming from?

Figure no 5: Most popular places victims were recruited



The Figure no 5 above depicts the most popular areas of recruitment. Victims who were assisted by HAART were recruited by traffickers mainly in Nairobi and its environs, Western Kenya, Central Kenya and the Coast.

Destination of VOTS

The figure no 6 below presents distribution of victims of trafficking according to destination (external – internal).

Figure no 6: Destinations of victims of human trafficking

From the above figure it transpires that majority of identified victims were trafficked abroad. Given the fact that human trafficking is usually portrayed by media as act of transporting victims abroad (to popular destinations like Middle East), it is very plausible that the actual number of victims trafficked within Kenya is apparently higher. This could be an outcome of a fact that there is a low level of awareness among those trafficked internally, a fact that should be taken into consideration by the

government, media houses and civil society organizations engaging in creating awareness on human trafficking.

The second finding from the figure no 6 is the gender of victims trafficked outside and within Kenya. While those trafficked within Kenya are both male and female (with the equal ratio 50% of male and 50% of female), 90% of victims trafficked abroad are women. It is a reflection of demand for this type of trafficking victims in destination countries (to a larger extent), combined (to a lesser extent) with fact that male trafficked abroad are less willing being identified (and recognized) as victims of this particular crime.

External Trafficking

Figure no 7: Destinations for external trafficking



The Figure no 7 shows external destinations for VOTs. Countries in the Middle East, namely Saudi Arabia, Dubai, Oman, Qatar, Lebanon and Jordan compose 60.4 % of total number of destination places.

The second popular destination abroad is Libya with 14.9% of victims (all female) being exploited there. A small number of victims was trafficked to other countries in East Africa like Tanzania and Uganda.

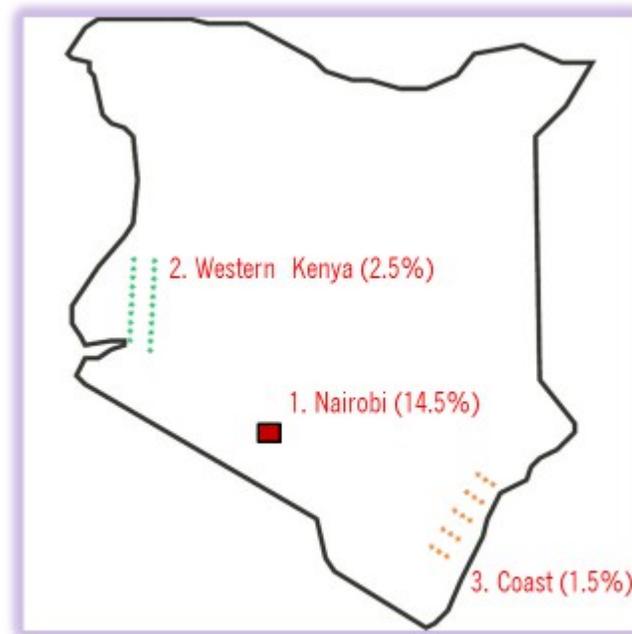
Three victims were trafficked to Europe – one to Denmark, one to Italy and one to Germany. There are also two cases of male victims trafficked to countries located in the Horn of Africa -one to Somalia and one to Ethiopia. The fact that both victims are children is also a non-trivial finding.⁵ As there are media reports on people recruited by various criminal and terrorist organizations to countries in the Horn of Africa especially Somalia, this type of trafficking is likely to be strongly interlinked with matters of national security.

⁵ Especially as HAART continues to receive more case studies that involve young Kenyans (specifically boys) being recruited by Al Shabaab to Somalia as well as Somali boys and girls being recruited and exploited in Kenya

Internal Trafficking

VOTs who belong to the category of internal trafficking are fewer than those trafficked abroad. As it was explained earlier, this might not be necessary the reality but an outcome of several factors especially lack of self-awareness among the victims of internal trafficking and popular misconception about human trafficking as phenomenon that entails travelling through international borders. The figure no 8 below presents the most popular destinations for victims of internal trafficking:

Figure no 8: Most common destinations for Internal Trafficking



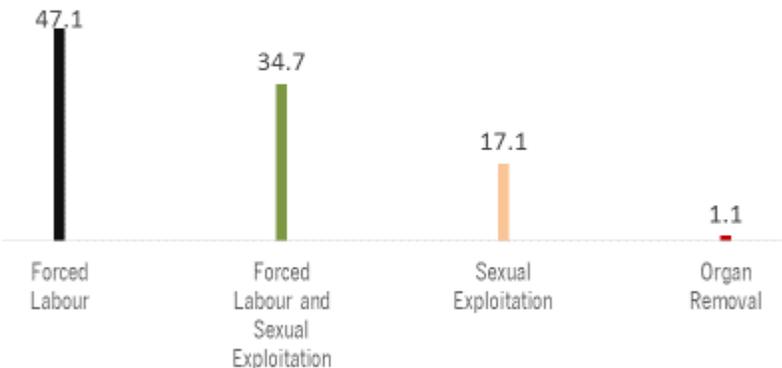
As for the internal trafficking, there is prevalence of Nairobi as the prime exploitation destination. Nairobi appears as a destination for various forms of human trafficking, like forced labor, sexual exploitation and organ removal. Victims from both rural and other urban locations are attracted by job or education offers in Nairobi. There is also a traffic of people within Nairobi – from one area to another one. The second location – Western Kenya together with the third one – the Coast is also not a surprise, as both are often mentioned in various reports describing the situation of trafficking in Kenya⁶

⁶ For example the latest US government Trafficking in Persons Report 2015 mentions the Coast as destination for trafficking for sexual exploitation while Western Kenya is a place where victims are exploited in farms and fisheries (forced labor) but also in bars and brothels (sexual exploitation).

Exploitation of Victims

Victims of trafficking can be exploited in a different forms, however several types of exploitation are more common than others. The figure no 9 below depict the most popular forms of exploitation that VOTs are subjected to.

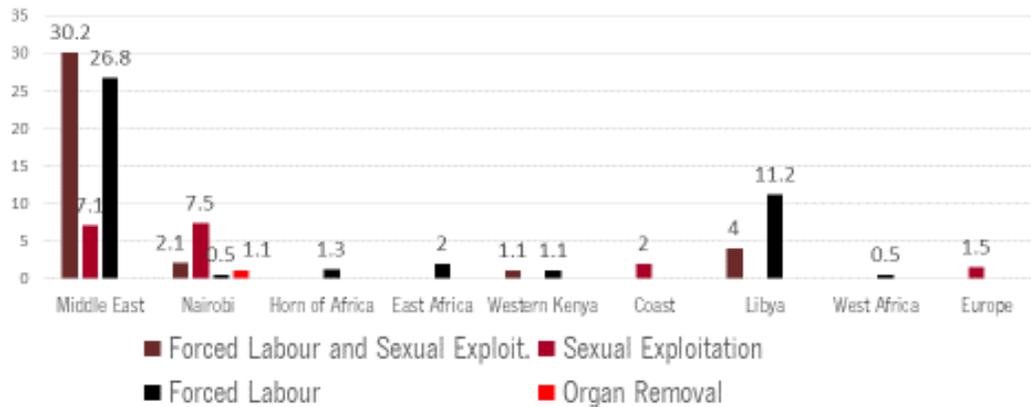
Figure no 9: Most popular forms of exploiting VOTs



From the above figure it is possible to draw a conclusion that forced labor alone is the type of exploitation for nearly half of all cases of human trafficking, while forced labor combined with sexual exploitation is the second popular form of exploiting victims. As above one third of VOTS are abused through forced labor in combination with sexual exploitation, it is legitimate to treat this as a separate type of trafficking. Indeed, combination of forced labor and sexual exploitation has specific impact on victims, as it combines sexual abuses with those attached with forced labor and as such has particularly negative impact on victim’s physical and mental health.

As for the last type of exploitation: organ removal, it is examined in the figure number 10 below:

Figure 10: Exploitation according to destination ⁷



VOTs trafficked to the Middle East are exploited in a form of forced labor and sexual exploitation (a female victim recruited for the purpose of forced labor also abused sexually by the host) forced labor alone or sexual exploitation alone. Also those who were trafficked to Libya were exploited in a form of forced labor alone or forced labor combined with sexual exploitation (in a similar mode to those of Middle East). VOTs trafficked to West Africa, Horn of Africa and East Africa were exploited in a form of forced labor while those trafficked to Europe were subjected to sexual exploitation.

As for the internal trafficking those exploited in Coast were subjected to Sexual Exploitation, those from Western Kenya were exploited through forced labor alone and forced labor combined with sexual exploitation while Nairobi is a place for all types of exploitation: forced labor and sexual exploitation separately, forced labor combined with sexual exploitation and organ removal. The latter type involves boys trafficked for the purpose of witchcraft in one of Nairobi slums.⁸

⁷ The diagram considered missing cases as in some case studies the type of exploitation was unclear

⁸ Although it was pointed earlier that this is not a research on victims of trafficking profile, it is important to note that trafficking for organ donation is likely to appear in other destinations in Kenya and abroad – only those cases were not reported to HAART. We can mention for example some cases of Kenyan albino children trafficked to Tanzania or cases of trafficking for witchcraft purpose in the Coast and Western Kenya, as often reported by

Finally, the figure number 11 below gives additional information on the flow of victims of human trafficking:

Figure no 11: Age of victims compared with the type of exploitation

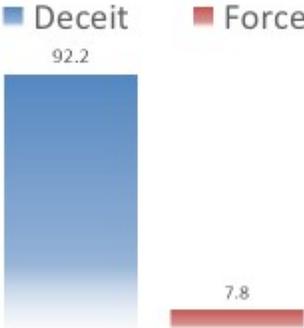


Victims exploited in combined form of forced labor and sexual exploitation are exclusively female and mainly above 18 years. This type of exploitation can be described as VOTs exploited in a form of forced labor and on top of that through sexual exploitation. In other words, victims are primary abused as forced laborers (for example as house workers) then also through sexual exploitation, as their hosts (exploiters) take advantage of victim’s vulnerability. It is not surprising that this type of trafficking is prevalent among VOTs who travelled to the Middle East.

Another important finding is the fact that exploitation in a form of sexual exploitation is affecting both male and female (children and adult alike). Also, when it comes to exploitation through forced labor media.

alone victims are both male and female, adults and children altogether. Finally, HAART registered cases of boys being trafficked for the purpose of organ removal.⁹ The figure no 12 below presents the type of recruitment of VOTs. From the numbers it is possible to determine that the vast majority of victims are recruited through deceit (false promise of a better employment). Those, recruited through abduction are children in Nairobi and one who was recruited to the Horn of Africa (Somalia).

Figure no 12: Mode of recruitment



⁹ Those cases involve boys from Nairobi recruited through abduction.

Trafficker - Recruiter

As for the trafficked (Recruiter) profile, HAART data revealed that there are repeating patterns in who traffics people in Kenya.

92% of those who recruit were of Kenyan origins, both female and male –although there are more men (63%) traffickers comparing to women traffickers (37%). The occupation of traffickers also allows for some generalization as 65.9% were job agent, while 18.3% were (or pretended to be) business people. Finally 10.3% among traffickers were religious leaders. Therefore, the highest odds are that trafficker is a Kenyan male who is either a job agent, business person or religious leader.

Summary

This brief report presents the basic fact of victims of human trafficking, registered by HAART. Taking into account several limitations of the data collected victims of trafficking are important source of information and reveal the recent trends in trafficking in persons. The key findings in this report points out that first, there is an urgent need for creating database on victims of human trafficking by different institutions and organizations as well as coordination and collaboration between those entities. Secondly, low level of self-awareness among victims of domestic trafficking (within Kenya) calls for accurate awareness campaigns (campaigns that will not depict human trafficking as process that is limited to taking victims abroad). Finally in-depth research is required for the streams of trafficking as indicated in this report. HAART continuously attempts to improve this findings in form of broadening this report (both in-depth as well as in terms of better representativeness).¹⁰

¹⁰ For example there is undergoing study by HAART psychologist B. Khayundi who identified link between vulnerability to trafficking and victims experience of childhood abuse.

About HAART



Awareness Against Human Trafficking - HAART was founded in 2010 by a passionate group of lawyers, missionaries and humanitarians. These people from multiple nationalities sought to bring peace and awareness to Kenya to end the criminal activities of human traffickers. Since then, HAART has worked to prevent human trafficking through a multi-disciplinary approach: Prevention, Protection, Prosecution and Policy and cooperation. Since its inception, HAART has reached more than 20,000 people at grassroots workshops and more assisted more than 200 victims of trafficking. It organized several national forums in Kenya that gathered key counter trafficking stakeholders from the government, civil society and international institutions. HAART is a member of several international, regional and domestic networks that address the problem of human trafficking. Visit www.haartkenya.org for more information.