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Alliance News

AFRICA: Human Rights Protection of
Trafficked and Migrant Persons



Global Alliance Against Traffic in Women



Editor's Note

Articles contained in this issue of the GAATW newsletter represent the views of the respective authors and not necessarily those of the entire GAATW network. The editorial team has edited all articles as much as possible with the author's approval before publication. However, the authenticity of the author's voice is maintained and the author's rights are respected in cases where the author feels strongly about keeping certain text and/or style considerations intact.

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Dear Friends

Welcome to the 29th issue of the Alliance News. *Africa: Human Rights Protection of Trafficked and Migrant Persons* is the first in our Regional Spotlight Series, a four-part series in which we will be focusing on one continent or region in the world; Africa, Europe, Asia and the Americas. In each Spotlight, we will aim to provide some contextual information on trafficking and labour migration as well as highlight the initiatives of organisations working on those issues in the region.

Why Focus on Regions

Our decision to focus on regions is an acknowledgement of the fact that specific socio-political and economic realities shape people's lives and the decisions which they make with greater or lesser degrees of freedom. Human rights may be universal, but unless we know more about the context in which people live, move and work, we will not be able to understand the impediments to the realization of those rights. Subsequently, our solidarity actions both at the regional and global levels will not embody the hopes and aspirations of people. We hope that each regional issue will take a small but firm step towards creating that inter- and intra- regional understanding and commitment for collective action among the member organisations of GAATW.

Since 2004, the GAATW International Secretariat (IS) has been working steadily to strengthen the synergy among members within and across regions. Following a membership revamp and the first International Members Congress (IMC) in 2004, we proceeded to set up a regular communication mechanism between the IS and members. The thematic consultations held during 2005 and 2006 also provided an opportunity for direct interaction among members, and between the members and the IS. In 2006, programme staff at the IS stepped up communication with members in different regions and, in consultation with them, started engaging with existing regional mechanisms. The concrete result of those efforts is a vibrant membership that has led to the formation of the GAATW-LAC chapter, and improved interaction among members in all regions.



We, at the IS, stay committed to do all we can to strengthen the Alliance in every region. During 2008-10, we aim to build on previous work in all regions with a special focus on Africa, Central Asia and the Middle East. Consultations with members in all regions and study trips to some regions have been scheduled for 2008-9.

Towards a Stronger Regional Alliance in Africa

As the Africa issue of our newsletter gets ready for release, we are also gearing up for a consultation in the region later in 2008. We are encouraged by the news that our colleagues in Nigeria have just concluded their preparatory meeting to put together a handbook on Access to Justice. Our advertisement to recruit a new colleague to coordinate the Africa regional consultation has received a wonderful response, and by early August, we will have made our decision. Also, before the end of the year, the GAATW Board will have a new member from the African region.

As Bandana Pattanaik and Michelle Taguinod's piece (p.9) explains GAATW's engagement with Africa began back in 1996 and has been consistent since then. While GAATW has not coordinated large projects in the region and does not have many members there, the engagement has been steady. In the coming years, we need to connect with more colleagues working in Africa; a task that we can embark on only with proactive support from our current members. The enthusiasm of our African members at the 2007 IMC for working together towards a stronger Alliance certainly gives us much hope.

Contributions for this Issue

This issue of the Alliance News has sought to give a broad overview of the work that is being done now in Africa to protect the rights of trafficked persons and migrant workers. We have invited contributions from a range of organisations and individuals who are involved in addressing human rights, trafficking and migration across Africa, and have received articles focusing on Kenya, Mozambique, Nigeria, South Africa, Zambia, as well as the East African, West African and Southern African regions.

In putting together this special issue on Africa, we have noticed some clear themes. The most notable, is the need for more information and more comprehensive research. Rebecca Napier-Moore from the IS provides an overview of the research undertaken in African countries on trafficking and migration, and while research certainly exists, we do not yet have a clear picture of the situation from the perspective of migrating people.

A number of organisations are working to stop trafficking and the issue is gaining prominence in Africa. Legislation is being passed in many countries, as described by Alice Maranga for the Kenyan situation. Civil society organisations are playing key roles; for example, Childline South Africa, who share its work to give a voice to exploited and/or trafficked children, and CFMD, also in South Africa, who describe its creative public awareness activities.

A recurring theme is the need for better human rights protection and assistance for trafficked women, migrant women and sex workers in many African countries of origin and in countries of destination. The contributions highlight the limited or lack of assistance to trafficked victims in Kenya and Zambia; abysmal recognition or protection of rights for sex workers in Uganda or Kenya; conditional assistance provided to trafficked persons in the Netherlands; and limited support for trafficked persons following forced repatriation or deportation in Nigeria.

Some researchers and organisations are starting to look more closely at linkages between trafficking, migration and labour, and examining sectors other than the sex industry. We have featured here research by the International Labour Organisation on forced labour and exploitation in Zambia. Mike Dottridge also raises questions about the efficacy of the trafficking framework for meeting the needs of child migrant workers.

The power of big events such as the upcoming World Cup in 2010 in South Africa to push forward action on trafficking is another theme. The World Cup, like other major sporting events, has led to fears of a massive increase of trafficking into the sex industry. While some are using this as an opportunity to raise awareness about trafficking and push through legislation, others such as Victoria Nwogu in her review of advocacy in Africa, see this as a risky strategy that may result in rushed and inappropriate legislation. Through their diverse perspectives the articles highlight that discussion around major sporting events and trafficking is far from uniform.

We very much hope you find this issue useful. It has been a great learning experience for us in the Secretariat and we hope it provides even a small reflection of the work that is being done in this enormous and amazingly diverse region.

Warmly

Bandana Pattanaik
Eleanor Taylor-Nicholson
Zoë Bake-Paterson
for the GAATW team



AFRICA AT A GLANCE

Compiled by Zoë Bake-Paterson

Recognising that Africa is a vast and diverse continent, we have gathered some general information about this region for our many readers living and working outside of Africa as an introduction to this issue of the Alliance News.

This compilation is a modest attempt to give a brief 'snapshot' of the African continent - the countries, the economy, human rights issues. It is by no means a complete or comprehensive introduction.

History

History

Africa is both the most clearly defined of continents in its geography and the hardest to pin down in historical terms. It is considered to be the birthplace of conscious communication. The earliest written accounts of human history are found in Africa. It is the primary gene-centre for cultivated plants and the first site of the domestication of certain plants for food.¹ The Isonghee of Zaire (Republic of Congo) introduced the mathematical abacus; Cyclopiian stone tombs were built in Central African Republic,² and in Ancient Egypt, women enjoyed the same legal rights as men.³ It was a continent where civilization and statecraft flourished. In the 12th century BCE, city states, like Ife-Ife and Oyo, were ruled by obas (kings) with court societies supporting celebrated arts.

Africa's more recent history has been defined by the Arab and Atlantic slave trades, the rise of the Zulu Kingdom, colonization by European countries- Belgium, Britain, France, Germany, Italy, Portugal, and Spain⁴ - in the late 1800s, and then the independence movements.

Liberia is said to be the first independent country in Africa, since 1847; Ethiopia is the only country not to have been colonized, though it was briefly invaded by Italy; and South Africa was the last country to gain true independence, from apartheid, in 1994⁵. Following the Second World War there was a strong movement for independence throughout the continent, and most African countries gained independence in the 1950s and 1960s. In the post-colonial period, there have been many challenges, opportunities and developments

in Africa - from structural adjustment programmes⁶, to the HIV/AIDS epidemic, and the creation of the African Union.

Taking in to account the arbitrary process of mapping the African continent by colonial countries and the subsequent changes through independence, Africa continues to change.

"Current realities: a Snapshot or Similar"

Today Africa is made up of 53 independent countries, and as a region, is categorized in many ways:

- By Geography, as Northern, Eastern, Western, Central or Middle, and Southern Africa. Or as 'Sub-Saharan Africa' (SSA), which is a designation commonly used to indicate all of Africa, except northern Africa, but including the Sudan.
- By People or politics, for example the Maghreb region, which is made up of five northwestern countries in Africa, all with substantial Berber populations. These include Morocco, Algeria, Tunisia, Mauritania, and Libya.
- By Economics, through the development of overlapping regional economic communities:
 - *Community of Sahel-Saharan States (CEN-SAD)*
 - *Common Market for Eastern and Southern Africa (COMESA)*
 - *Economic Community of Central African States (ECCAS)*
 - *Economic Community of West African States (ECOWAS)*
 - *Intergovernmental Authority for Development (IGAD)*
 - *Southern African Development Community(SADC)*
 - *Union du Maghreb Arabe (UMA)*
- By Linguistics, usually divided into three groupings - Anglophone, Francophone and Arabic speaking countries. This is only a small sum of the total languages spoken, as there are an estimated 2000-plus languages spoken in the continent and many more dialects.

Northern Africa

Algeria
Egypt
Libyan Arab Jamahiriya
Morocco
Sudan
Tunisia
Western Sahara (Sahrawi Arab Democratic Republic (SADR)**

Cote d'Ivoire
Gambia
Ghana
Guinea
Guinea-Bissau
Liberia
Mali
Mauritania
Niger
Nigeria
Saint Helena*
Senegal
Sierra Leone
Togo

Eastern Africa

Burundi
Comoros
Djibouti
Eritrea
Ethiopia
Kenya
Madagascar
Malawi
Mauritius
Mayotte*
Mozambique
Réunion*
Rwanda
Seychelles
Somalia
Uganda
United Republic of Tanzania
Zambia
Zimbabwe

Middle Africa

Angola
Cameroon
Central African Republic
Chad
Congo
Democratic Republic of the Congo
Equatorial Guinea
Gabon
Sao Tome and Principe

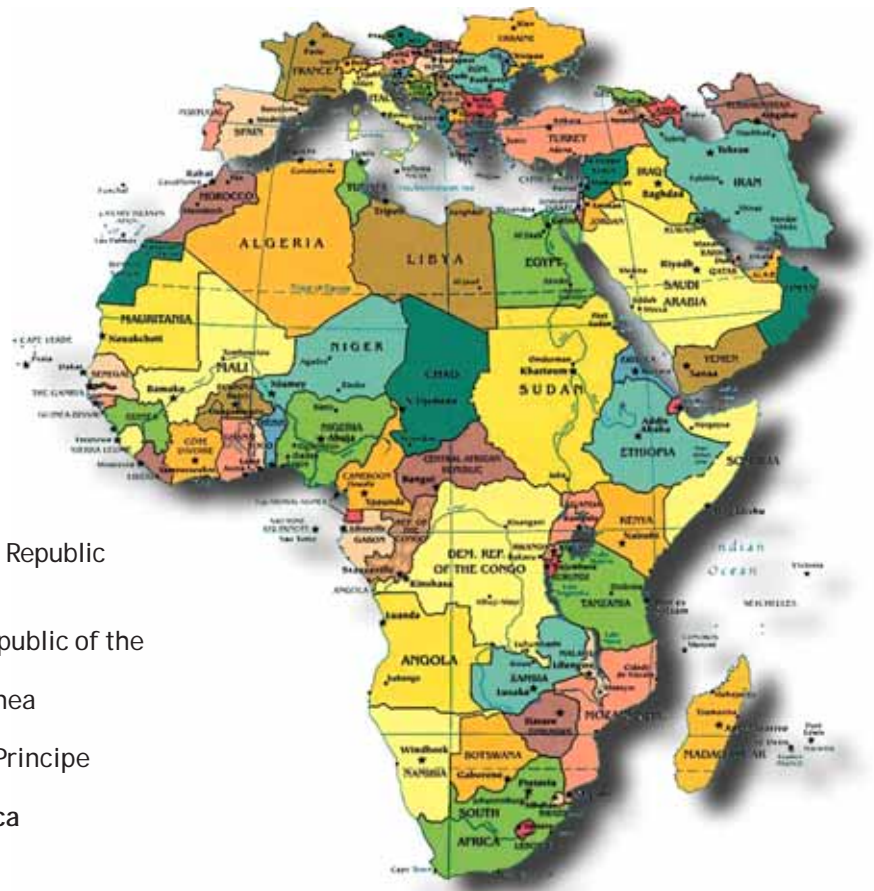
Southern Africa

Botswana
Lesotho
Namibia
South Africa
Swaziland

Western Africa

Benin
Burkina Faso
Cape Verde

*an overseas territory
**partially recognized state within Morocco



General Facts & Information

Fast Facts⁴

Africa is the second largest continent in the world. It could hold China, India, Europe, US, Argentina and NZ with some space to spare

Total Population	781,800,000
Surface area	24,270,000 sq km
Life expectancy at birth, total	50.5 years
Infant mortality rate	94.2 per 1,000 live births
Literacy rate, youth	64.3 percent of females ages 15-24
Gross National Income (GNI)	\$670 billion (current US\$)
GNI per capita	\$828.70 (current US\$; Atlas method)
Prevalence of HIV, total	5.8 percent of population ages 15-49
Arable land, total	185 million hectares
Arable land being farmed, total	14 percent

Major economic sectors⁵

Agriculture:

Around 70 percent of Africans work in the agricultural sector; however, about 60 percent of these workers are subsistence farmers tilling small plots of land to feed their families, with only a minimal surplus that can be sold.

Mining and drilling:

Africa's most valuable exports are its minerals and petroleum, which are concentrated in only a few countries: gold, diamonds and copper in South Africa, Namibia, Botswana, and Democratic Republic of the Congo; and petroleum in Nigeria, Angola, Gabon, Libya, Algeria and others.

Least Developed Countries - Africa⁶

The United Nations annually identifies a group of "least developed" countries, determined by their low income, weak human assets and high economic vulnerability. Of the 50 States identified in 2006, 33 were African countries:

Angola, Benin, Burkina Faso, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Lesotho, Liberia, Madagascar, Malawi, Mauritania, Mozambique, Niger, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Somalia, Sudan, Togo, Uganda, United Republic of Tanzania, Zambia

Africa Union

The African Union is Africa's premier institution and principal organization for the promotion of accelerated socio-economic integration of the African continent. It is based on the vision of strengthening Africa's economy; building partnership between governments and all segments of civil society; and promoting peace, security and stability on the continent as a prerequisite for the implementation of the development and integration agenda of the Union.

Factbox⁷

- Crude oil comprises more than half of total Africa's exports
- In two thirds of Sub-Saharan Africa (SSA) countries, one or two products are responsible for at least 60% of the country's total exports
- South Africa's and Nigeria's GDP comprise 54% of total SSA's GDP
- The Seychelles have SSA's highest GNI per capita (\$6,666); Burundi has the lowest (\$105)
- The largest population in Africa is 131.5 million (Nigeria); the smallest is Seychelles (0.1 million)¹¹
- Burundi has the highest proportion of women in its labour force (90.5% 2005); Sudan has the lowest (22.5%)

- In South Africa, the poorest 20% have 3.5% of national consumption; in Ethiopia they have 9.1%.
- In Swaziland more than one in every three 15-49 year olds has contracted HIV (33.4%); the rate is six in 1000 in Mauritania
- Mauritius has the highest life expectancy (73 years); Botswana has the lowest (35 years)
- In Seychelles, 92% of women are literate; the figure is 13% for Chad and 15% for Niger
- In Sierra Leone, two women die for every 100 live births; in Mauritius 24 die per 100,000 live births
- In South Africa, 10.7% of the people live under \$1 per day (PPP); 70.8% do so in Nigeria

Human Rights in Africa⁹

The human rights of many people in Africa continue to be violated despite efforts in many countries to improve rights protection through regional institutions, national legislation and even peace agreements. These violations, particularly in countries with armed conflict or unrest, result in devastating impacts on civilians.

The first half of 2008 has been marked by escalating violence in a number of conflicts in African countries, widespread unrest and violence in both Kenya and Zimbabwe sparked by elections, and recent xenophobic violence in South Africa. There have also been some noticeable advances, such as the International Criminal Court's recent issuing of arrest warrants for individuals in Sudan for acts of genocide, crimes against humanity and war crimes in Darfur, including the request by the prosecutor for a warrant of arrest for Sudan's President Omar al-Bashir.

Other significant human rights violations include:

- A lack of economic and social rights for millions of people who continue to live without access to adequate housing, employment, education or health care
- Armed conflict occurring in many countries including Central Republic of Africa, Chad, Darfur (Sudan), Democratic Republic of Congo, Niger and Somalia resulting in killings, sexual violence, and conflict-related deaths from hunger and disease
- The suppression of all forms of dissent by human rights defenders, journalists, government opposition, and civil society in many countries through intimidation, assault, arrest, imprisonment, torture or murder
- Violence against women and girls is widespread, particularly sexual violence, and remains largely unaddressed
- Impunity for police, other law enforcement officers, and other individuals responsible for serious human rights violations

- Hundreds of thousands of people in Africa moved across borders in 2007 in search of protection or an adequate standard of living
- There is still a trend of forcibly returning refugees and asylum-seekers in many countries, including Angola, Kenya, Sudan, Tanzania and Uganda
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In many ways the African situation is not exceptional. All the human rights violations and problems mentioned above exist in most other parts of the world. As many sociologists point out, we are going through a global crisis at the moment. Paradoxically, while statistics are registering high growth in some countries, more and more people are going hungry in the same countries. While a few people are getting richer and would like to be seen as 'global citizens', the number of 'excluded' people worldwide is increasing.

The question that all of us face at this moment is how would we nurture and strengthen the voices of resistance? What can we do so that the protests that people are raising against war, militarism, and neo-liberalism in Africa and elsewhere in the world are heard and heeded by everyone? How can we emphasize that Africa's future does not lie in more foreign aid or trade but that real solutions are emerging from within?

As always, our only hope is people; the excluded and the marginalized people. The struggle against neo-liberalism and neo-colonialism is a much more complex one because the enemy is both within and without. The road to a people-led future may be long and arduous, but we are sure that it will come. The signs are already there in the vibrant music and literature of people, in the strength of numerous people's movements within the continent and in their everyday lives.

Endnotes

¹ http://findarticles.com/p/articles/mi_qa3812/is_200001/ai_n8878495/pg_1

² *Ibid.*

³ <http://www.crystalinks.com/egyptianwomen.html>

⁴ The Africa Story, BBC World Service, <http://www.bbc.co.uk/worldservice/africa/features/storyofafrica/>

⁵ The Africa Story, BBC.

⁶ Economic policies for developing countries that have been promoted by the World Bank and International Monetary Fund; criticism is that it has had devastating impact on African countries, particularly the social sector.

⁷ World Development Indicators, 2006; UN FAO, Director-General, Jacques Diouf, 25th FAO regional conference on Africa, 2008

⁸ Economic change in Africa, edited by Tom Tietenberg, February 2007 (the Encyclopedia of Earth website: http://www.eoearth.org/article/Economic_change_in_Africa)

⁹ United Nations Conference on Trade and Development (UNCTAD)

¹⁰ Africa Development Indicators (ADI) 2007, www.worldbank.org/afr/stats

¹¹ African Development Indicators 2007 and UNDP Human Development Report 2007 Data

¹² Amnesty International, 2007 under review and updates for 2008, <http://thereport.amnesty.org/eng/regions/africa> and Human Rights Watch, <http://hrw.org/>



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LOOKING BACK TO GO FORWARD; GAATW'S WORK IN AFRICA

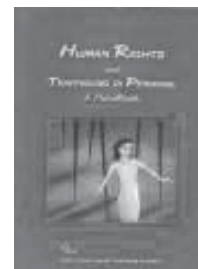
Michelle Taguinod & Bandana Pattanaik

The First Decade: 1994-2004

GAATW's work in Africa began in the mid-90s with the International Research Project that provided input to the report of the UN Special Rapporteur on Violence Against Women. Like every other activity of GAATW to date, this was also a collaborative effort. While the research project was a joint undertaking of GAATW and STV (The Dutch Foundation Against Trafficking, now called CoMensha), colleagues from all regions of the world provided input into the report by carrying out country specific studies and participating in regional consultations. Four country studies were undertaken in Africa; in Kenya, Mali, Nigeria and Uganda. Upon completion of the studies a 3 day workshop was convened in Kampala, Uganda in January 1997 co-organised by Associates for Change, GAATW and STV. Over 35 women's rights advocates representing key non-governmental organisations in 10 African countries in West, East and Southern Africa met to discuss the findings of the country studies. Held at a time when trafficking was still seen as an issue associated only with South East Asia and Europe, the meeting explored many complex issues such as patriarchy, prostitution, autonomy, human rights and cultural specificities. Reportedly this was the First Conference in Africa on the theme of Trafficking.

prepared for the training by putting together national reports. Case studies from the reports and GAATW's draft version of the Human Rights Hand Book were used as training materials. Florence Butegwa and Sunila Abeyesekera were the resource persons for the training.

Similar training workshops were also held with colleagues in Latin America, Asia and Eastern Europe during 1997-98. In 1999 representatives from each regional training workshop gathered in Geneva to carry out a participatory evaluation of the trainings. They also participated in the sessions of the UN Working Group on Contemporary Forms of Slavery. Jessica Nkuuhe from ISIS-WICCE participated in the consultation. Following recommendations from the participants GAATW-IS started working on a handbook for NGO colleagues around the world. The training reports, the hand outs used in the trainings and case studies provided by colleagues formed the basis of the 2000 publication **Human rights and Trafficking in Persons: A Handbook**. Prior to finalizing the handbook, Elaine Pearson and Sutthida Malikaew (both of them then with the GAATW-IS) held a consultation with African colleagues in Nairobi.



The January 1997 conference was followed up by a 5 day training workshop in September for 16 women activists from 13 countries with ISIS-Women's International Cross Cultural Exchange (WICCE), Uganda playing the local host. The training aimed to encourage mutual sharing of country situations and enhancing knowledge about the practical use of UN human rights mechanisms. Each participant had



Following the UN Adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2000, GAATW decided to broaden its advocacy to target governments that had signed this new Protocol. In early 2001 GAATW started the National Advocacy Project (NAP) to translate the international standards into practical implementation at the national level, in conjunction with



local organisations. The Women's Consortium of Nigeria (WOCON), which by that time established a network of the National Coalition Against Trafficking in Persons -NACATIP-, comprising 23 organisations, became Nigeria's NAP focal point. A training of trainers on "Trafficking in Women in Nigeria and applying Human Rights standards" was held in June 2002 in Lagos.

In 2003 The International Human Rights Law Group (now Global Rights) and WOCON participated in the NAP evaluation meeting. Global Rights, Nigeria also contributed to an on-line research of GAATW-IS for a special issue of the Alliance News on the Process of Recovery (July-Dec 2003) and shared the newsletter with many colleagues in Africa.

Following an organisational evaluation in 2003 GAATW-IS took a number of steps to clarify and strengthen the structure of the Alliance. A global membership mapping was carried out to know more about the activities, interests and needs of the network members. A short questionnaire and a revised Membership Terms and Conditions were sent to all of those who were listed in our contacts list. Those groups that responded and wished to remain as members joined the new revamped list. Following the feedback from members it was decided that GAATW would have only organizational membership but will maintain a mailing list and share information with all interested individuals and organisations. The revamp left us with a much smaller but more active and engaged membership.

In June 2004, GAATW-IS held a regional consultation in Nairobi, Kenya. The objective of this consultation was to reconnect with organisations working on trafficking in East Africa with a view to update ourselves on the current situation. In December 2004 several colleagues from South Africa, Kenya, Tanzania and Nigeria joined the first International Members Congress (IMC) of GAATW some of

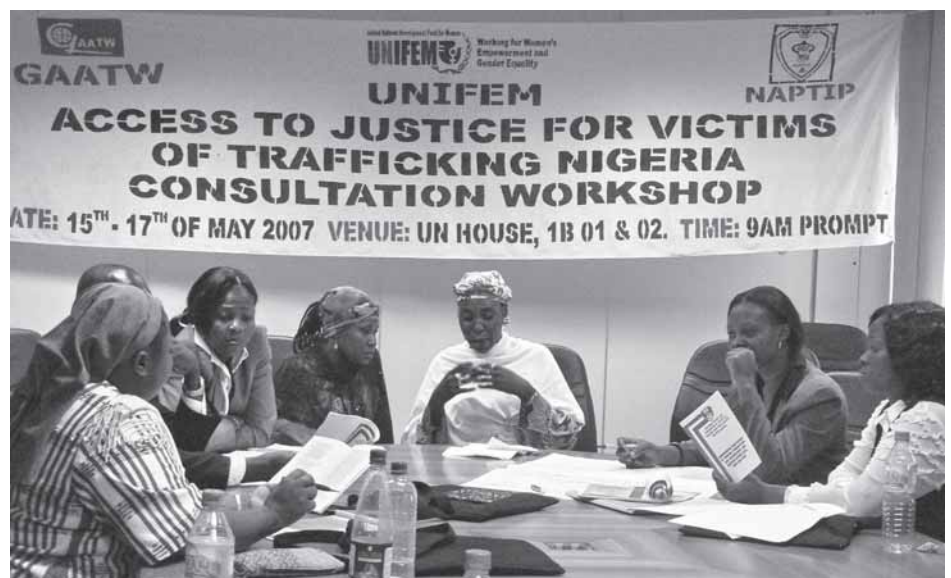
whom stayed on in Thailand to visit local organisations working on trafficking.

GAATW's Work in Africa in 2005-7

GAATW now has four members in Africa, representing three countries in West and East Africa. In Nigeria: Women's Consortium of Nigeria (WOCON) and Girls' Power Initiative (GPI). In Tanzania: Kiota Women Health and Development (KIWOHEDE). In Kenya: the Federation of Women Lawyers (FIDA Kenya).

These members have participated in GAATW's thematic global consultations and in international projects. In 2006, a shift in coordination within GAATW-IS, in which programme staff started focusing on a specific region in the world, helped strengthen regular communication with African member organisations.

In 2007 the GAATW-IS organised a solidarity visit to member organisations in Nigeria. Between 6 and 18 May 2007 two GAATW staff visited Lagos, Benin City and Abuja to spend time with our members and to meet with other stakeholders working on trafficking. These stakeholders included other anti-trafficking organisations, direct assistance organisations and shelters, NGOs, law enforcement, government, and the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP). The visit was a great opportunity for GAATW-IS to intensify its relationship with members in West Africa and to hear ideas for future collaborative activities.



During the same visit, GAATW-IS organised a **National Consultation on Access to Justice** in Nigeria, in collaboration with the United Nations Development Fund for Women (UNIFEM) sub-regional office for Anglophone West Africa and NAPTIP. The meeting, which took place on 15-17 May 2007 at the UN House in Abuja, brought together various participants in the justice system, including direct participants (victims and witnesses), their legal representatives, police, prosecutors, immigration officials,

media, judges and policy-makers. Participants analysed what could be done to make the justice system more responsive to the needs and concerns of trafficked persons so their access to justice can be improved. This consultation (the first of its kind to be held in Nigeria, and the second to be organised by the GAATW-IS following the Nepal National Consultation) represented a deepening of GAATW's Access to Justice Programme into a specific country context and beginning a long-term engagement with Nigeria on this issue.



Looking into the Future

During the Triennial GAATW International Members Congress in November 2007 there was a strong interest among the African members to strengthen the Alliance in Africa. This has led the GAATW-IS to make some concrete plans.

The first step in this process is to bring out this special African issue of the Alliance News. The next thing is to hold an African Regional Consultation in November 2008. The IS is in the process of recruiting a new staff member from the African region to organise this consultation and undertake follow-up work. The current members will play an active role in planning this consultation and use it to exchange experiences, know-how and learn from each other. Members from other regions, as well as non-members from strategic countries in Africa where GAATW does not have members will also be invited to participate in consultation with the members in Africa.

Finally, a new Board Member from the region will be nominated by the current board as soon as possible to play a leading role in developing the Alliance in Africa.

Africa is an enormous and complex region, and the Alliance will benefit from having stronger contact with organisations and friends that are active there.

Post Script

Doing the research for this piece in the IS archives has been a journey down memory lane. We read old reports and looked at our albums. Much younger faces of some GAATW women smiled back at us from the album. Looking at the old addresses we wondered if it would be possible to reconnect with some of those women activists in Africa who were part of the first consultation and training.

It was quite worrying to note that many of the problems identified and discussed more than a decade ago have only become worse. Rights of working class migrating people are still far from being recognised or realised.

So there is still a long way to go and much work to be done. We applaud the work of our sisters in Africa over the past 14 years and welcome new, interested members to join us in the days ahead.



Bandana Pattanaik
International Coordinator
GAATW International Secretariat



Michelle Taguinod
Communications Officer and Africa
Programme Officer in 2006-07
GAATW International Secretariat

GAATW'S MEMBER ORGANISATIONS IN AFRICA

Michelle Taguinod

Girls' Power Initiative (GPI) NIGERIA

Girls' Power Initiative (GPI) is a Nigerian non-government organisation that is non-religious and non-sectarian. GPI has obtained UN ECOSOC Status and in 2007 was conferred with an international Award for Excellence.



GPI seeks to empower girls, especially those between the ages of 10-18 years, and to promote their sexual reproductive health rights and responsibilities, through educational programmes, counselling, referral services and social action. GPI is coordinated from two regional centres in

Southern Nigeria: Benin-city in Edo State and in Cross River State. The national secretariat/headquarters of GPI is housed in the South East center, Calabar. GPI has also expanded its activities to Akwa Ibom and Delta States. GPI is active in a number of local and national coalitions on human trafficking, and works closely with other NGOs on this issue.

The main focus of GPI's work on trafficking has been prevention, through the empowerment of young women and girls, and educating them about the differences between migration and trafficking. GPI has undertaken research to document what makes girls most susceptible to trafficking and has published two books based on the findings. It has then developed programs and campaign messages to support girls to say "NO" to human trafficking. This has included reviewing Junior Secondary School curriculums to include modules on sexuality education, migration and trafficking and lobbying for better sexuality education in schools. This has created a high level of awareness among young urban women about trafficking. For women who have returned from a trafficking situation, GPI also offers support and skills trainings.

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Women's Consortium of Nigeria (WOCON)

The Women's Consortium of Nigeria (WOCON) is a women's rights organisation based in Lagos, the most populous city in Africa. WOCON is a grassroots human rights organisation, consisting of 25 individuals and 11 organisation affiliated members.

WOCON has made it its mission to cater to the welfare of the women and children who fall victim every year to violence and to human trafficking. One of the most effective tools against gender violence is prevention and sensitization on the issue, and WOCON does this through the use of workshops, media and various other public awareness initiatives. WOCON also has lawyers on its staff who represent women victims of gender based violence in the courts.



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Kiota Women's Health Development Organisation (KIWOHEDE) TANZANIA

KIWOHEDE is a national non-governmental, community-based organisation in Dar es Salaam, the capital of Tanzania. The organisation was established in 1998 with the purpose of promoting women's and children's health, development and rights at the community level. KIWOHEDE operates in ten districts of Tanzania to advocate and protect children from exploitation. KIWOHEDE has been implementing various programs targeting children in prostitution, trafficked

children and child domestic workers. Its two main projects on trafficking are the "Trafficking Children Project", which provides direct assistance to trafficked women in Dar es Salaam and does broader awareness raising about trafficking, and the "Child Domestic Worker's Project". *Child domestic workers* are a sizeable group of working children in Tanzania and many come from poor families in rural areas and many are orphans - they suffer discrimination and denial of their rights. *KIWOHEDE* has established crisis centers throughout the country which serve as a temporary place of safety for child workers after they have been withdrawn, and also does prevention work on this issue.

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The Federation of Women Lawyers in Kenya (FIDA KENYA)



FIDA Kenya is a registered NGO committed to creating a society that is free of all forms of injustices and discrimination against women. Women play an active and significant part in the development of our society, and form the majority of Kenya's population; yet, they face major obstacles that prevent them from full

enjoyment of their rights and privileges. FIDA Kenya's membership is composed of women lawyers and women Law students.

The following are Fida Kenya's objectives: 1) to improve the legal status of women in Kenya; 2) to increase access to justice for women in Kenya, 3) to enhance public awareness on women's rights issues. It meets these by: offering quality legal services to women, undertaking transformative public interest litigation, increasing women's awareness of their legal rights, researching and reporting on women's rights violations and lobbying for the introduction and implementation of better laws and policies.

FIDA Kenya hosts the Anti-Trafficking in Persons Network, which is made up of Civil Society Organizations, government departments and some donor agencies that sit in as observers. The network seeks to devise ways of eliminating trafficking in persons and especially trafficking in women and children.

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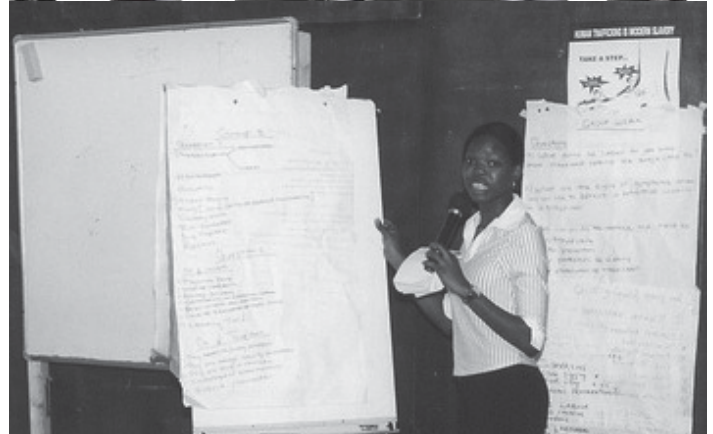


Photo Captions

Photo 1: GPI Benin girls at youth talent festival

Photo 2: WOCON's Awareness Program

Photo 3: Cloth materials made by the girls from KIWOHEDE

Photo 4: FIDA Kenya's Regional Conference on Shaping and Advancing the Rights of Women in East Africa

ANTI-TRAFFICKING POLICIES IN NIGERIA

Zoë Bake-Paterson

A summary of the Nigeria Chapter in *Collateral Damage: the Impact of Anti-Trafficking Measures on Human Rights around the World* (GAATW: 2007)

Chapter Author: Victoria Ijeoma Nwogu

As the most populous country on the continent, Nigeria has “the largest population in a significant flow of migrants from developing countries in Africa to industrialized countries in Europe and elsewhere”.¹ Subsequently, it is both a country of origin and destination for migrant and trafficked persons.

In the past five years, the Nigerian government and its partners, including civil society, have initiated many anti-trafficking measures, such as legislation, the prosecution of offenders, the establishment of an anti-trafficking agency, and support services. In the “Nigeria chapter” in *Collateral Damage*, author Victoria Ijeoma Nwogu examines these anti-trafficking interventions in Nigeria and assesses their impact on the protection of human rights for trafficked persons. It also looks at anti-child trafficking interventions, comparing them with other forms of anti-trafficking.

In 2003, Nigeria was the first country in West Africa to adopt specific national legislation to address human trafficking through the *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003*, or the NAPTIP Act. In the same year, Nigeria passed the Child Rights Act, 2003. A special agency, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), was also established by the government in 2004 to oversee the new anti-trafficking legislation.

One of the significant challenges in addressing trafficking in Nigeria has been the narrow focus on trafficking of women and girls abroad for the purpose of sexual exploitation. This limited focus, as well as the lack of a legal definition of ‘sexual exploitation’ in the NAPTIP Act, has led to increased stereotyping and stigmatizing of all trafficked women as sex workers. Ms. Nwogu states that trafficked women deported back to Nigeria are assumed to be sex workers regardless of the work they were trafficked for and can be forced to be tested for sexually transmitted infections (STIs). This conflation of trafficking and sex work also led to the criminalization of prostitution in Edo State, the place where a large number of women and girls have been trafficked for sexual exploitation.²

While the NAPTIP Act was a commendable attempt by the Nigerian government to address trafficking in persons, Ms.

Nwogu also highlights the challenges faced by those seeking to implement the policy. These challenges include the prioritising of trafficking for sexual exploitation over other forms of trafficking³ and focusing on the prosecution of traffickers rather than on the protection of trafficked persons. This has at times hindered the implementation of the NAPTIP Act because the lack of protection has discouraged victims and witnesses from testifying.

The implementation of the NAPTIP Act and NAPTIP Agency also raises concerns about the coordination of investigating and prosecuting trafficking cases as there are now three organisations tasked with these functions – NAPTIP Agency’s National Investigation Task Force, the Nigerian Police Force and its specialised Anti-Human Trafficking Units (AHTU), and the Nigerian Immigration Service’s anti-trafficking units. These organizations can have different priorities, and as a result there can be inconsistent approaches in handling cases.⁴ Actual prosecution of trafficking cases is the responsibility of NAPTIP, and only a low number of convictions have occurred. To date, only nine cases, resulting in 11 convictions, have been successfully prosecuted by NAPTIP; 35 more cases are on-going.⁵

While legal frameworks are in place, these are not necessarily working to the benefit of trafficked persons. No effective protection is offered to trafficked persons and their families and trafficking trials are still held in public, seriously hampering a person’s willingness to testify against their traffickers. To date, no restitution or other forms of compensation have been granted to the victims. Furthermore, trafficked women can – ostensibly for their own security – be detained in shelters, with limited freedom of movement.

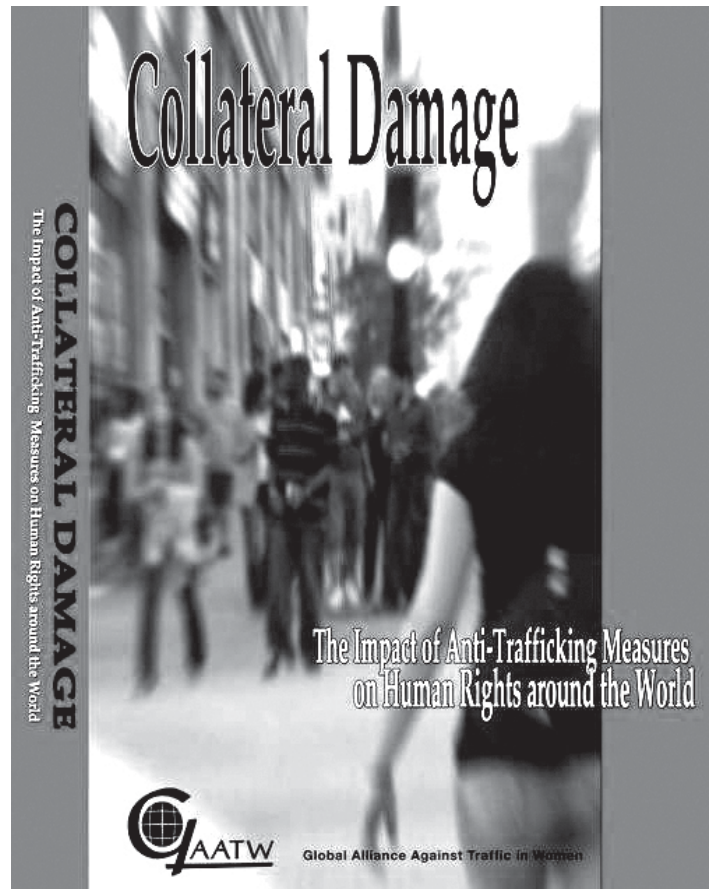
Overall anti-trafficking efforts have not impacted the flow of traffic, states Ms. Nwogu, largely because they fail to address the root causes of the problem – for example, poverty, violations of human rights, natural disasters, conflicts.⁶ Interventions and legal proceedings tend to focus on one aspect of anti-trafficking such as public education campaigns, prosecution, or assistance. The ‘rescue and rehabilitation’ approach being taken by assistance and support programmes for trafficked persons and children is particularly detrimental, as they typically fail to address the needs of trafficked persons or children.⁷ These programs focus on helping trafficked persons or children without identifying the needs or desires of the very people they aim

to help, and often do not address root causes, such as poverty that may have led to child labour to begin with.

In assessing the human rights impact of anti-trafficking interventions in Nigeria, Ms. Nwogu clearly outlines some of the best and worst practices in assisting trafficked persons. While many of the interventions identified in this chapter are weak in meaningfully addressing and protecting the human rights of trafficked persons, it is clear that the Nigerian government and its partners show a willingness to seriously address trafficking in persons. The impact assessment provided in this chapter is a strong step towards identifying concerns and centering anti-trafficking interventions with a human rights perspective - provided the government listens.

Endnotes

- ¹ Victoria Ijeoma Nwogu (2007). Nigeria chapter. *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World*. GAATW. page 142
- ² *Ibid.* page 144
- ³ *Ibid.* page 149
- ⁴ *Ibid.* page 159
- ⁵ *Ibid.* page 160
- ⁶ *Ibid.* page 159/160
- ⁷ *Ibid.* page 163



AN OVERVIEW OF REGIONAL PROTECTIONS FOR TRAFFICKED PERSONS IN AFRICA AND SPACES FOR REGIONAL ADVOCACY

Victoria Nwogu

Does Africa have a unique, coordinated or even uniform mechanism for protecting trafficked persons crossing her borders? The possible answer for Africa could lie in the African Union (AU).

The AU is the only pan-African organisation of Governments. Originally established in 1963 as the Organization of African Unity (OAU), the AU's purpose is to accelerate the political and socio-economic integration of the continent; promote and defend African common positions on issues of interest to the continent and its peoples; achieve peace and security in Africa; and promote democratic institutions, good governance and human rights.

In this vein, the AU wrote the African Charter on Human and Peoples' Rights (the Charter), which came into force in 1986. The Charter guarantees the rights of individuals and peoples, and established the African Commission on Human and Peoples' Rights (the Commission) as its enforcement mechanism. In 2003 in Maputo, Mozambique, 17 years after its creation, the Charter was expanded by the adoption of the Protocol on the Rights of Women in Africa ("the Women's Protocol").

Together these documents set out a number of provisions that can be used to protect the rights of trafficked persons. Article 4 of the Women's Protocol, for example, requires State Parties "to prevent and condemn trafficking in women, prosecute the perpetrators of such trafficking and protect those women most at risk." It also ensures that: "Every woman shall be entitled to respect for her life and the integrity and security of her person. All forms of exploitation, cruel, inhuman or degrading punishment and treatment shall be prohibited."

The African Charter on the Rights and Welfare of the Child (1999) addresses trafficking of children, and provides for protection of children from forced labour, sexual exploitation and abuse, sale, trafficking and abduction.¹

Regional Mechanisms

As well as the regional laws and human rights mechanisms, there are sub-regional mechanisms in West and Southern Africa. However, again the problem here is not so much in policy as in implementation. The Economic Community of West African States (ECOWAS) Plan of Action on Human Trafficking, which was adopted in 2001, remained largely inactive for the five years of its existence and was eventually quietly consigned to history. A recent attempt to revive the spirit of this Plan of Action is the joint ECOWAS - Economic Community of Central African States (ECCAS) Plan of Action

and Multilateral Cooperation Agreement on Countering Human Trafficking signed by 26 West and Central African countries in 2006. The Plan provides for many measures including criminalizing human trafficking, protecting and supporting victims, awareness raising, the creation of specialized anti-trafficking units, cooperation between border control agencies, enhancing data collection mechanisms and research, and establishing national task forces. However, once again there seems to have been no progress towards implementing it.

Another sub-regional body, the Southern African Development Community (SADC), has no existing regional instrument concerning the prevention, suppression or punishment of human trafficking. However, the SADC Charter of Fundamental Social Rights (2003) contains provisions requiring States to protect the right of all workers, including migrant workers, to safe and fair labour conditions. Many countries in the African region have also ratified the United Nations Protocol for the Prevention, Suppression and Punishment of Trafficking in Persons.²

Whether these excellent Charters and Protocols of the AU are being implemented, however, is a different matter. Human trafficking, slavery and bondage labour still remain a reality in modern day Africa. Scores of children are held either in quasi-foster homes (where children are given to family or community members or friends in the hope that in exchange for minor domestic services they may have a chance at a better life) and exploited in diverse ways, or used in armed conflicts. Women are trafficked beyond Africa's borders for sexual and labour exploitation. Individuals, and sometimes whole families, are held in traditional forms of slavery in many parts of the continent.

A very famous case, and just one example of the gap between policy and practice, is that of Hadijatou Mani of Niger. Sold into slavery at the age of 12, Hadijatou carried out domestic and agricultural work but also lived as a sex slave or "Sadaka" to her master. She managed to secure her release after ten years and decided to marry a man of her choice, but her master insisted she was in fact his wife. A legal battle ensued and a court later found her guilty of bigamy and sentenced her to six months imprisonment. The government of Niger denies the existence of slavery in the country despite a law passed as recently as 2003 criminalizing the act. The case has now been referred to the ECOWAS Community Court of Justice.

The lesson in Hadijatou's situation, and in many others that remain unreported across the continent, is that African

governments present a general lack of political will at the highest levels to commit at the national level to the regional human rights agreements they sign. For example, the African Charter on Human and Peoples' Rights forms part of the Nigerian law by virtue of it being enacted into law under the Constitution, but in practice many human rights claimants are ignorant of this fact and the courts are unwilling to interpret and apply the provisions of the African Charter side-by-side with national legislation. In terms of human trafficking prosecutions, Nigeria has had more prosecutions than any other sister country in Africa, firmly placing her on Tier 2 of the ubiquitous United States' Trafficking In Persons (TIP) Report. However, these prosecutions translate into justice for the state and the offender alone, not for people who are trafficked. The provision of the Nigerian law on compensation or restitution is so weak and uncertain that in concrete terms the victim gets nothing out of the process. Legal provisions and mechanisms for protection of the victims from reprisals of traffickers are also very weak and almost inexistent, thereby reducing their confidence in the system and their chances of cooperating with law enforcement to bring their exploiters to justice.

It could also be argued that these African regional mechanisms fail in the face of global pressure on individual countries to take certain action to 'combat' human trafficking. For example, the US TIP Report places countries on a tier system dependent on their national efforts to combat human trafficking, particularly through prosecution of offenders, and offers veiled threats of sanctions on countries who fail to comply with the priorities as set out in the TIP report.

The World Cup 2010

In what appears to be a beacon of hope, as well as a call for caution, SADC member countries have recently come under immense pressure to enact anti-trafficking legislation in light of the coming soccer World Cup 2010 to be hosted in South Africa. A similar phenomenon occurred amidst fears leading up to the World Cup 2006, with no empirical evidence to show that a rise in human trafficking was in fact a consequence of the global sporting event being hosted by Germany. However, growing media attention places increasing pressure on individual countries to respond to trafficking. Mozambique, for example, recently adopted a new anti-trafficking law, pressured by the news that three Mozambican girls had been forced into sexual slavery in South Africa.

While the World Cup and related publicity does seem to create a space for advocacy in Southern Africa, we should also question whether it is expedient to rush into the enactment of laws. This is particularly so when the pressure is for the sole purpose of stemming the 'possibility' of human trafficking arising from a global event, and when politicians and the general public in the region appear very muddled about what constitutes 'trafficking'. It would be more practical for Southern Africa to be progressive and draw lessons from other regions that have made advances in addressing human trafficking. The priorities should be achieving a clear conceptual understanding of trafficking and a holistic response that ensures adequate protection of victims as well as prevention of future occurrences.

Human Rights Mechanisms

Opportunities do exist within the structures and functions of the African regional and sub-regional mechanisms to advocate for reforms or change of pace in dealing with human trafficking and the related issue of victim protection. The two main regional human rights mechanisms are the Commission which is responsible for the interpretation and oversight of the African Charter, and also the African Court on Human and Peoples' Rights (the Court), which was established in 2006. Both mechanisms complement each other in promoting and protecting human rights throughout the African continent - the Commission reports to the Assembly of Heads of State and Government of the AU and prepares cases for submission to the Court's jurisdiction; the Court rules on AU states' compliance with the Charter.

The Commission meets twice a year - usually in March or April and in October or November. One of these meetings is usually in Banjul, The Gambia, where the Commission's secretariat is located, and the other may be in any African state. At these meetings individuals or organizations can bring specific complaints of human rights violations forward, while accredited NGOs can make presentation on special issues requiring a recommendation from the Commission to the Heads of Government. This has proved to be a successful opportunity for advocacy at a regional level, for example, sustained civil society lobbying and advocacy led to the recommendation and adoption of the Protocol to the African Charter on the Rights of Women in Africa.

At the sub-regional level, Hadijatou's case presents an example where local and international activists have rallied around to test the functionality of the ECOWAS Court as a tool for securing justice where the local systems have failed. If the case succeeds, it will be a major milestone and shining beacon of hope for many in Africa of the potentials of regional mechanisms to protect individuals from human rights violations. It will also strengthen the confidence of the governments in the institutions they have set up and open up more spaces for the employment of these regional mechanisms in protection of trafficked persons.

Endnotes

¹African Charter on the Rights and Welfare of the Child (1999), Articles 15, 16, 27 and 19.

²The following countries in Africa have ratified the UN Protocol for the Prevention, Suppression and Punishment of Trafficking in Persons: Algeria, Bahrain, Benin, Botswana, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Gambia, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, South Africa, Suriname, Tunisia, United Republic of Tanzania, Zambia.



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RETHINKING THE CHOCOLATE CAMPAIGN

Mike Dottridge

In April 2007, just after the anniversary of the United Kingdom's abolition of the Atlantic slave trade, and just before North America and Europe indulged in their annual festival of chocolate over Easter, a London-based campaign called *Stop the Traffik* gave the BBC information indicating that 12,000 child slaves were involved in producing cocoa in Côte d'Ivoire, West Africa.¹ In 2008, similar allegations were then publicised by World Vision Australia.

The estimate used in both 2007 and 2008 seems to be based on information from the International Institute of Tropical Agriculture (IITA), located in Ibadan, Nigeria, that it published in 2002. The IITA's Sustainable Tree Crops Program (STCP), carried out a survey in four West Africa countries which was published as a *Summary of Findings from the Child Labour Surveys In the Cocoa Sector of West Africa: Cameroon, Côte d'Ivoire, Ghana, and Nigeria* in July 2002.

The survey concluded that an estimated total of 284,000 children were working on cocoa farms in the four countries, well over half of them (200,000) in one country alone (Côte d'Ivoire). Out of this total of 284,000, half were aged under 15 and the vast majority were working on farms owned by their own families: "87 percent of the permanent labour used in cocoa farming came from the family."² However, all 284,000 were categorized by the IITA as being involved in what an International Labour Organization (ILO) convention calls a "worst form of child labour". This was because children of all ages, along with adults, usually use machetes to clear bush for farms and to weed the farms, and their work was therefore considered to be hazardous. Hazardous work is, according to the ILO convention's definition, "work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children."³

Slightly fewer than 12,000 of the child workers in Côte d'Ivoire were found by the IITA to have "no family relations to the cocoa farmer or local farm workers". It was this statistic which appears to have given rise to the claim that 12,000 of the child workers identified in 2002 had been trafficked or entrapped in contracts which left them in a situation of slavery, even though in practice their not being related to their employer may have simply meant that they were part of a floating or migrant adolescent work force.

For some observers, interpreting the IITA's survey as evidence that 12,000 children are enslaved in Côte d'Ivoire is a typical misuse of statistics - even if the original sampling was adequate to arrive at an estimate that 12,000 children employed on cocoa farms were not related to their employers.

For others, the mere fact that Côte d'Ivoire has been embroiled in civil war since 2002 casts doubt on the likelihood that the same number of young farm workers were still working on cocoa farms in 2007 as in 2002. There is obviously a danger in recycling old statistics, especially when political events may have affected what is happening on the ground.



Yet another response to this estimate of 12,000 child slaves would be to worry that, if the number of child slaves on Côte d'Ivoire's cocoa farms is really as high as 12,000, then the total number of children being exploited in slavery in all the various sectors of Côte d'Ivoire's economy (for example, in the production of other export crops, cotton and coffee, and working as domestic servants) is likely to be much higher. In this case, it is not clear why the public in Europe and North America should worry in particular about children working on cocoa farms, for the greater scandal is that

nothing is being done about the tens of thousands of children who are probably enslaved!

Of course, for several decades campaigners against child labour have taken advantage of Western consumers' sensitivities to draw the attention of Western governments and companies to their concerns about child labour in general or (rather more often) the use of child labour to produce cheap exports. The ILO recently published a review of such consumer movements in *The Worldwide Movement against Child Labour: Progress and Future Directions*⁴, observing that they have had both positive and negative impacts.

Does all this matter? After all, if it is fairly clear that children are being made to work long hours in uncomfortable circumstances both on cocoa farms and elsewhere, why not call them child slaves and ratchet up the pressure on employers, international organizations and others to do something about such cases?

the Traffik's Chocolate Campaign still appears to be based on the same information.

Endnotes

¹ "Thousands of children are working as slave labour on West African cocoa farms to help produce Easter chocolate for the UK, campaigners have warned", 'Slavery' behind Easter chocolate, BBC News, 6 April 2007, available at <http://news.bbc.co.uk/1/hi/uk/6533405.stm>

² Summary of Findings from the Child Labor Surveys In the Cocoa Sector of West Africa: Cameroon, Cote d'Ivoire, Ghana, and Nigeria, July 2002.

³Article 3(d) of ILO Convention No. 182, the Worst Forms of Child Labour Convention, which by 15 November 2007 had been adopted by 165 States.

⁴ ILO, 2007, available at <http://www.ilo.org>



The disadvantage is that once wrong labels are applied to people, especially migrants, there is a strong probability that the 'solution' that will be deemed suitable for them will not be appropriate. In the case of migrants who are labelled as slaves or 'trafficked', there is a strong likelihood that the authorities in the country in which they are located will chose to send

them back to their own country, justifying this as the most 'humanitarian' way of assisting them. If they are labelled as either 'child slaves' or 'trafficked children' working in their own country, the label evidently implies that it would be unacceptable for the children concerned to continue working in the particular field of activities in which they are employed. It also implies that the authorities should intervene to withdraw and rehabilitate them - rather than seeking a more sustainable solution by improving their conditions of work and modifying their contracts of employment to end whatever practices smack of selling children and of exploiting forced labour. Unfortunately, this has been the approach taken with respect to many child workers in West Africa, with the result that little is done to improve the conditions of the hundreds of thousands who are still at work.

Either way, it is surely appropriate to be more careful in interpreting statistics, particularly ones that are several years out of date. It seems regrettable that, even now, *Stop*



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WHAT DO WE KNOW ABOUT MIGRATION, LABOUR EXPLOITATION AND TRAFFICKING PATTERNS IN AFRICA? A SHORT REVIEW

Rebecca Napier-Moore

This article explores existing research on migration, labour and trafficking in Africa and tries to give an overview. First, it looks at who is researching and with what focus. Second, it gives a very short review of migration within and from Africa, as well as labour rights violations in the region. Finally, with a regional focus, the article explores trafficking trends that have been highlighted in research. This is in no way a comprehensive review, and where possible, the article highlights documents from 2005 onwards. It looks at documents to which I have access, though other work may exist.

What Kind of Information is Available?

Migration of Africans within and from Africa is the subject of numerous research projects, research consortiums and new academic centres. Databases established by the Development Research Centre on Migration, Globalisation and Poverty at the University of Sussex in the United Kingdom (on foreign populations in selected countries)¹ and the United Nations (world migrant stocks)², both include information on Africans and African countries. Research on migration has identified forced labour experienced by migrants.³ The ILO, specifically writing on forced labour in Africa, highlights debt bondage, no or little remuneration, and forced overtime with threats of job loss.⁴ Other research looks at the feminization of migration⁵, integration into European and North American societies, migration and development, brain drain, remittances and 'migration management'. Some of this is in preparation for or in response to agendas set at the Global Forums on Migration and Development.

Most of the larger studies on trafficking are becoming slightly dated, with a bulk of the research done in 2002-2004. Recently, the United Nations Educational Scientific and Cultural Organization (UNESCO) has produced a series of 2006-2007 country studies in West and Southern Africa, and the International Labor Organization (ILO) has recently researched trafficking and forced labour (see pg. 26 of this Alliance News for more information on their latest work in Zambia). An independent 2007 survey in South Africa counters unsubstantiated fears about large numbers of women trafficked into the sex industry.⁶ This review draws mainly from these newer studies.

While looking for research on trafficking, I came across much on the issue of child trafficking in the region. Much research on trafficking and migration in Africa has been produced by international organisations such as the International Organisation for Migration, or by academics from Northern

universities. Some migration research bodies in Africa include the Centre for Migration Studies in the University of Ghana, the Forced Migration Studies Centre in South Africa, and the Centre for Migration and Refugee Studies at the American University of Cairo, in Egypt.

Migration Within Africa

Migration decisions globally are shaped by poverty, conflict, livelihoods, and aspirations for a better life, and Africa is no exception. The UN estimates that 1.9 percent of people within Africa are migrants, defining migrants as all people who were born outside of the country in which they now live.⁷ This does not include internal migration and internally displaced persons, and is a relatively small number compared to the same figures for other regions in the world.

In recent years, African Governments have made efforts to ease restrictions on the migration of populations within certain regions. For example, the Common Market for Eastern and Southern Africa, and the Economic Community of West African States (ECOWAS), a regional group of 15 countries, has made short-term migration without a visa more possible, although migrants must still apply to extend their stay. Some people then remain without proper documentation even in regionally integrated countries, because the systems can be overly bureaucratic.

Some studies claim migration is becoming more feminised, a claim applicable to Sub-Saharan Africa but seemingly not to North Africa. One 2007 study shows that from 1980 to 2000 the percentage of female migrants in Sub-Saharan Africa increased from 40.6 to 47.2. For that same period in North Africa, the percentage decreased from 49.5 to 42.8.⁸

For skilled migrants, policy makers have had worries about 'brain drain' from the region to other continents. While this is certainly a concern, there is evidence that skilled migrants are also moving to other countries in Africa, as well as overseas, including to Gabon, Botswana, Namibia and South Africa.⁹

Conflict also causes migration within the African continent by creating flows of refugee and internally displaced populations. Men, women and children are also recruited into armed forces or militia groups and then move between regions. These patterns can change quickly, however. In 2006 for example, Somalia and Zimbabwe, both torn by internal political instability, forced large numbers of refugees across national borders. On the continent, in 2006 Kenya

and South Africa were main countries of asylum.¹⁰ This is no longer the case in 2008, when Kenya's own political upheaval has caused significant refugee flight and internal displacement.

Migration From Africa

Available research on migration from Africa tends to show that the vast majority of African migrants are in Europe, with less in the Middle East and North America. In Europe, the sub-Saharan diaspora has been mainly concentrated in France (274,538) and the UK (249,720) and, to a lesser degree, in Germany (156,564) and Italy (137,780). In the US there are a total of 881,300 African residents.¹¹ However, the number of migrants of African origin as a proportion of the African population or the European population is low. IOM states that in 2002, African people made up only about 5 per cent of the total foreign-born population in OECD countries.¹²

Migrants to Europe tend to come from certain countries, particularly from Nigeria. The International Organisation for Migration, in 2006, for example, stated that "hundreds of thousands of Nigerians live in Europe, where the UK and Italy are top destination countries."

A lot of attention from governments and media is given to the routes taken by Africans to Europe, particularly through the Canary Islands. Efforts at border control are increasing and look to rise even more as France takes an anti-migrant agenda into the EU presidency.

Labour in Africa

Some studies on labour situations in Africa have looked at labour conditions for migrant workers. Two studies in South Africa by international organisations have exposed abuses against migrants at the workplace.¹³ One such study, by Human Rights Watch in 2007, reported that employers were not paying minimum wages, overtime, sick leave, or annual leave, and were making unlawful deductions from workers' wages.¹⁴ The deportation of migrant workers from South Africa also violated human rights and contravened the 2002 Immigration Act in South Africa. The recent events in April 2008 of xenophobic burning and raids in South Africa continue to highlight the vulnerability and lack of protection for migrants.

Similar labour rights violations are found elsewhere in the world. Women migrants are often the least protected because they are more likely to work in the informal sectors that are not protected by national labour laws. In sub-Saharan Africa, outside of the agriculture sector, 84% of women work in the informal sector, compared to 63% of men.¹⁵

The ILO's 2005 global report on forced labour looked at 'disputed' and 'sensitive issues' in Africa connected to histories of slavery. The report states, "It is principally in the Sahelian countries of West Africa, including Benin, Burkina Faso, Cameroon, Chad, Guinea, Mali, Mauritania and Niger, that some concern has been expressed about alleged ongoing slavery-like practices or discrimination against descendents of slaves."¹⁶ Forced labour, as in many locales, has cultural associations. Kinship, cultural structures,

and tradition, for example, "can be invoked to demand unpaid services from extended family members, lower-status community members, or...descendents of former slaves"¹⁷. This can blur the divide between definitions and interpretations of forced and chosen labour,¹⁸ requiring advocates and researchers to carefully examine what definitions are used and whether migrants agree. As Mike Dottridge notes after a discussion on forced labour terminology in Africa, "there is little consensus within the continent about what, on the one hand, constitutes 'abusive exploitation' and what, on the other, are more-or-less acceptable forms of employment within traditional and informal sectors".¹⁹ Dottridge goes on to classify and give excellent examples of types of forced labour and slavery-like abuse, looking at people forced to work in the context of political violence and those forced to work by conventional political authorities or by those with religious authority. He looks at cases in migration, cases related to traditional slavery and slave status, situations where members of an ethnic group are forced to work for another, cases of children forced to work for a non-parent, and cases related to a women's status or to marriage.

Human Trafficking in Africa

Trafficking has been reported to occur in many sectors in Africa, including domestic work, commercial agriculture, sex work, mining, bars and restaurants, marriage and begging. In addition, reports on trafficking in Africa have often highlighted certain specific exploitative situations that have characteristics akin to trafficking or involve sexual exploitation: girls 'donated' to priests as 'wives' in Northern Ghana and parts of Togo²⁰; child soldiers; early marriage of girls under 19, for instance to men in communities like mining towns that are male dominated; virgin brides for 'purity' in Western Kenya, Zimbabwe, parts of Ghana²¹; organ use in 'muti' ceremonies in Southern, East and West Africa²²; and physically handicapped or disabled people trafficked to beg in Northern Nigeria.²³

Child trafficking has received concerted attention in recent years and research on children in exploitative situations is much more developed than that for adults, particularly in West and Central Africa. Mike Dottridge and Olivier Feneyrol authored an article in 2007 on migrant children and protection mechanisms in West Africa,²⁴ and Mike Dottridge similarly has written in the December 2004 issue of the GAATW Alliance News about prevention programmes in Mali being misunderstood and implemented in a way that in effect penalised young people from migrating at all. Human Rights Watch has looked at child trafficking in Togo (2003). Colleagues from the Swiss Foundation of Terre Des Homme's office in Nepal and Sri Lanka have been developing a digital library, which is available at www.childtrafficking.com. This is an excellent and regularly updated resource. Anti-Slavery International has reported on child domestic workers, and child trafficking generally in West and Central Africa. In North Africa, ECPAT has done research on child exploitation in Morocco (2003) as well as a report on the commercial sexual exploitation in Egypt (2003).

UNICEF Innocenti Research Centre did a survey of trafficking of children and women based on perceptions in 2002-3. Because

there are no solid methods to quantify trafficking, the research examined perception of its occurrence, similar to how Transparency International uses perception to assess corruption. This method is applicable because trafficking, like corruption, is intentionally kept hidden, but it should be remembered that perception of something is not the same as the thing itself. The UNICEF study shows perceptions of trafficking as a problem in 49 percent of African countries, while 10 percent of countries do not perceive it as a problem, including: Libya, Algeria, Cape Verde, Mauritius. The number of countries reporting trafficking in women was half those reporting trafficking of children. In West and Central Africa the perception of trafficking as a problem is high, existing in 70 percent of countries, whereas it is just 33 percent in East and South Africa. In North Africa, however, the perception or awareness of trafficking as a problem was very low.²⁵

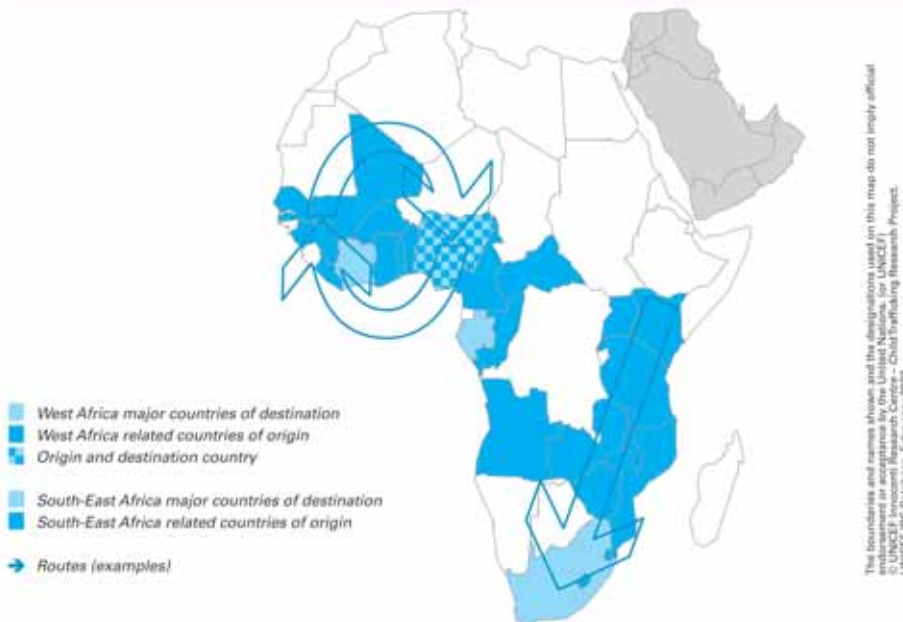
The map below from UNICEF gives us something of an overview of trafficking *within* two sub-continental regions. It shows major countries of destination and their correspondent countries of origin for the West Africa region and the South-East Africa region.

Map 1: Major Countries of Destination and Related Countries of Origin

Source: UNICEF Innocenti Research Centre, 'Trafficking in Human Beings, Especially Women and Children in Africa', 2005. Reproduction permissions granted.

The following provides detail on some of the regional and sub-regional trafficking patterns in Africa.

Figure 11 - Major countries of destination and related countries of origin



North Africa

North Africa, as a region, has a low perception that trafficking is happening in the region. There are reports, however, of North Africans trafficked to Europe. The region is also a transit point from Asia and other parts of Africa, to Europe and the Middle East. Interestingly, the 2005 UNICEF study shows that other regions (Western and Central Africa, and Southern and Eastern Africa) report high trafficking instances within those regions, but rarely to them from other regions. North Africa is the opposite. In the UNICEF study found no reports of trafficking within the region, but did find reports of trafficking to North Africa from other regions.²⁶

East and Southern Africa

South Africa is reported as a major destination country - a 'trafficking hub'. Thai, Chinese

and Eastern European women have been reported as being trafficked there.²⁷ UNESCO also reports that South Africa is a transit country: "the Western Cape province of South Africa is a key trafficking point for people brought from Asia and the Middle East bound for North America."²⁸

In 2003, IOM reported the following patterns of trafficking in Southern Africa: refugee-producing countries to South Africa; Mozambique to Gauteng and Kwa-Zulu Natal; Malawi to Northern Europe; Malawi to South Africa overland; and Thailand, China and Eastern Europe to South Africa.²⁹

Chandre Gould challenges the vision of South Africa correlated so strongly with trafficking - at least trafficking into the South African sex industry. She and her research team interviewed 10% of women working in Cape Town brothels. They made contact and talked with 164 people working in the sex industry. Out of 154, they identified eight as victims of trafficking, and an additional 21 allegations of exploitation or abuse. Of the eight that had been trafficked, four (including two Chinese and two South African women) were no longer in a trafficking situation. The four that were still in a trafficking situation were Eastern European women debt-bonded in a club. Gould also notes that despite extensive campaigning and hotline efforts by IOM in three years in the Southern Africa region, only 194 trafficked persons have been assisted.³⁰ Gould's report, then, suggests that trafficking numbers are less than usually thought, at least in sex work.

A UNESCO report on Lesotho adds to our scope on the region, citing reports of trafficking to South Africa, London, Zimbabwe, Malawi and Zambia.³¹ Further, the ILO research published in this Alliance News issue also gives detail of trafficking in Zambia. (See p.26)

Turning to the Horn of Africa, Ethiopia is a country of origin for women trafficked to Lebanon, Yemen, Saudi Arabia, Egypt, Syria, South Africa, Italy and other European countries. The Hajji and Oumra pilgrimages are reportedly used as opportunities to traffic women to Saudi Arabia and other countries. The majority of women trafficked reportedly come from Addis Ababa, with others from Tigray, Oromia and Amhara regions.³²

From East Africa, Kenya is a destination country as well as a transit country to Germany, Burundi, Ethiopia, Rwanda and Tanzania.³³

West and Central Africa

West and Central Africa report much trafficking to neighboring countries, in what is called 'symmetry' where migrants travel both ways between two countries, usually for different labour markets. Togo and Benin are major origin countries. Cote d'Ivoire and Gabon are major destination countries, and Nigeria is both a large origin and destination country.³⁴ Nigeria receives a great amount of attention, especially in its connection as a sending country to Italy;³⁵ thus anti-trafficking initiatives have developed. Victoria Ijeoma Nwogu has taken a critical eye to Nigeria's anti-trafficking programming and legislation in a chapter for GAATW-published *Collateral Damage* in 2007. Nigeria's initiatives persecute traffickers but offer very little in the way of victim protection, or upholding of human rights (see summary on p. 14 in this Alliance News issue).

WEST AND CENTRAL AFRICA PATTERNS

From Togo, people are trafficked to Nigeria, Benin, Cote d'Ivoire, Burkina Faso, Niger, Congo, Gabon, France, Germany, Belgium and Italy. Togo is a major transit country in the region, as well as a destination country for people from Ghana and Nigeria.³⁶

From Benin, people are trafficked to Niger, Nigeria, Togo, Gabon, Belgium, France and Germany. Benin, like Togo, is a transit country and a destination country for people from Nigeria, Togo and Ghana.³⁷

Women trafficked from Nigeria mostly come from Edo State and its capital Benin City. Many women end up in Italy or Spain after a circuitous route, like these which IOM suggests:

- Nigeria to Ghana to London, Paris or Amsterdam to Italy
- Nigeria to Western Sahara to the Canary Islands
- Nigeria to Morocco to Spain
- Nigeria to Tunisia or Libya to Italy³⁸

Many people migrating to Europe through North Africa find themselves stranded there for months, often resulting in deportation. In 2004, for example, 3,400 Nigerians were deported from Morocco.³⁹

Within West and Central Africa, Nigerians are trafficked to Cote d'Ivoire, Mali, Benin, Equatorial Guinea, Cameroon, Gabon and Guinea. Destination countries in Europe are Italy, Belgium, Spain, the Netherlands, Germany and the UK. Other destination countries are Libya, Algeria, Morocco, Saudi Arabia and Venezuela.⁴⁰

Trafficking Within National Borders

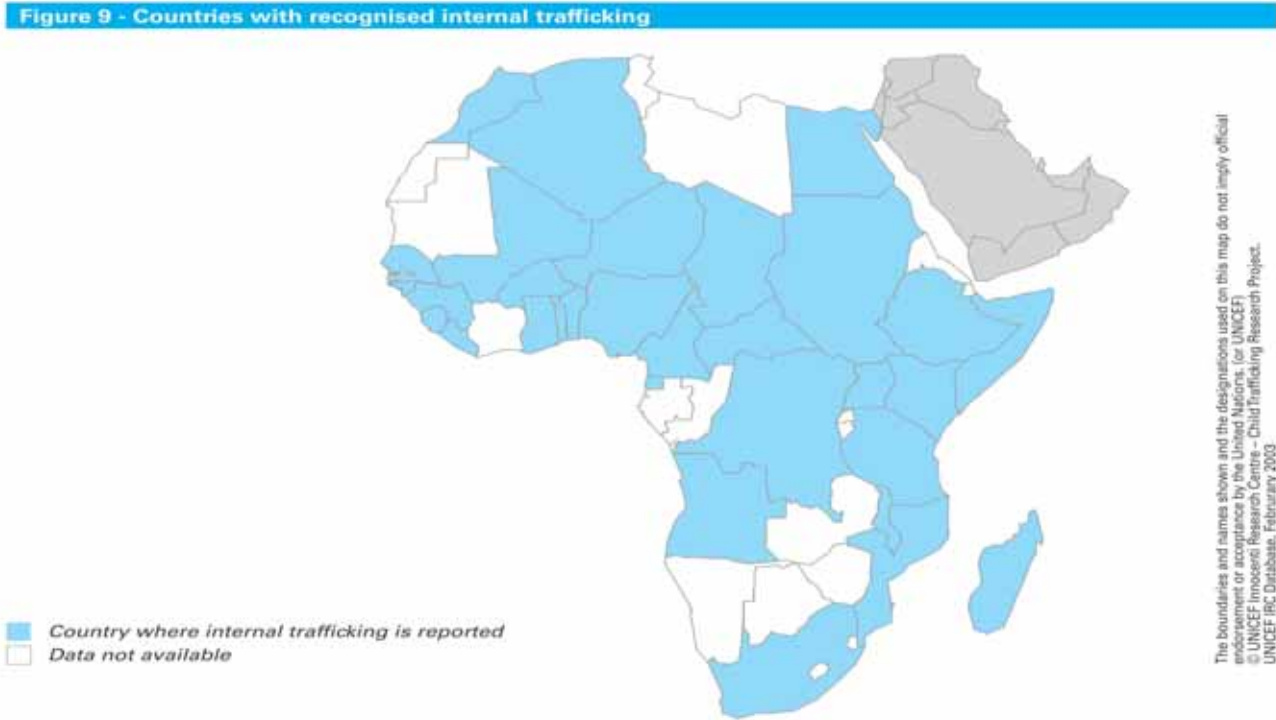
Very little is known about internal trafficking for most countries, and the same is true for countries in Africa. Rural to urban internal trafficking occurs in the region, as elsewhere, and the 2005 UNICEF report shows internal trafficking in almost all African countries. The most detailed study we have found on internal trafficking was undertaken by UNESCO in Nigeria. It found:

"In the last two decades there has been an increase in the internal trafficking of Nigerian women and children. An increased number of people are trafficked from rural communities (Oyo, Osun and Ogun States in the South-West; Akwa-Ibom, Cross River, Bayelsa States in the South-South; Ebonyi and Imo in the South East; Benue, Niger, and Kwara States in the Middle Belt) to cities such as Lagos, Abeokuta, Ibadan, Kano, Kaduna, Calabar and Port Harcourt. Trafficking to these regions is predominantly for exploitative domestic work, farm labor and prostitution, with incidents of human trafficking and forced labour particularly prevalent in Lagos."⁴¹

The map below gives us a picture of countries where UNICEF has found that people recognize internal trafficking to be problem. Note that the countries not shaded are those without data, rather than those necessarily without internal trafficking.

Map 2: Countries with Recognised Internal Trafficking

Source: UNICEF Innocenti Research Centre, 'Trafficking in Human Beings, Especially Women and Children in Africa', 2005. Reproduction permissions granted.



Conclusion

This summary of existing research has looked mainly at newer studies on labour conditions, and trafficking and migration in and from Africa. Notwithstanding the limited time and space for this short review of literature, I noticed that most literature on trafficking is NGO or intergovernmental agency work, while that for wider migration and labour is both led by NGOs as well as university researchers. Some of the research aims for general understanding in 'mapping exercises'⁴²; other pieces want to inform 'migration management'⁴³; and others, like the 2006-7 UNESCO country series, map patterns of movement as well as assistance, showing gaps and giving recommendations. Chandre Gould's piece stands out as one that questions the assumption that the scale of human trafficking may be very large in South Africa. Aside from a few text boxes that give case studies of personal stories, very little is written from or with the perspective of migrant workers or trafficked people. A next step is to look at new and innovative ways of researching, with an aim to open space for the migrating person's voice.

Endnotes

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and Figure 10.

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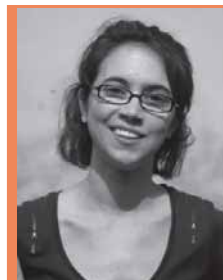
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INVESTIGATING FORCED LABOUR AND TRAFFICKING: DO THEY EXIST IN ZAMBIA?

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Research commissioned by ILO's Special Action Programme to Combat Forced Labour and the Zambian Ministry of Labour and Social Security

In early 2006, the Zambian Ministry of Labour and Social Security (MLSS) approached the International Labour Organisation (ILO) for help in determining whether forced labour existed in Zambia. The MLSS were concerned especially about the operations of some 'labour brokers' in the mining sector who were accused of exploiting the jobseekers they placed by retaining a significant portion of their wages as a fee. Workers had also lodged complaints about non-payment of terminal benefits, for which neither the client company nor the broker had accepted responsibility.

The ILO agreed to undertake the research¹ and the following article presents a summary of the findings.² While the focus was on investigating possible forced labour and trafficking, a large part of the information collected related to labour exploitation, often of internal or cross-border migrant workers.

The term *forced labour* is defined by the ILO in its Forced Labour Convention (No. 29 of 1930). This was ratified by Zambia in 1964. In essence, persons are in a forced labour situation when they enter work or service against their freedom of choice, and cannot leave it without penalty or the threat of penalty. This does not have to be physical punishment or constraint. It can also take other forms, such as the loss of rights or privileges. Many means can be used to keep a person in a job against their will, such as the confiscation of personal documents, withholding of wages or debt bondage. Forced labour is sometimes a result of human trafficking, but can also occur independently of trafficking where the victim has not been moved.

Forced labour and severe labour exploitation in Zambia have been little researched, mirroring the lack of research into forced labour more widely in Africa. This study aimed to build upon the findings of earlier research conducted by the International Programme on the Elimination of Child Labour (IPEC)³ that showed conclusively the existence of trafficking of children in Zambia. In the current research, the age group covered included youth aged 15 and above and adults.

The research project was split into three distinct pieces. These covered:

- recruitment agencies and their practices;⁴
- labour exploitation as recorded in complaints lodged in Ministry of Labour and Social Security offices and the Human Rights Commission; and
- forced labour, trafficking and migration.

Labour exploitation in Zambia

For this piece of research, the team gathered and analysed data from four provincial offices⁵ of the Ministry of Labour and Social Security (MLSS), as well as from the Lusaka office of the Zambian Human Rights Commission (HRC). The analysis was done in respect to the sex and nationality of complainants, the sector in which they worked, and the types of complaints they were making.

The Complainants

A total of 1542 cases were recorded, 1219 from the MLSS and 323 from the HRC. In both sets of data, two thirds (65%) of the complainants were lodged by individual males. Only 11 percent of complaints to MLSS and 19 percent to HRC were by females. This discrepancy may be due as much to the greater confidence of men to register a complaint as to any real difference in the extent of exploitation between men and women.

The majority of complainants identified themselves as Zambians; less than 10 people were of other nationalities and they included British, Ethiopian, Indian, Malawian and Zimbabwean workers (from both MLSS and HRC). However, the labour officer in Chipata believes that many of the agricultural complainants are in reality from Malawi but claim to be Zambian out of fear of deportation.

The nationality of the employer was not systematically recorded. In a small number of cases it was noted that the employer was 'white': Chinese, Indian, and in two cases Peruvian.⁶

Economic sectors affected⁷

In total, 21 sectors were identified as receiving complaints related to labour exploitation. The three sectors recording the highest number of complaints, for each institution respectively, were as follows:

Sector	MLSS		Sector	HRC	
Hospitality & tourism	172	14%	Security	40	17%
Retail & trading	153	13%	Transport	24	10%
Construction	129	11%	Agriculture	20	8%

Some provinces recorded high numbers of complaints for a particular economic sector, reflecting the predominance of the sector in that region.

Reasons for complaints

The top reasons for complaints were as follows:

Reason	MLSS		HRC		TOTAL CASES	
	Number	%	Number	%	Number	%
Non-payment of wages	525	34	67	16	592	38
Non-payment of dues	460	29	121	28	581	38
Poor working conditions	103	8	-	-	103	7
Unfair/unlawful dismissal	-	-	50	12	50	3
TOTAL	1088	70	238	74	1326	86

The majority of the complaints presented problems of labour exploitation, in many instances severe exploitation, and a number indicated possible forced labour and trafficking. These cases tended to be related to unpaid wages; threats of dismissal, or dismissal if the worker complained; deception as to the nature of the work; withholding of personal documentation; excessively low wages; transportation to a distant work site and non-repatriation; and very poor conditions of service. Some workers had not been paid for months on end, and in a few instances, several years. Unpaid wages oblige a worker to decide between staying with the employer in the hope of one day being paid, or quitting to seek work elsewhere that will pay correctly. If this is being done intentionally by the employer (and not, for example, due to an unavoidable and temporary cash flow crisis), then this amounts to exaction of forced labour.

Another dubious practice occurred in the mining sector. Mine workers need a valid certificate of health, which is paid for by the employer, in order to work in the mines. In a number of cases,

contractors withheld this certificate in order to prevent the worker finding work elsewhere. This occurred even in cases where the contractor was not currently employing the worker, so as to retain him on the books until a new contract was secured.

The complaints also revealed three sectors in which workers are particularly vulnerable to exploitation because of the informal nature of the work, or the use of intermediary contractors; namely, mining, domestic work and agriculture. In the mining sector, numerous complaints were made about contractors not paying workers. Domestic workers and agricultural labour were also prone to non-payment of wages, among other exploitative practices. In the instance of agriculture, an Eastern Province labour office recorded that Malawians migrating into Zambia to undertake seasonal agriculture work were not being paid at the end of the season. Their illegal working status in Zambia was thought to be one reason behind this, as the workers are often too scared to complain, due to their fear of deportation.

Forced labour, trafficking and migration in Zambia⁹

Unlike the research above, the research into forced labour, trafficking and migration relied mainly on primary material gathered through interviews and focus group discussions with workers, as well as interviews with stakeholders. The data was collected in four locations: Lusaka City, Eastern Province, Copperbelt Province and Southern Province. A total of 14 focus group discussions, 60 interviews with key informants (including police, immigration, social welfare, international and national NGOs), 12 interviews with trafficked migrants, 31 interviews with domestic workers and 5 interviews with maid centres⁹ were conducted. Efforts were made to include both male and female respondents in all cases.

This data was collected to provide a qualitative assessment of the types of forced labour and trafficking problems that exist in Zambia, according to the respondents' perceptions based on their first and second-hand knowledge of what happens in practice.



Who are the trafficked persons? Who are the traffickers?

According to respondents, trafficked persons are mostly women and children; although, some felt that men, due to being strong and able to work on farms, were also vulnerable. In most of the case studies recorded, the trafficked persons were women and children; although, in a few cases men had been trafficked. The traffickers were described as coming from a cross-section of society, ranging from family members, relatives, friends and church organisations to truck drivers, and owners of bars and tourism enterprises. While the majority of traffickers appeared to be working independently of one another, a few references were made to more organised syndicates. The traffickers were described as both male or female Zambian or non-Zambian.

Reasons for migration

The main reasons given for people migrating or becoming vulnerable to trafficking were as follows: search for better economic or employment opportunities; better living conditions; lack of local economic opportunities; poverty; looking for a better life; ignorance; education/studies; and joining family members who had already migrated abroad.

For those migrating into Zambia, respondents cited the following as possible reasons: investment and job opportunities; trading; tourism; prevailing peace; relaxed laws; and running away from an adverse economic situation in neighbouring countries.

Means of transportation, routes and documentation

Respondents maintained that migrants and/or trafficked persons travel by air, rail or road to their destination; although, in a small number of cases, migrants were known to have walked. Overland transport was more common than by air for people migrating within the region. According to informants, road transport is cheaper, and is preferred by irregular migrants and traffickers because border controls are weaker than controls at airports. Truck drivers were repeatedly identified as responsible for transporting migrants and trafficking women for prostitution. Given the fact that Zambia is landlocked and has borders with seven different countries, migrants use various means and routes to cross them - some use legal crossing points, while others use bush paths that circumvent immigration controls.

Zambians, in general, were thought by respondents to travel with genuine passports, as passports are relatively cheap and easy to get. However, the Congolese, for example, were often referred to as travelling on fraudulent documents, due to the difficulty in obtaining genuine document in the Democratic Republic of Congo. In relation to whether migrants travel on work permits, it was felt that skilled and professional migrants often obtain work permits before travelling, while unskilled workers usually travel without work permits, and seek work once they arrive at their destination.

Immigration officers say they find it difficult to apprehend traffickers due in part to weak legislation. In cases where the possible trafficked persons are in transit through Zambia, immigration officers find it difficult to prevent their onward movement.

Many respondents believed South Africa to be the main destination of cross-border Zambian migrants, including trafficked persons, and several trafficked persons confirmed this. However, Tanzania was also cited as a destination country, particularly for women involved in prostitution, and other neighbouring countries, such as Botswana, were also mentioned.

However, many of the identified trafficking cases were of internal trafficking within Zambia, rather than cross-border trafficking. Regarding the routes for trafficking and internal migration, some of the following were noted: Katete to Chipata; Eastern Province to Lusaka and Copperbelt Province; Ndola to Solwezi; and Luapula to Copperbelt Province. In general it was suggested that migrants move from rural areas to urban areas; although in some parts of the country, the urban areas are small rather than large towns.

Types of work undertaken by migrants and trafficked persons and forced labour

For Zambians migrating out of Zambia, respondents stated that professionals are leaving to work as nurses, doctors, and teachers, while the unskilled find work as babysitters, cleaners, carers for the aged, waitresses and prostitutes. For those migrating within Zambia, domestic work was cited as a predominant form of work, as well as agriculture, mining and other labour intensive jobs. For non-Zambians migrating into Zambia, Zimbabwean women were noted as working as traders and prostitutes, the Congolese as traders and smugglers of essential goods, Malawians as agricultural labourers, and West Africans as gemstone miners. In relation to trafficking, prostitution was cited as one of the end results, as was agricultural work, construction and retail.

The working conditions faced by many migrants were deemed to be exploitative and poor. Many Malawians were found to have worked for an entire agricultural season, but not paid at the end as promised. Domestic workers were also vulnerable to severe exploitation, with long working hours, low pay, and often being victims of sexual harassment. The position of low-skilled migrants, away from home and desperate for work, makes them especially vulnerable to exploitation by their employers. The forms of exploitation, such as long working hours, unpaid wages and poor working conditions, were similar to those recorded by the MLSS officers. Exploitation was particularly clear in relation to young domestic workers, and children hired to herd cattle.

The particular problems within the domestic work sector became apparent throughout the research. Children were often cited as victims of trafficking for domestic work, with friends and family convincing young girls, in particular, to

come to work for them in return for the promise of schooling. However, schooling is rarely provided as the child has to work long hours in the house. For adults, high levels of exploitation were found in domestic work, but in the majority of the cases, the adults apparently migrated independently and voluntarily, and then found jobs in which they suffered exploitation. However, this may be explained by the fact that trafficked persons were inaccessible to project researchers, and unable to register complaints with the MLSS because of their confinement in the household.

Responses by government and civil society

In recent years, work to combat trafficking has started in earnest in Zambia. The Zambian Government has developed a draft anti-trafficking policy and new legislation and set up an inter-agency committee on human trafficking. While there is still no specialised unit to deal with human trafficking, the Victim Support Unit of the Zambian Police Service has been trained to investigate trafficking cases. Additionally, the government social welfare departments offer counselling, shelter and protection to trafficked persons; however, these activities are still limited, and there is no formal screening or referral process.

Anti-trafficking activities within civil society are also limited, with only a small number of NGOs and international agencies working on combating trafficking. Although some non-government shelters providing counselling and rehabilitation exist, places are limited and little support is available to potential trafficked persons identified at borders, without having to transfer them to the larger towns.

Conclusion

In summary, the study found that forced labour and trafficking do exist in Zambia. Many Zambians, desperate for gainful employment, are willing to accept any offer of a job. Their desperation stems from poverty and until poverty is eliminated, labour exploitation, forced labour and trafficking are likely to continue.

However, many measures could reduce the incidence and impact of trafficking, forced labour and exploitation in both the short and medium term. Some necessary steps include increasing awareness of workers' rights, better protecting them from exploitation, and effectively enforcing the law against the unscrupulous minority of employers and agents who set out to make unfair profits at the expense of the vulnerable. These measures should be seen in the context of broader efforts to provide all workers with the freely chosen and decent employment they deserve.

Endnotes

¹ The Special Action Programme to Combat Forced Labour (SAP-FL), part of the ILO's programme to promote the Declaration on Fundamental Principles and Rights at Work, took responsibility for doing the study and the UK's Department for International Development provided the funding. To guide the research, a national steering group was set up, comprising representatives of the government and the ILO "social partners" - employers' and workers' organizations.

² The research was limited in both geographical and substantive scope. It set out specifically to investigate the possible existence of forced labour, trafficking and severe labour exploitation in selected locations in Zambia. It does not represent an investigation of labour conditions overall in Zambia nor purport to give any indication of the prevalence of forced labour and trafficking in the country. The full report will be published by the ILO and Ministry of Labour.

³ ILO & RuralNet Associates (2007) 'Working Paper on the Nature and Extent of Child Trafficking in Zambia'.

⁴ The findings from the recruitment agency research have been presented in a report by Dr F Mutesa and Mr C Matenga, forthcoming. They are not included in this article.

⁵ The labour offices were in Southern, Eastern and Central Zambia (Chipata, Kitwe, Livingstone and Lusaka).

⁶ It was not possible to record whether or not the complaint was justified, as the majority of complaints had still to be adjudicated.

⁷ While 27% of the cases recorded by HRC related to the public sector, there was no evidence that forced labour or trafficking was taking place. Where the labour situation was exploitative it was generally due to a breakdown in the administrative system, such as the worker not being added to the payroll.

⁸ This research was conducted by consultants, Mrs Mwape and Mr Matenga.

⁹ Maid centres are agencies that coordinate employment for domestic workers with clients.



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ON THE HUNGRY ROADS

THE HUMAN RIGHTS PROTECTION OF TRAFFICKED WOMEN DURING THE REINTEGRATION PHASE IN NIGERIA: OUR EXPERIENCE

Dr. Rosanna Paradiso

"In the beginning there was a river. The river became a street, and the street extended its ramifications on to the world. And because, at one time, the road was the river, its hunger was insatiable. "

— Ben Okri, *The Famished Road*, 1991

Trafficking is complex; like a prism it reflects and emits different colours, depending on the perspective of the viewer. Sometimes, when we listen to a trafficked person and hear their suffering, the colours can seem shockingly brilliant and clear; at other times, when the response to these experiences is further violence or repression, the light dims completely.

The response of European authorities to trafficked persons has been by-and-large repressive. Since 1998, an increasing number of undocumented migrant women have been deported from Italy, and from Europe as a whole. Among these are Nigerian women working in Italy's sex industry. After charging them with immigration or other offences, Italian authorities frequently deport these women back to Nigeria without adequate reintegration support. Viewed by their families as 'failed' migrants, these women face stigmatization at home and, without other opportunities, are likely to fall back into trafficking or illegal migration schemes.

This article shares some of TAMPEP's experiences in assisting Nigerian trafficked persons to reintegrate and avoid re-trafficking in this political landscape. Our work with Nigerian women has been through two TAMPEP Projects: the ALNIMA Project and the Turnaround Project.

The Context

It is virtually impossible for most Nigerian women to travel to Europe through legal channels. The procedures for obtaining an entry visa are highly complex, and information for prospective migrants about the European consulates do not make the legal requirements in the destination country available in Nigeria. As a result, many women search for "do-it-yourself" solutions and turn to the many 'sponsors' who offer their services.

The women often know and calculate the considerable risks of this migration. They leave clandestinely with only dreams in their pockets - the dream that they will be one of the small number of cases that arrive and find fortune. But, they also know that their journey may result in death or repatriation.

Repatriation and Reintegration

Repatriation is generally an extremely traumatic experience for the women. In some cases, the women have found themselves suffering severe exploitation and trafficking, and need long-term psychosocial support, but in addition, repatriation takes away the opportunity they might have had to improve their situation. Arriving "home" after repatriation can feel like the beginning of a new nightmare. The women must face new difficulties, and adapt again to the poverty and the lack of opportunities they left behind. There are also mixed reactions from family members and some families don't accept their daughter, sister or cousin - a common reaction is: "My daughter left with a bag, come back home without even her health."

The challenges to reintegration are, therefore, significant. First, the women must accept that they have been deported and that it will be difficult for them to return. In many cases, it will also take time for the family to accept this and offer to support the woman. Only then is it possible to start a reintegration process. Reintegration requires that a whole society act to support returnee migrants and not ostracise them.

What we do

The ALNIMA Project

In an effort to break the cycle of trafficking, TAMPEP started the Alnima project in 2003 to improve access to labour opportunities in countries of origin. TAMPEP believed that lack of employment options was one of the driving forces behind illegal and forced migration and thus the program included providing skills and vocational training, helping the women to find jobs in their home countries, and offering micro-credit to women with skills. We worked with women of three nationalities that were represented in large numbers in the Italian sex industry: Albanian, Nigerian and Moroccan migrants. In particular, we assisted the migrant women who were detained in prisons and temporary detention centres in the city of Turin and Turin Province and facing deportation.

Vocational training for Nigerian women was given in Nigeria (unlike the training to Albanian and Moroccan women which we were able to provide in the Italian detention centres). The courses included computer and secretarial studies, hair dressing and cosmetology, catering and hotel management, and tailoring and fashion design. Women who had learned the skills necessary to launch a micro-enterprise were offered capacity-building training that taught basic financial management skills.

As well as giving training to women who had returned, we also offered micro-credit to at-risk groups of local youth. This was mainly possible in Morocco and Albania. The Alnima Project ended in 2005.

Turnaround Project



In 2006 TAMPEP launched a new project called Turnaround, which has been working exclusively in Nigeria. With this project we have sought to continue our work with potential and former Nigerian victims of trafficking in the city of

Turin. The aim is to respect the human rights of each trafficked woman, respect her individual situation and specific needs, and make the repatriation process less traumatic. In the end it is also to ensure a complete and sustainable reintegration in Nigeria.

Counselling, legal support and other basic services are offered to the women while they are held in detention in Europe. This assistance is continued after the women arrive back in Nigeria, and is supplemented by vocational training according to the wishes and interests of the particular woman.

TAMPEP's services to repatriated women include:

- Providing health protection and prevention information on HIV, other STI, unwanted pregnancies and violence through the creation and distribution of specific material
- Increasing awareness of, and access to, social and health services as well as to legal counselling
- Ensuring implementation by the authorities of Article 18 of the 1998 Single Act of Immigration (D. lgs 286/98) that allows for protection and assistance victims of trafficking should they choose to denounce their traffickers or exploiters.
- Ensuring that shelter is available in Nigeria
- Orientation to the labour market
- Language and vocational training
- Providing moral and concrete support to community members, migrants, and also minors, through offering legal and social services, to facilitate the women's protection and reintegration.

As part of the Turnaround Project, TAMPEP opened an office in Benin City for the staff of Turnaround. The Benin office is still open and operating, managed by Nigerian staff, despite the fact that the Turnaround program will end in June 2008 due to lack of funding: European funding is limited to short-term activities and the Nigerian government doesn't support or prioritise programmes such as this.

As well as working directly with the women, this project has also allowed TAMPEP to work with and train others that come into contact with trafficked women, sex workers and migrants. To ensure that the results of these trainings are consolidated and sustained, we have formalised cooperation

among institutions and NGOs through the creation of permanent working groups.

These courses/trainings mainly focus on culture, migration trends, special needs and characteristics of target groups, migration policies and fluxes, crime networks and other situational components of sex trafficking, migrant sexual and labour exploitation and best practice guidelines. Beneficiaries of some of the above mentioned courses have included the Municipal Police, Prosecutors, NGO officials, government officials, health care providers in local health clinics and hospitals, UNICRI, primary and secondary school educators, Family Advice Bureau Officials, social service providers working with minors and women, ILO, university students and faculty, and labour unions.

Finally, TAMPEP collects data on trafficking and trafficked persons in Italy, partly through the Turnaround programme.

The Need for Networking

TAMPEP strongly believes that for reintegration programmes to have a chance at being effective, a participatory and multilateral approach is needed.

Law enforcement and other NGOs are essential partners. TAMPEP's work in Albania, Morocco and Nigeria through the ALNIMA Project strengthened the commitment of local authorities to combating trafficking in human beings, and led to the creation of a network among Italian and Nigerian, Albanian, and Moroccan law enforcement agencies and active NGOs .



The Turnaround Project has developed successful international partnerships involving Italian, Greek, Dutch and Nigerian authorities and institutions and four other organisations - Associazione Penelope (Italy), Comitato Per I Diritti Civili Delle Prostitute (Italy), Humanitas (Netherlands), and Neazoi (Greece). This collaboration is necessary to help ensure the respect and recognition of the women's human rights from their departure in Europe to their arrival in Nigeria. Ultimately, we would like to see the operational practices formalised into a common repatriation and reintegration policy for women victims of trafficking, between these European countries and Nigeria.

In every European project we always work in collaboration with Nigerian NGOs. TAMPEP methodology is based on this collaboration - working side by side with our different colleagues. In Nigeria, TAMPEP collaborates with several NGOs

who have joined the NGO Coalition on Trafficking in Benin City. This NGO Coalition works closely with the National Agency for Prohibition of Trafficking in Persons (NAPTIP) to coordinate interventions on human trafficking projects. The president of the NGO Coalition is Mrs Henrietta Agun, a consultant on Women's Affairs to the new Benin Government. These NGOs participated in the training course TAMPEP organized in Nigeria in August 2007, as part of the Turnaround project.

One NGO we have worked with often is Girl Power Initiative (GPI), a Benin City based NGO and a GAATW member. On one occasion we invited Mrs Maria Obazuwa, the Vice-President of GPI, to the ALNIMA final conference in Turin where she met with a TAMPEP social worker and joined the street work (outreach) on a very cold Italian day. The experience was excellent! Maria could talk with the girls in the street and they seemed very happy to meet and talk with "mama" - the name with they used to talk to her.

Another example of our work with GPI is the self-esteem building 'ALNIMA Girls Group', which was a very successful event. This even involved peer educators working with the group.

Unfortunately, collaboration with Nigerian NGOs and training of peer support workers are also limited by funding - if the financial support stops the collaboration must also stop, because the Nigerian NGOs do not receive support from the Nigerian government.

Some Final Reflections

It is so satisfying when we hear from a woman, a long time after we met her, and she tells us that she finally got married and had children, that it's fantastic and she thanks the project. But this is not so in all cases. Sometimes reintegration can turn out horribly.

Repatriation is not inevitable; it is only one method for confronting trafficking. For governments in destination countries, sending people back is often just the simplest option, and simpler particularly than safeguarding the human rights of women migrants and trafficked persons. What is really needed to prevent these cases happening are strategies to facilitate legal immigration and easier and more accessible procedures for women who wish to leave their countries of origin.

Endnote

¹ TAMPEP - the *Transnational AIDS/STI prevention among Migrant Prostitutes in Europe Project* - is an international networking and intervention project launched in 1993 by the European Commission to respond to the needs of migrant sex workers in Europe. TAMPEP's work is based on the principles of the protection of human rights and the direct representation of sex workers. The Coordination Centre for the TAMPEP offices around Europe is in Amsterdam, and is known as the TAMPEP International Foundation, see www.tampep.com.



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In 2001, the TAMPEP Onlus Association was established in Turin, Italy as part of the TAMPEP network.¹ The Association carries out street outreach in the city and province of Turin to migrant sex workers. It trains and works with cultural mediators and peer educators to reach sex workers of different nationalities to provide information and services about health and other issues.

TAMPEP networks within Italy and in the countries of origin of migrant sex workers. It also advocates against trafficking and provides assistance to trafficked persons who are repatriated from Italy, including linking them with services in their home countries. TAMPEP intervention is based on the principle of self-determination and empowerment of the person, realized through health promotional activities, training and orientation counselling.

CHILD TRAFFICKING IN SOUTHERN AFRICA

Alice Mapenzi Kubo and Joan van Niekerk

Even though we do not know the nature and extent of human trafficking and this remains a subject of investigation, we do know that child trafficking is a substantial part of global trafficking. Through its work of protecting and supporting the rights of children and young people, trafficking is an issue that Child Helpline International has taken up.

Child Helplines in the Southern African Region

The first Child Helpline in Sub-Saharan Africa was established in Namibia in 1980. During the past 28 years, the Helplines have grown substantially, and there are now well-established Helplines in eight countries in Southern Africa.

Child Helplines offer prevention and protection services to children¹ by providing care or linking children to care in emergency situations, linking children to services and resources, being a venue where the voices of children are heard, and providing an infrastructure to promote children's rights and protection. Child Helplines also support the realization of a basic human right - the dignity that comes with being heard.

The Child Helpline in South Africa was launched in 1996. It has eight provincial offices that provide the following services:

- A toll-free crisis telephone counselling line, which receives calls about physical, emotional and sexual abuse; child pornography; child trafficking, and almost any problem that children experience at home, in school or in their communities
- Child abuse prevention and education programs in schools and communities that give information on children's rights, child abuse, child trafficking, HIV/AIDS, responsible relationships, and sexual behaviour
- Networking and coordination of services with partner NGOs and government bodies to children
- Advocacy on children's rights to monitor legislation and policy, and lobby for the implementation of law and policy
- Treatment services to abused children and their families, including services related to the impact of child trafficking
- Preparing abused children who have to testify in criminal court for the court process
- Safe emergency care for children in need of immediate removal

- Offender rehabilitation of children and adults who have committed offences against children and who remain in the community.

The Role of Child Helplines in Working against Trafficking

Child Helplines are easily accessible through their toll-free numbers, and so victims of trafficking have been able to make contact. In Africa, 15.6 percent of the children who called Child Helplines reported issues of commercial exploitation, which includes various forms of child trafficking.² In South Africa, some of the Child Helplines offer drop-in centres where children who have been trafficked can find a safe space and talk with counsellors.

Through these contacts, Child Helplines have been able to listen and offer counselling to children who have been trafficked, and link trafficked children to child protection services including social services such as schools, safe homes, rehabilitation centres, medical care, or any other basic need facility, as well as police and prosecution services. When appropriate, Child Helplines have also been able to work in partnership with other child-focused organizations to help reunite trafficked children with their families.

Child Trafficking Issues in the Southern Africa Region

The definition of trafficking of children that is commonly used in the Southern African Region "means the recruitment, sale, supply, transportation, transfer, harbouring or receipt of children, within or across the borders by any means, including the use of threat, force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability, or the giving or receiving of payments or benefits to achieve the consent of a person having control over a child for the purpose of exploitation or to facilitate or secure the adoption of a child."³

Although research into child trafficking problem has been done in the region, much of this has been country specific - or even area specific within a particular country. The limited research that does exist, as well as our practical experiences with children, indicates that child trafficking does occur in Southern Africa. It occurs across borders and within a country

from one area to another. Children are trafficked for a variety of purposes including child prostitution, domestic and farm labour, and even for the harvesting of their body parts.⁴

The fourth African Regional Conference of the International Society for the Prevention of Child Abuse and Neglect (ISPCAN) held in Enugu, Nigeria from 23-26 November 2004, focussed on trafficking and children in the continent of Africa. It was clear from the papers presented at the Conference that child trafficking is a complex problem and there was still some debate as to how trafficking should be defined. Participants generally agreed that many different factors collectively contribute to the vulnerability of children, and therefore preventing trafficking requires solutions that are multi-focused and multi-layered. It was also accepted that trafficked children require specialised services for their recovery and rehabilitation.⁵

The conclusions from this conference included the need for specific legislation and policies that target all forms of trafficking of both children and adults in the region. Governments and civil society both need to work toward eradicating this problem in mutually supportive ways, and States need to establish cooperative relationships in addressing the problem of trafficking.

At a recent meeting in December 2007, a number of Child Helpline organisations - representing Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe - met to discuss child trafficking. They identified factors that contribute to the high vulnerability of children in Southern Africa being trafficked. These included high levels of poverty and unemployment in the region; inadequate or, in some countries, a complete lack of social services for children and families; inadequate or a total lack of legislation that clearly criminalises trafficking in persons; inadequate law enforcement capacity; and the uncertain political situation in Zimbabwe with its accompanying violence, food scarcity and poverty. The political instability and increasing inflation and unemployment in Zimbabwe is having a massive impact on cross-border movements of all kinds.

Trafficking and the World Cup 2010

The upcoming FIFA Soccer World Cup is due to be held in South Africa in 2010 and this has been a major catalyst for increasing cooperation and coordination in Southern Africa around trafficking, including child trafficking. Much publicity about trafficking was garnered at the World Cup in Germany in 2006,⁶⁻⁷ and a similar movement is taking place now. Child Helpline International sees this as an opportunity to increase protection of children in Southern Africa who are particularly vulnerable to trafficking. The perceived threat of the Soccer World Cup 2010 is helping to build a collective and united response to trafficking and is adding public pressure to governments to respond to trafficking.

One civil society initiative is that of Save the Children Norway in Mozambique and Child Helpline International, along with Child



Group problem solving using a case example during the trafficking workshop

Helpline members in the region, and the Southern African Network on Trafficking Against Children (SANTAC). In December 2007 the group met, with representatives from Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe. The immediate aim of that meeting was to discuss whether Child Helplines should and could establish and implement a regional referral system to address child trafficking. The proposed referral system would be established for the World Cup in South Africa and continue on into the future.⁸

At the end of this meeting, the groups present established a Working Group called the Regional Referral System for Child Trafficking.

Mapping Report

One of the first tasks for the Group was a rapid assessment and mapping report of child trafficking in the region, and developing a plan of action. The mapping report included information from all participating countries on:

- their own activities in relation to child trafficking
- the activities of other actors in their country
- local research on child trafficking
- the status of legislation relating to trafficking and child trafficking in their country
- plans related to the prevention of child trafficking and the care and protection of trafficked children before, during and beyond 2010.

When the mapping report is finalized it will be placed on the websites of Child Helplines, Child Helpline International and SANTAC.⁹ However, we know already that the conclusions of the mapping report mirror in many respects the conclusions of the ISPCAN 2004 Conference in Enugu, Nigeria, mentioned earlier. Namely, that the nature and full extent of child trafficking in the region is unknown, there appears to be little credible research on child trafficking in the region - particularly cross border research - and most of the research that does exist relates to trafficking for the purpose of child prostitution. The mapping also revealed that child trafficking



Workshop participants - Childlines in the Southern African Region planning the prevention and management of child trafficking in preparation for and beyond the 2010 World Soccer Cup

The Way Forward

The Child Helplines present agreed to set up a regional networking and referral system, and this will be put in place in the coming months. The proposed research collection and resource centre will help to improve communication at the regional level, and all Child Helplines have agreed to share legislation and policy existing in their countries and support each other in lobbying for better laws. We will also research what other actors are doing in Southern Africa on child trafficking and include this in the resource directory.

As a group, we would like to develop a protocol for managing cases of child trafficking that would conform with ethics of child protection especially the protection of confidentiality and identity of the children involved. Another priority is the prosecution of traffickers. There are few, if any, successful prosecutions of trafficking in the region and we need to understand the obstacles to these cases proceeding.

activities, relating to both prevention and management of the problem, lack integration and coherence.

The mapping report recommends the following:

- a "library of research" on child trafficking across the Southern Africa Region should be established to catalogue and identify resources, and an analysis of available information be done in order to identify gaps in information, direct further research and prevent duplication;
- a monitoring and evaluation process be developed to identify good practices in the region, inclusive of research, prevention and management practice;
- a referral system should be established between Child Helplines, and between Child Helplines and other organizations in the region.

On 24 April 2007 we held a follow-up meeting of the working group in Johannesburg, South Africa to debate and review the Rapid Assessment and Mapping Report and to plan our next steps for preventing and dealing with child trafficking appropriately. Suggestions from group members included to educate the media to report responsibly on child trafficking, promote specialized child protection units, develop multi- and bilateral agreements with regard to service delivery, strengthen international social services, and lobby the IOM for greater interest in and commitment to children's issues.

In conclusion, Child Helplines in the Southern Africa region will continue to work as a collective and in doing so will address both the prevention of child trafficking as well as improve the management of reported incidents.

Endnotes

- ¹ The necessity of child helplines in providing prevention and protection services is recognized by the United Nations Committee on the Rights of the Child, the United Nations World Study on Violence Against Children and the International Telecommunications Union for this work.
- ² CHI (2007). *Connecting to Children: A compilation of child helpline data 4th edition*. Amsterdam: Child Helpline International.
- ³ Proposed amendment to the Children's Bill, presented to the South African Parliamentary Portfolio Committee on Social Development, Friday 20th May 2005 "trafficking in children", p1.
- ⁴ *Ibid*, p1.
- ⁵ Bower, Carol: Notes taken at the Conference, November 2004.
- ⁶ IOM (2007). *Trafficking in human beings and the 2006 World Cup in Germany*. Geneva: International Organization for Migration.
- ⁷ The Future Group (2007). *Faster, Higher, Stronger: Preventing human trafficking at the 2010 Olympics*. (www.thefuturegroup.org).
- ⁸ Minutes of meeting of SANTAC and Child Helplines operating in the Southern African Region, held in Johannesburg, December 2007.
- ⁹ See the website of Childline South Africa (www.childlinesa.org.za), Child Helpline International (www.childhelplineinternational.org) and SANTAC (www.SANTAC.org.mz).



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POPULAR MEDIA AIMS TO PUT HUMAN TRAFFICKING IN A JAM

Tonya Graham

Very little popular discussion about human trafficking takes place in Southern Africa, and local communities are generally unaware of the problem. However, as migration for work increases across the region, the need to meet migrant workers' needs for information about migration and trafficking has become more pressing. This is particularly so with the 2010 FIFA World Cup around the corner, when governments and NGOs expect a massive influx of migrant workers into South Africa to take advantage of the increased economic activity. Empowering them to better recognise false offers and migrate more safely, thereby decreasing the number of people who are trafficked each year should be a priority.

One strategy for raising awareness is the use of popular media. This article describes two popular media projects that Community for Media Development (CMFD) has been involved in: the live theatre production *Khuluma Afrika!* and serial radio drama *Dealers/Troco*.¹

in Southern Africa seek to migrate to have a better life, to access more opportunities than are available at home, or to escape conflict, and so may be vulnerable to trafficking.

Reaching people who have already been trafficked, is also very difficult for reasons that are now well known: employers generally keep trafficked persons hidden from the public and isolated from others in the community; trafficked persons may not speak the language of the country they are in; they may be reluctant to come forward out of fear of further harassment from officials and deportation, or fear of retribution from their traffickers against themselves or their families. As in other regions of the world, in Southern Africa a great deal of stigma is attached to certain industries in which trafficked persons are forced to work, particularly the sex industry and particularly towards women and children.

Communication strategies, therefore, need to be diverse and appeal to a wide range of people. They also need to be sensitive to the situations in which trafficked people are living.

Drama to combat trafficking

Adding radio drama and theatre for social change to the multi-media mix can be very effective, as messaging can be creatively woven into a strong, exciting story. Audiences engage with the issues through their emotional involvement in the story and the characters. By identifying with the characters and travelling alongside them as they face conflicts and make decisions, audiences are also forced to face those conflicts, and live through those decisions.

This idea comes from the social learning theory developed by Albert Bandura. This theory suggests that people learn by first observing other people's behaviour and the consequences of that behaviour for that person. They then rehearse what would happen for them if they followed that behaviour, trying it out and comparing their experience with other people's, and finally confirming their belief in the new behaviour.²

Communication strategies using drama also draw on participatory theatre and popular education models developed by Augusto Boal and Paulo Freire. By giving people the opportunity to consider behaviours or actions via fictional characters, it allows them to rehearse the behaviour or action in a safe, non-threatening environment, giving them the confidence to enact that behaviour or action in the real world. In Boal's participatory theatre model, audiences literally



HUMAN TRAFFICKING IS SLAVERY

Every year thousands of men, women and children are being trafficked into South Africa and sold into forced labour or prostitution.

Victims of trafficking are people who are forced to work as slaves in foreign countries. They accept attractive job offers abroad without knowing that these offers are false. They are forced into prostitution or labour with little or no pay to make money for their traffickers. They may be violently abused and made to repay large sums of money to their traffickers. Their passports may be taken away. They cannot escape. If you think you might be a victim of trafficking or know someone else who might be, you can ask for help - call IOM's Human Trafficking Help Line:

0800-555-999

IOM | SACTAP 
Southern African Counter-Trafficking Assistance Program

The Challenges of Awareness Raising

Raising awareness is not as straightforward a task as one might imagine. On the prevention side, the greatest challenge is reaching many different target audiences. There is a perception that lack of education and low income levels are the greatest risk factors for being trafficked. While these factors are certainly relevant, it is too simplistic to say that rural, economically poor people with little formal education comprise the only risk group. Many different kinds of people

become “spect-actors,” first watching, then acting out possible solutions for a common problem, or dealing with difficult situations by trying new behaviours (Boal 1979).

Live drama (theatre) and radio drama have very different reaches and advantages, but both have great mass appeal, especially in Africa. Both media rely on oral storytelling, thereby bypassing the need for basic literacy, and allowing a message to be passed on in a much more creative way. Storytelling has strong roots in most African cultures, making radio drama and theatre very palatable media.

In both productions produced by CMFD, members of the community were involved in developing the messages and working on the productions. Their innate knowledge of their community was supported by local experts on trafficking and migration. Keeping communication for social change principles in mind CMFD also tried to incorporate other community problems that can be a cause of trafficking such as xenophobia, root causes of migration, customary and religious considerations, etc.

Khuluma Afrika!

Khuluma Afrika! was a dynamic community theatre production that CFMD produced for the IOM to use for outreach to the Mozambican community in South Africa, particularly those living in mining towns. The show toured during 2006-2007 and was performed in Portuguese, with some Shangaan, Zulu and English dialogue. The performance aimed to raise awareness of human trafficking, make people aware of the IOM helpline number, and encourage people who may have been trafficked or potential whistleblowers to seek help.

solace in letters to one another that express their hardships, hopes and dreams of home.

Participatory theatre was chosen for the *Khuluma Afrika!* project for several reasons. By having the cast members involved in the production from script development through to performance, it allowed them to gain a solid grasp of the issues they were dealing with and the reality behind the story they were telling.

The cast members were from the local community, working on the assumption that they are best equipped to speak on issues that affect them, and that the audience will better understand messages that come from their own people. This can also encourage a sense of ownership of the problem, encouraging participants to prevent trafficking in their own community. This idea is especially important in countries like South Africa and Mozambique, where initiatives that appear neo-imperialist or driven by outsiders are highly resented.

The cast members, although some were not trained actors, took easily to the medium and seemed to have an intuitive sense of how to tell a story. They often knew when and how to emphasise or play things up for audiences to increase their enjoyment of the show.

This ties into the way the messages were presented in the drama. By carefully weaving messaging into a story with well developed characters and conflicts, *Khuluma Afrika!* avoided the pitfall of becoming overly didactic. The show was able to capture audiences’ attention and keep them engaged, even in busy areas such as street corners

and markets, because the story was interesting, and the drama was entertaining and well acted. The entertainment value and emotional engagement of the audiences increased their understanding of the messages and many participated in post-performance discussions, asking questions and thoughtfully filling out evaluations.

Theatre also has the advantage of being a non-threatening medium. This means that the show was able to be shown places where perhaps even traffickers could be present, without being seen as a threat. As well,

it allows people to reflect on sensitive issues in their own lives, such as violence against women, through the characters.



Credit: Tonya Graham
Caption: Community performance of *Khuluma Afrika!* at Blyvoor Informal Settlement

Workshopped over a two-month period by the Alertas Da Vida youth group, *Khuluma Afrika!* told the story of two sisters, drawn to South Africa by false promises of a better life. Separated, desperate and exploited, the sisters seek



Credit: Deborah Walter
Caption: Sifiso Simelane and Rogerio Simango, performance at Elsberg Hostel, PlaserDome

people gave comments like, “no matter where you come from we [are] still the same”, and “we should help each other as Africans.” Without expressly intending to do so, the production engendered a pan-African sense of caring together for each other. This strengthened the overall message of the play and, though it was originally targeted for the Mozambican community, the additional message made the play more relevant to non-Mozambican audiences.

The messaging for *Khuluma Afrika!* was developed through research and consultation with individuals that have knowledge and experience working on trafficking and community members.

The first step was to determine the target audience. CMFD decided on people who have been themselves or know of someone who has been tricked or misled into a trafficking situation, and potential whistleblowers. CMFD also targeted people working in sectors known to be linked to trafficking activities, like the sex industry, mining and domestic work.

Next, CMFD strategised how to reach these groups - where should the production be performed? Churches, clinics, transport ranks, mining hostels, drop-in centres, informal settlements and public spaces, such as parks, street markets, and street corners, in Johannesburg CBD and mining communities, were all identified as places where the target populations might be found.

CMFD also considered how to incorporate a strong male role model, how to place trafficking within the larger context of migration, how to make the production entertaining, and how, carefully, HIV messages could be mainstreamed in.

The main drama was accompanied by comedy skits, also created by the Alertas group, that talk about life in the mines, being away from home, migration and discrimination. The show incorporated drama, music and dance and because it had few technical or set requirements, it could be performed anywhere. Where appropriate, actors led a post-performance discussion and evaluation, during which audiences could make comments, ask questions and get more information.

Feedback from the production was overwhelmingly positive. One audience member at a drop-in centre for sex workers in inner city Johannesburg remarked that the show reflected her own experience of coming to the city from a rural area, saying that someone told her they were arranging a job for her. When she arrived, they brought her to a brothel and forced her into sex work.

An interesting spin-off was that a number of people took an anti-discrimination message from the play. In post-performance discussions and written evaluations, many

In addition to the theatre production, the Alertas Group and CMFD also worked with local musicians to write music that spoke to people about gender-based violence, human trafficking and migration.³ Again, CMFD sought to create something that was well-produced and that people would listen to because it's good, not because it has a message. *Khuluma Afrika!* incorporated the music, entitled *Humbanane*, into the drama, and CMFD also distributed the music to radio stations and organisations across Southern Africa.

Dealers/Troco

This serial radio drama, set to air in 2008, aims to help people in Zambia and Mozambique understand what human trafficking is, how it happens, and how to protect themselves if they want to migrate. Both Zambia and Mozambique are countries from which large numbers of people migrate, or transit through, to reach South Africa. The 13-part drama weaves trafficking and migration issues into an action-packed storyline, creating a series that is both entertaining and informative.

“[The mafia part] gets you interested in the story, then when these other things [like trafficking, HIV, sexual abuse] come in, it's still interesting, it's not like you're just putting out facts. Like on the news or something - people can ignore those things because they're tired of hearing them. But put in this way it can make you think about it twice.”
- *Zambian focus group participant*

Titled *Dealers* in Zambia and *Troco* in Mozambique, the story follows a family of women traders who inadvertently are caught up in a mafia scandal and an underground human trafficking ring. Through their experiences, and the experiences of their neighbours and friends, listeners are encouraged to ask questions about a range of issues related to trafficking and migration.

Radio offers a wide range of benefits. It is low cost to produce relative to other mass media like television or film. Since it does not rely on literacy, a wide range of the population can

access it and access it at the same time. It also allows for localisation of an issue, since information about local organisations, interviews with local individuals, etc can follow the drama. Community radio in itself is largely participatory, and this can help draw listening communities into the issue. In rural areas especially, listening to the radio is often a family, group or community activity, and radio can make use of these existing listening groups to spark discussion and debate.

In addition, radio can often be the best medium for reaching women, who statistically have lower literacy levels than men, and who generally have access to a radio and listen regularly.

To prepare for the writing of *Dealers/Troco*, CMFD interviewed 100 migrant workers living in Johannesburg. This research revealed issues such as xenophobia, harassment and corruption by police and immigration officials, as well as the root causes of migration, all of which became sub-themes in the drama. The first-hand interviews kept the story rooted in real experience and helped the scriptwriters to trust that what they were writing would reflect real situations for migrants living in South Africa.

A team of scriptwriters workshopped the drama first in English, and then later adapted and translated it into Portuguese for a Mozambique audience. CMFD sent both the initial story outline and then later the completed scripts to various stakeholders, including experts in migration and trafficking, and migrant workers themselves in Zambia, Mozambique and South Africa for feedback to ensure that the story and characters were applicable to both Zambia and Mozambique.

CMFD chose to adapt the *Dealers* storyline to create *Troco* rather than write a new story. This was done to increase the reach of the project without a great deal of additional expense. Adaptation is also much faster than creating a new drama as most of the sound effects will be the same, with only a few changes or additions to localize the settings. The adaptation had to be done carefully to ensure the adaptation of *Troco* was successful. There was particular focus on using the most accurate language - both for translation as well as including specific words and phrases, local sayings, and references. Cultural differences also led to changes to certain details. For example, Zambia is a transit country for trafficking from the Congo to South Africa, so in *Dealers*, one of the lead characters unknowingly assists in the trafficking of Congolese girl. Mozambique is not a transit country for Congolese, so for *Troco* this was changed to a girl being trafficked from Northern Mozambique through Maputo to South Africa.

CMFD held focus groups in Zambia and Mozambique before recording began to make sure the drama was appealing, exciting, and that the characters and situations reflected reality. Feedback from the focus groups was overwhelmingly positive, with participants saying that they enjoyed the story, and that it reminded them that even though you think it won't happen to you, trafficking is real.

During the recording, the response from the actors involved was much the same. Interestingly, one of the actors in Zambia had recently been offered a lucrative-sounding job in Canada, and was considering taking it. After recording the drama, and discussing the job offer with other people on the team, she decided the offer was not worth the potential risk, and turned it down. Though it is too early to make a definite judgment, this may be an indication of the effectiveness of this story, and of radio drama in general, to talk about human trafficking in a way that encourages people to really think about the issues.

Accompanying the drama is a media guide that will give radio presenters or community organisations the information they need to initiate discussion about the characters and the issues they face. Radio stations will be encouraged to have live phone-in discussions after each episode, additional activities are being considered, such as a text-message line where listeners can text their comments, as well as a blog for the drama in both English and Portuguese.

The series *Dealers* will be launched in July 2008 and will air in English on radio stations across Zambia. The adapted Portuguese version, *Troco*, was launched in June 2008 and will air in Mozambique. *Troco* has recently been picked up by RTPAfrica, a Portuguese radio service that airs programming in all Portuguese-speaking African countries. *Dealers* has also been picked up by an English radio service in Dakar, Senegal. Through these partnerships, the drama's reach will increase exponentially

To date, IOM is one of the only organisations in the region that has run extensive information and awareness-raising campaigns. However, with initiatives like *Khuluma Afrika!* and *Dealers/Troco* creating more popular awareness of human trafficking and related human rights issues, governments will be encouraged to extend these efforts; and with the World Cup just around the corner, action cannot come soon enough.

"[The drama] will teach [people] a lot. There are a lot of people who want to leave. They leave with these big plans that don't ever happen. This will teach them to be more careful."
-Zambian focus group participant

"The script sounds like what happens on a daily basis."
-Mozambican focus group participant

"I realise now that anyone can betray you, to be cautious who I trust and also to exercise caution when given a good looking job offer away from my country."
- Zambian voice actor

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Endnotes

¹ Both projects were produced by CMFD as part of the International Organization for Migration's Southern African Counter Trafficking Assistance Programme (IOM-SACTAP) ongoing multi-media campaigns being implemented across Southern Africa. These campaigns have used a variety of media to reach different social groups.

² Fossard, Esta de. *How to Write a Radio Serial Drama for Social Development*. Population Communication Services, Center for Communications Programs, Johns

¹ Hopkins University School of Public Health. 1996. p 15.

³ This was possible with the support of Global Fund for Women.



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INTERVIEW WITH ANNE GATHUMBI, OPEN SOCIETY INSTITUTE, EAST AFRICA - LAW AND HEALTH INITIATIVE

Interview by Eleanor Taylor-Nicholson, GAATW-IS

Can you tell us about your organisation and what kind of work you are doing to support the rights of sex workers in East Africa?

The Law and Health Initiative (LAHI) and the Sexual Health and Rights Project (SHARP) are both divisions of the Open Society Institute's Public Health Program. This Program works to advance legal and human rights-based approaches to public health worldwide. By combining existing public health responses with legal and human rights advocacy, LAHI and SHARP aim to improve health conditions and advance access to justice, especially for socially marginalized populations of sex workers; lesbian, gay, bisexual, transgender and intersex people (LGBTI); people living with HIV; women; vulnerable children; and injection drug users (IDU's).

In East Africa, LAHI and SHARP partner with the Open Society Initiative for East Africa (OSIEA), based in Nairobi, to advance legal and human rights responses to the region's HIV epidemic. OSIEA supports and promotes public participation in democratic governance, rule of law and respect for human rights in East Africa. Their work involves awarding grants, developing programs and bringing together diverse civil society leaders and groups to create a strong institutionalized rights framework that encourages open and informed dialogue about issues of national importance.

We heard about a recent meeting that was organised by OSI and other organisations on the health and human rights of sex workers in Uganda. Can you tell us about this meeting?

The four-day training workshop was to bring together sex worker groups and their allies to strengthen their knowledge of human rights principles, legal tools and advocacy strategies. The goal was to increase sex worker advocates' capacity to address human rights violations against them.

The meeting was held from the 24-29 March 2008 in Mombasa, Kenya and was attended by 35 people comprising sex workers and their allies from Uganda and Kenya. The meeting included a series of participatory human rights exercises intended to introduce and engage participants in understanding and using human rights concepts and strategies. It focussed on sex workers' own experience of resistance and advocacy and tied this to the demand for human rights protection and an end to rights violations. The meeting also explored a range of concepts and tools that could be used to protect the human rights of sex workers,

with participants identifying some of the rights violations they experience. Finally, it took an in-depth look at some of the more promising human rights strategies that might be used by sex workers and their allies to ensure that sex workers' rights are respected, protected, promoted and fulfilled.

Some of the outcomes from the workshop included country-specific work plans, detailing advocacy strategies that sex workers and their allies would engage in.

We hope to follow up the workshop with a call for proposals to support projects that specifically address the human rights and legal violations the participants identified as their most pressing concerns:

- arbitrary arrests by police
- denial of freedom of movement by police
- stigmatization by family and community
- physical violence, sexual violence and harassment by clients
- sexual harassment and violence by police and/or local authorities
- exploitative working conditions
- discrimination (e.g. denial of medical treatment)
- unfavourable working conditions (always in running battles with the police)
- non-payment of services rendered
- threats by community members
- gang rape by both clients and police
- rape
- blackmail or coercion into sex
- forceful use of drugs and/or intoxicants
- denial of the freedom of expression (due to prejudices)
- lack of security
- denial of the right to be presumed innocent until proven guilty.

What is the general human rights situation of sex workers in East Africa?

Sex workers experience many human rights violations in East Africa:

- They encounter high levels of physical violence, including rape, from police and clients. Some clients refuse to pay for services rendered and turn violent towards the sex workers as a way of intimidating them not to demand their pay.
- Sex workers are also arrested and subjected to extortion and demands for bribes and sexual favours by the police in exchange for freedom.

- Health providers regularly refuse to help sex workers who have been abused or whose rights have been violated and ask them to present at the health clinics with their partners.

These abuses, coupled with discrimination from society in general, frequently force sex workers into hiding and effectively block their access to the most basic health, justice, and social care services.

What kind of legal protections are available for protecting the rights of sex workers? Are these being implemented or enforced?

Sex workers, like everyone, are entitled to basic human rights and protections under the international conventions that the governments in the region have signed. At the national level, however, there are hardly any legal protections available to sex workers owing to the high levels of stigma associated with sex work within the general public.

We hear that the Ugandan Government was very critical of this meeting. Can you tell us more about the reasons for their reaction?

I can only give you my personal views here. The Ugandan government seems to have taken a moral approach to the issue. Together with some of the religious groups in Uganda, they appear to be in denial that sex workers do exist. This includes refusing to recognise sex workers as human beings who should enjoy the same rights as everyone else and who need protection when their rights are violated. They have also refused to acknowledge that sex workers are part of the marginalized groups that need to be targeted in any response to HIV.

The Government used the law, which criminalizes living off the earnings of sex work, to condemn the meeting that was organised for March 2008. Exactly one week before the meeting, information relating to the meeting of sex workers and allies was published in a Uganda State House-linked newspaper called the *Red Pepper*. The article made derogatory reference to sex workers. Two days later, the Minister for Ethics called a press conference to ban the meeting and all the local FM radio stations were awash with call-in programmes, some of which condemned the meeting. A renowned Pastor, Martin Ssempe also issued a statement threatening to storm the venue of the meeting with members of his church to eject the participants. Not wanting to place the participants at any risk, the organizers made a decision four days before the workshop began to move it to Mombasa, Kenya. The dates did not change and all participants were able to make it, despite the logistical and cost challenges.

Anti-trafficking efforts around the world have targeted the sex industry. Has the same thing happened in East Africa? What strategies are anti-trafficking NGOs and agencies using?

There is very little happening to address trafficking by either government or NGOs in East Africa; however, there have been some assessments on trafficking and, in Kenya, there

is also an anti-trafficking Bill that was drafted, but this is yet to be tabled in parliament. The Sexual Offences Act passed in 2006 in Kenya does criminalize trafficking in children. (For more information on Kenya's Trafficking in Persons Bill, go to pg 49).

Do many women migrate across borders to work in the sex industry in East Africa? What kinds of protections do they receive as migrant sex workers?

Yes, many women do migrate across borders to work in the sex industry in East Africa. There is a trans-national route from Mombasa, Kenya to Juba, Sudan and all along that route sex workers move along with truck drivers. There is also cross-border sex work in border towns. Women migrating to do sex work have no protections.

What space do sex workers in Uganda and other parts of East Africa have to organise and advocate for their rights?

Although sex workers have organized since time immemorial through creating social support networks, it is just now that conversation around organising for their rights is beginning to take place. So far OSIEA is in touch with 15 sex worker groups in both Kenya and Uganda - two of which are male sex worker groups. They were mainly started as social support groups and have been operating for different periods of time, with some groups operating for over 20 years. The groups are based in cities, towns and on transit routes and border points in both countries. The membership typically varies from 10 to 40 members; although, in some cases there are more members. Most of the groups don't have the capacity and tools to enable them work on rights advocacy. This was why the workshop was organized - to give them the skills and enable them to understand their issues better, so that they can articulate them at various advocacy opportunities.

Are sex workers organizations in Uganda and other parts of East Africa linked to other organizations defending labour rights such as trade unions?

No, they aren't linked to trade union groups.

Can you give us an example of how sex workers have organised around a particular issue or case?

See statement and call for action by Lady Mermaid Bureau:

In May 2008, Lady Mermaid's Bureau organized a lobby against the Ugandan Government through a statement calling for the inclusion of marginalized groups voices - e.g. commercial sex workers - in the formulation of HIV/AIDS committees at district levels. The statement was sent to local, national and international organisations worldwide calling for signatures in support of the statement.

Lady Mermaid's Bureau (LMB) is a community-based organisation founded in 2002 by three sex workers in Uganda. Since inception, the organisation has been actively involved in implementing programmes that lobby for sex workers' access to health services and protection from abuse and sexual exploitation.

“By challenging the inequalities facing sex workers, we threaten the very conditions that allow violation of sex workers (human) rights to thrive and confront circumstances continuously keeping sex workers excluded from policy considerations and social participation,” states LMB in the email calling for ratification of the statement.

The statement was sent to the Chair of the Uganda Parliamentary committee on HIV/AIDS in early June, 2008.

Statement regarding formulation of HIV/AIDS committees at individual District levels by the Uganda Parliamentary committee on HIV/AIDS

This statement is ratified by a coalition of organizations working around the clock to reverse the course of the HIV/AIDS epidemic, and commissioned by Lady Mermaid’s Bureau (LMB). LMB is a non-profit community organization in Uganda working together towards the achievement of the UN declaration of human rights for all.

In quest of a solution to deal with the HIV/AIDS epidemic, LMB welcomes and appreciates the Ugandan Parliamentary committee on HIV/AIDS’s arrangement to formulate committees at districts working on the issue of HIV/AIDS. We acknowledge this positive development and are grateful for the position government is taking, especially at a time when the rate of progress in expanding access to essential services is failing to keep pace with the expansion of the epidemic itself - as indicated in the sixty-second session Report of the Secretary General of United Nations General Assembly on the Declaration of commitment on HIV/AIDS and political Declaration On HIV/AIDS.

In the context of forming up the committees it is extremely important to have the voice of a marginalized group, such as commercial sex workers, on the committees. In countries where HIV prevalence exceeds 15 per cent, only an unprecedented national mobilization, involving every sector of society and making use of every available intervention tool, will meet the challenge posed by such catastrophic continued prevalence of HIV/AIDS. Even in countries with low levels of HIV infection, populations most at risk are experiencing an exceptionally heavy burden of disease, including substantial numbers of new HIV infections. Scaling up focused HIV/AIDS intervention strategies for populations most at risk represents an urgent public health imperative, requiring a degree of political courage and leadership that has often been lacking.

Throughout the world, sex workers have been singled out as the most affected by the epidemic. There are currently thousands of women involved in sex work in Uganda, and some are migrants from Congo, Rwanda, Burundi, Kenya and Tanzania. For these migrant women, their risk of HIV infection is extremely high since condoms are seldom available and their bargaining power is low. Worst of all their possession of condoms may be used as evidence of their working illegally in Uganda as sex workers. Due to the stigma, both migrant and local sex workers are often ‘invisibilized’, as if they do not exist in reality. Their voices are silenced and they are often subjected to violence, exploitation and abuse by clients, pimps, mafia, and law enforcers. According to the ministry of health report, more than 47% of sex workers in Kampala are HIV positive. The train of rape attacks, harassment and the prevalence

of AIDS is moving fast, women and young mothers surviving as sex workers are increasingly vulnerable to HIV infection.

Experts from UNAIDS have already concluded that despite significant progress in areas such as treatment, many of the UNGASS goals¹ are still far from being reached. In the area of prevention, there is a backward slide since the last round of reporting in 2006.

HIV/AIDS is the single greatest threat to the security and development of much of Africa, making it impossible to attain many of the globally agreed Millennium Development Goals. Without accelerated efforts to prevent its spread, HIV/AIDS will continue to roll back progress and hard won gains and intensify poverty and human suffering in Africa. Rapidly growing demand for treatment will exceed available human and financial resources. More and more children will be orphaned, outstripping the capacity of families and communities to care for them. Millions more will become infected and die.

‘Signatory to the Statement’

Endnotes

¹ The United Nations General Assembly Special Session on HIV/AIDS (UNGASS on HIV) agreed to a Declaration of Commitment to HIV in 2001 that included 103 commitments addressing issues including global action, human rights, treatment and care, prevention, social and economic impact, research and development, and resources. An additional Political Declaration was agreed to at the UNGASS+5 on HIV in 2006; the Political Declaration had 53 commitments.



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INTERVIEW WITH SANDRA CLAASSEN AND JANNIE van den BERG AT PROGRAMME BONDED LABOUR IN THE NETHERLANDS (BLinN)

Interview by Nerea Bilbatua, GAATW-IS

What is the trafficking situation in Netherlands today?

It is estimated that each year some 3,500 women are trafficked into the sex industry in the Netherlands. There have been no estimates for the number of people trafficked for other purposes than the sex industry, as these practices were only considered to be human trafficking in 2005.

In 2007, almost 700 cases of trafficking were registered with the Amersfoort-based NGO, Coordination Centre on Trafficking CoMensha (formerly called STV); of these, the biggest group are young girls with Dutch nationality who are trafficked into prostitution within the Netherlands. This phenomenon is commonly known in the Netherlands as the “loverboy-construction” as the perpetrators lead the girls into falling in love with them in order to force them into prostitution.

Approximately five to ten percent of trafficked persons press charges against their traffickers. Others do not want or do not dare to testify against the people that brought them into the situation of severe exploitation that they suffered. Trafficked persons who do press charges are offered a temporary residence permit (B9) with entitlement to a social allowance, housing, legal assistance, counselling and work. They are allowed this residence permit during the police investigation and the judicial procedure against their traffickers. If the traffickers are sentenced for trafficking or if the investigation and court case takes more than three years, then the trafficked person can be granted a more permanent residence permit that allows her to stay in the Netherlands. In all other cases she is supposed to leave the country, unless she can prove that return is not possible because of retaliations or other humanitarian reasons.

Can you provide a brief overview of BLinN’s assistance work in trafficking cases?

The BLinN programme mainly offers support and empowerment activities to trafficked persons who have already been identified as victims and have already received initial support and protection regarding housing, social allowance, medical care and legal assistance.

BLinN works from a neutral, non-moralising position and believes that every individual should have the power to make decisions about her/his own life. The emphasis is on improving mental well-being, social assistance and self-reflection. BLinN promotes independence and taking responsibility, which is not always easy. The trap of becoming

dependent on assistance exists - sometimes it is ‘easier’ for a staff member to make a telephone call or to write a letter to a certain institution, while a better strategy is to support the individual person to make the call or write the letter herself.

Specific activities that we have developed since 1999 include:

- buddy contacts (linking a Dutch volunteer to an individual trafficked person).
- trauma counselling peer groups
- social and personal skills training
- assisting the person to find education and employment opportunities
- legal assistance from volunteer lawyers
- information provision and support to people being held in detention centres
- temporary financial support in emergency cases
- support for return and reintegration.

We are working on transferring the methodologies of these activities to local organisations in the Netherlands. New activities are being developed based on the needs of the target group, for example mother-child support, facilitating the self organisation of trafficked persons, international cooperation and identification of trafficked persons from other economic sectors.

BLinN is also developing a tool for measuring the real contribution of a certain activity to the empowerment of the individual assisted by BLinN.

How many African women does BLinN assist per year, and what are their main countries of origin?

Last year BLinN assisted 244 trafficked persons: 138 of them (57%) were African; others came from the Balkan region (38, 15%), Asia (25, 10%), Eastern Europe (16, 7%), Western Europe (13, 5%), Central Europe (7, 3%), Latin America (5, 2%), and the Baltic States (2, 1%).

Of the trafficked women (and also some men) from Africa, the greatest number (58) was from Nigeria, but BLinN has recorded a total of 20 African countries of origin. Besides Nigeria, the most common countries have been Sierra Leone, Guinea, Cameroon and Morocco.

Have you noted any changes in the types of cases of trafficking of African women since you started work in 1999?

BLinN does not ask the women we assist to tell us their story because usually they have explained their experiences to other assistance organisations before we meet them - we don't want to cause additional trauma. This means that the information we have is not always complete, especially the routes by which women are trafficked to the Netherlands.

We have observed, however, that in the last nine years, the number of African women that BLinN assists is increasing. Last year, African women made up more than half of all assisted trafficked persons. The number of countries of origin is also growing: we are seeing 'new' countries in East Africa represented, such as Uganda, Somalia, Tanzania and Ethiopia. Also, in the last two years we have assisted cases of trafficking into sectors other than the sex industry, including domestic work and factory work.

The background of the women and the reasons for leaving the country is very mixed, varying between countries and also within countries. Many of them come from rural areas, have only a few years of primary education, and are very young, even minors, when they leave for Europe. Most have had to repay huge debts to the traffickers, up to 50,000 Euros. Some have also been forced to undertake voodoo practices before leaving. Most trafficked women from Nigeria are from Edo State (Southern Nigeria). They tend to have very low education and have been sent by their family to earn money. The stories from Cameroon are different; women have met European tourists and some of them have married Europeans, moved to Europe and are sending money home. Now, Cameroonian schoolgirls are looking for a husband via the internet. Most Cameroonian women are not trafficked to the Netherlands, but to a French-speaking country like Switzerland. Those in the Netherlands seem to be girls escaping female genital mutilation (FGM) or forced marriages.

It is difficult to understand, let alone predict, why many trafficked persons come from a certain region. Increasingly, family pressure to improve their economic situation, especially if they have seen others in the community get rich apparently quickly and easily, seems to play a role. Once one person arrives and is able to send money home, more will surely follow.

But, as stated before, these observations are based on our limited information about the background of the African trafficked persons, so it is not a comprehensive analysis.

In what ways does the Dutch alien legislation provide for trafficked persons to receive assistance in The Netherlands?

Dutch legislation only provides assistance to trafficked persons when they collaborate with the authorities and when the information they provide leads to police investigations and prosecution of the perpetrators. Only in very exceptional cases can protection be provided without pressing charges or when the person has very little information about the traffickers. The temporary residence permit for trafficked persons is directly linked to the penal case against the traffickers, so it is not considered a human right, as such. In cases where trafficked persons are not immediately identified, they can be put in detention as undocumented migrants, and it becomes even

more difficult for them to access protection as a trafficked person.

In what ways does the Dutch alien legislation impact on BLinN's ability to provide direct assistance to trafficked women, or African trafficked women specifically?

BLinN would like to offer assistance to all trafficked persons without looking at their legal status, but with the restrictive migration laws in Europe, it has become more difficult to support trafficked persons who do not want to press charges against their traffickers.

The work BLinN does in detention centres - providing information to possible trafficked persons and improving their access to protection and support - is not easy; Dutch authorities do not consider identification of trafficked persons in detention centres a priority. Detention centres are aimed at expelling undocumented migrants from the Netherlands and any application for a legal status is regarded with considerable suspicion. Dutch migration authorities work with so-called 'result figures', for example, a target number of undocumented migrants to be arrested and expelled each year. This does not contribute to a better identification procedure for trafficked persons.

BLinN has identified many Africans in immigration detention centres as trafficked persons. They make up a big portion of the 'undocumented migrants' who are detained for lack of documents, and who are not identified as trafficking victims or do not identify themselves as such.

Are there other structural obstacles to providing direct assistance to trafficked women?

One of the main obstacles to providing assistance to trafficked women in the Netherlands is the segmentation of assistance organisations. Unlike other European countries, assistance to trafficked persons in the Netherlands is decentralised to the regional level, and within each region, a number of organisations each implement only part of the support. This means that every trafficked person works with a number of social workers and contact persons, who are all responsible for a small part of the protection and support.

Another obstacle is housing. Only a few shelters specialise in assisting trafficked persons, and so most women are received in general women's shelters where they live with victims of other forms of violence. Few staff know how to support this specific target group. Also, the time they can stay at each shelter is limited, so they are moved around the country. Independent housing for trafficked persons is also in short supply, especially in the bigger cities, so it usually takes a long time before trafficked persons have a stable housing situation. BLinN's activities usually continue for several months, so a stable housing situation is very important. It is very disappointing to stop halfway because of a transfer to another part of the country.

Access to education and employment has greatly improved during the last three years, but, as this is a municipal responsibility, the level of access and opportunities vary between regions. It is difficult to explain to a person why one can follow vocational training in one place, but another cannot because she is living in the 'wrong' city. Advocacy at the local level has, therefore, been necessary, especially for education and employment options. As African trafficked persons in general have a lower level of education, it is important for them to have a good access to education.

What are BlinN's experience supporting African trafficked women?

Several staff members have visited Nigeria, as most of the African trafficked persons assisted by BlinN are from that country. Experiencing something of the reality of 'African daily life', increases our understanding of certain cultural aspects, and this facilitates our work and communication with African women, especially Nigerian women.

We also have an African Cultural Mediator and several African trafficked women volunteering in the organisation of certain activities, both of which have improved the assistance we can provide. We presently have an African intern working on administrative matters as well. We hope to continue this strategy and extend the use of cultural mediators in our work.

The group activities that BlinN undertakes have always been made up of trafficked women from different backgrounds: African, Central-Eastern European, Asian and Dutch. This mix has proved to be very useful, as this can improve the understanding of cultural aspects and mutual understanding. All participants have always mentioned this multicultural aspect as an important aspect of our groups.

In our experience, African trafficked women, in general, do not want to return to their country of origin. They have feelings of shame and failure if they return too soon and they see better economic opportunities in Europe. They also face certain problems at home such as FGM, gender discrimination, or forced marriage. They are survivors, even if they do not have a residence permit. They struggle for themselves and in many cases, for their children.

What is the role of the "Cultural Mediator"?

In 2007, BlinN hired our first Cultural Mediator for African trafficked women. Prior to this, we had a Bulgarian psychologist on our team, who played a similar role for Central and Eastern European trafficked women.

The task of the African cultural mediator is to contact and identify possible trafficked women in detention centres. This has been a very positive because African women have been more open in speaking with her and it is easier to interpret cultural differences. Teaming our Dutch staff with the cultural mediator has also been a success, some issues need cultural mediation while legal issues are sometimes better discussed with the Dutch staff member.

Cultural diversity in the staff has proved useful in ensuring that the whole staff understands cultural differences and knows how to deal with them.

Does BlinN cooperate with embassies and/or consulates of African countries in The Netherlands? How do you value this cooperation?

The experiences of working with embassies and consulates vary. Most of the time the contacts concern identity papers for victims. We recently met with the Minister of the Nigerian Embassy, and we hope to be able to train the staff on human

trafficking to the Netherlands as soon as the new ambassador is installed. We were also told that it will not be a problem for the Embassy to obtain important papers as long as the person in question can at least inform on the day and place of birth and the name of her/his parents. This would be something unique because until now, we had to look for family or NGOs in the African countries who were willing to search for such information.

Some embassies are cooperative on the issue of trafficking, but others are more difficult, and not all countries have

representation in the Netherlands (for example Sierra Leone and Uganda have representation in Belgium), which makes things more complicated.

In general, we think it is important to involve African embassies and/or consulates in the work, inform them about trafficking in the Netherlands, and the situation of their trafficked citizens. But we also take into account that some governments play a certain role in international trafficking, so a certain distance is essential.

What are the main changes BlinN is advocating for, and how can African anti-trafficking and migrant rights NGOs support and engage in this advocacy?

BlinN and other Dutch NGOs are advocating for a more human rights-based approach in the trafficking legislation. In particular, we are calling for:

Visit of Queen Beatrix of the Netherlands to the BlinN-office in March 2008. She met with beneficiaries, volunteers and staff members of BlinN and showed great interest in the stories of the trafficked women.



- protection and support for trafficked persons that is non-conditional and not based on collaboration with the authorities
- a more national assistance mechanism: more specialised shelters, homogeneity in approaches, and national coordination
- further improvement in the identification of trafficked persons, both women and men, both from the sex industry and from other economic sectors.

African migrant rights organisations in the Netherlands could support these latter efforts, because they have contact with the African diaspora and could inform them about their rights and options.

African organisations, in both the Netherlands and countries of origin, could play an important role in training and informing Dutch organisations and institutions about the specific cultural aspects of trafficking from Africa and how to approach and support African trafficked persons. As well, organisations in African countries could link with Dutch organisations and exchange information needed for prevention, return, and reintegration.

In what areas does BLinN partner with civil society organizations in African countries?

During 2006-2007, BLinN undertook a pilot project on counter-trafficking and reintegration of African victims in the Netherlands, Nigeria and Cameroon. Through this project, we have developed many contacts with NGO's in Cameroon and Nigeria.

We began by asking trafficked women from Nigeria and Cameroon to prepare a chart showing their social and institutional networks in the Netherlands and at home. This revealed that their networks were very small. Our belief is that a small social network makes people more vulnerable, so expanding women's networks is an activity for the future.

Next, we identified partner organizations in Nigeria (Benin-city, where most of the Nigerian trafficked women were born and raised) and Cameroon, and invited them to visit the Netherlands. During this visit, the visitors shared information and experiences with Dutch support organizations, police, governmental institutions and members of parliament. BLinN also organized for the visitors to meet with Nigerian and Cameroonian trafficked women and they had a very open discussion. The visit ended with brainstorming and planning session to develop activities in Nigeria, Cameroon and the Netherlands.



In Nigeria, the partner organisations developed and aired radio and television jingles, and with the aid of 150 volunteers, organised three information campaigns on the dangers of trafficking in marketplaces. One participating organisation developed a brochure on business opportunities for returnees. The organisations in Cameroon developed two workshops for stakeholders and a meeting with law enforcement services (e.g. Police, Interpol). They also produced information on job opportunities for returnees.

In the Netherlands, BLinN produced a brochure on Nigeria for support organizations in the Netherlands, as well as two leaflets: one aimed at a certain target group in Nigeria to help prevent them from being trafficked, and one aimed at Nigerian victims of trafficking in the Netherlands who are considering returning to their country.

Final Comments

Our experience with this project is that stopping trafficking from Nigeria is difficult. Most migrants know about the work they will have to do and the debts they have to pay, but they want to help their families and trust it will all turn out well. They don't imagine the bad stories will happen to them. Information campaigns are not enough - empowerment of women and more economic possibilities at home, as well as discussions on values with parents, are needed.

Another finding is that African trafficked women do not even want to think about returning, so women who do return or are expelled are not prepared for a new life in Nigeria and rarely make use of the services the Nigerian NGOs offer. Besides that, they are badly informed about the situation at home and have hardly any contact with their families. These facts led us to develop a new project that seeks to offer the Nigerian women we assist possibilities to inform themselves and restore contacts with their families.



Sandra Claassen
 Coordinator, Humanitas
 Programme Bonded Labour in the
 Netherlands (BLinN)
 Netherlands

Case Studies from BLinN

Blessing

Blessing is 23 years old and was born in Uganda. She recently won a motivational prize in the Ideas Competition "Migrants and Development Cooperation", an initiative of three Dutch organisations Oikos, Cordaid and SMS.¹ With her idea 'Voice of the Invisible People' a door-to-door counselling project in Uganda, Blessing wants to give people living with HIV a voice. Part of the prize is training so that she can learn to use her talents to the fullest extent. Recently she started to study Humanitarian Social Work in Leeuwarden, in the north of the Netherlands.

"Truth and justice are important values for me. As a child I wanted to become a lawyer or a journalist. My father was my great source of inspiration. As a doctor he showed me what it is to be able to mean something to another person. Although I saw family members and friends die because of AIDS, I was confident in having a successful future. Unfortunately this did not work out: I was abused and became infected with HIV. After that, I was trafficked to the Netherlands. That changed my view on life. I became conscious of the injustice in the world."

"Due to my past I was held back compared to my peers; in schooling and personal development I'm lagging behind. In addition to that I am living with HIV. In spite of everything I did not lose my resilience. My dreams of the future are still alive. To chase my ambitions I noticed that I need support. BLinN gives me that. They support me and pick me up when I fall down, because my life is not without its troubles. They also encouraged me to participate in the Ideas Competition. African organisations like BLinN do not exist. Even worse, there I am seen as a prostitute and not as a victim of trafficking. For me, my past would be a taboo there. In the Netherlands I can be myself. I am not dirty, I am a human being."

"I am in a hurry to make my dreams come true, because I do not know how I will feel in a year's time. If my counselling project is up and running, I hope to get work as a war correspondent because besides fighting against injustice in my country I have another mission - to show the world the real situation in my country. I call myself 'ambassador of the truth'."

Annemarie, BLinN staff member

"BLinN works on issues such as living together, working together and being together. By analysing things in a creative way, we try to support the women in their search for possibilities that are appropriate for them. In practice this has not been an easy process. At the start of our project on education and employment, we were working with an intake-form and asked women about their education and employment background, situation regarding legal status, etc. We wanted to have as much clarity as possible on their situation and use this information in order to look for new opportunities and motivate the women, our clients, to become active again. But it had the contrary effect. Most clients did not feel motivated by our 'western approach'. After a while we discovered that in our intake conversation we were focussing on all the things that did not go well. Now we have changed our

methodology and work on the strengths of each beneficiary. This works much better."

Joy

Joy participated in BLinN's assertiveness training.

"In a packed subway, a very big man stood way too close to me. I did not like it. But what could I do? I wanted to say something, but was it the right place and situation to speak up? 'I don't do this training for nothing' I thought to myself. So I said something to the man. I think he was impressed, because even though it was crowded he immediately stood back. This was a big victory for me."

Nina, BLinN staff member

Creative therapist Nina accompanied the peer support groups in 2007.

"The stories of the participants touch me deeply. In the almost four years that I worked with these peer groups I became a different person. The first year was especially tough. I was enormously impressed by the stories. After the sessions I had to cry all the pain out of me. It had an impact on my daily life. I started to experience feelings of distrust and sometimes I felt unsafe. It also influenced my view on men and even on my relationship."

"Still something kept me going. I discovered that the strength of 'my women' gave me strength. They had endured so many things, but they still had the courage to continue believing in a better future. One client kept going by the thought of death. It was the only control she had left. I have learned to cherish this strength of life. They are the proof that anybody can survive anything!"

Anna

Anna is a trafficked woman from Uganda. She has a buddy, a Dutch volunteer, through one of BLinN's programmes.

"I did not know what to expect when they put me in contact with my buddy Anja. When I was introduced to Anja it was a bit uncomfortable, because why would she want to get to know me? Does she want to spend time with me? Or does she want to be my buddy because she pities me?"

But the situation unfolded differently.

"I was pretty nervous for the first meeting. Anja told me she wanted to meet with someone from Africa. She was planning to travel and wanted to know what it was like in Africa. What are the cultural traditions? And how do I like it here in the Netherlands? I told her that Uganda is a beautiful country, but it has many problems; it is plagued by rebels. There is a lot of singing, I miss these beautiful songs. It is wonderful to talk about your country when you have nothing but memories. I will certainly continue seeing Anja, at least until she has been to Africa!"

Endnotes

¹ Since 2003, Oikos, Cordaid and SMS have organized an annual Ideas Competition for development projects proposed by migrants. The three winners receive cash prizes of 10,500 Euro, 7500 Euro and 5000 Euro, respectively, to be spent on a development project.

INTERVIEW WITH ALICE MARANGA: THE LEGAL FRAMEWORK FOR TRAFFICKING IN KENYA

Interview by Amy Bain, GAATW-IS

Trafficking in persons occurs on two different levels in Kenya; internal trafficking of women and children from rural to urban areas for domestic work and prostitution, and international trafficking through Kenya to other African countries, the Middle East and Europe for purposes of prostitution. Kenya is described as a hub of trafficking in persons and is a country of origin, transit, and destination.¹ The warring states on Kenya's borders, Burundi, Somalia, and Sudan, have led to Kenya becoming a haven for refugees who arrive in a desperate situation. Domestically, the combination of poverty, unemployment, gender inequality, inadequate legislation, post election violence, and poor law enforcement has further exacerbated the problems and frustrated efforts by the immigration authorities and the police to stop traffickers. Trafficking in human beings is a gross violation of human rights in Kenya.

The Kenyan Counter Trafficking in Persons Bill

Kenya does not currently have a specific anti-trafficking law, but a draft Bill has been prepared since 2005 and is now waiting to be passed into law. The draft, entitled *The Kenyan Trafficking in Persons (TIP) Bill* was developed by two civil society organisations: the Child Rights Advisory Documentation Legal Centre (CRADLE) and the Juvenile Justice Network, which includes GAATW member Federation of Women Lawyers of Kenya (FIDA Kenya).

The Bill has a comprehensive definition of trafficking in persons and criminalises all related crimes. It provides for establishing the necessary institutional mechanisms for the protection and support of trafficked persons and provides penalties for its violations. It also defines relevant terms and guiding principles, and it provides for a Board to conduct business and affairs around the Bill.

In May 2006, the civil society organizations handed the Bill to the Attorney General to table it in Parliament. Before doing this, the Attorney General established a sub-committee to assess the Bill and fine tune it to be compatible with existing Kenya Law and the Palermo Protocol. The sub-committee comprises FIDA Kenya, the International Organization for Migration (IOM), CRADLE and the Kenya National Human Rights Commission (KNHRC). It is working in collaboration with the Attorney General's Office, which assigned the sub-committee a drafts officer to help revise the Bill. In the past two years there have been a number of delays, but the committee is committed to finalising the revised Bill so that it can be tabled in Parliament. In addition,

the sub-committee is looking at repealing existing legislation that would be affected by the new law when it comes into force, to avoid a situation where cases are thrown out of court.

Both Government and civil society organisations, therefore, are interested in the passing of the Bill into law. It has a chance of being introduced into Parliament as a private members Bill by MPs that have a relationship with civil society organisations, or as a government bill, since it already has goodwill from the Government through the Attorney General's Office. FIDA Kenya will be advocating for the TIP Bill to be tabled, as part of its work with parliamentary committees on gender-related bills. The current Government has 21 women Members of Parliament as compared to the last government that had 18 women members, and the Kenya Women's Parliamentary Association has shown interest in promoting gender-related bills.

The fact that Kenya acceded to the Palermo Protocol in 2005 and the establishment of a police unit that deals with anti-trafficking will also give weight to efforts to legislate the Bill.

However, it could still take much time for debate and the passing into law, taking into consideration the post-election violence that must be addressed by the current 10th Parliament, including Constitutional review.

Current Legislation Used to Prosecute Traffickers and Protect Trafficked Persons

At present, despite the absence of a specific anti-trafficking law, police and prosecutors can take recourse in existing related offenses including kidnapping, child labour, forced detention for prostitution, living off of the proceeds of prostitution and the commercial sexual exploitation of children under 21. These offenses are outlawed under the Kenyan Penal Code.

The Children Act (2001) specifically outlaws trafficking in children. The Act also bans the labour of persons under the age of 16 and regulates the labour of children older than 16 years. It prohibits the use of children in hazardous conditions and work that endangers their physical, mental and emotional development. However the legislation falls short by not outlining the penalty for such an offense and is not comprehensive. The Act provides for a lenient sentence a

penalty of 50,000 Kenyan Shillings (\$800 US) is applied for any infringement of a child's right to be safe from sexual exploitation. The definition of "guardian" in the Act, that says a guardian need not be a Kenyan citizen or a resident in Kenya, essentially permits foreigners to take children out of the country so long as they are acting in a guardian capacity.

The Sexual Offences Act can also be used to prosecute trafficking cases. It criminalises "trafficking for sexual exploitation", which is described as the facilitation or arrangement of another person's travel, either internally within Kenya or internationally, with either: the intention of committing any crime to that person, either on or after the journey; or with the belief that someone else will commit such a crime. Punishment for a person found guilty of this offence is imprisonment for a term of not less than fifteen years or a fine of not less than two million Kenyan shillings or both.

A number of international laws also apply. Kenya has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which provides that parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution.

The African Charter on the Rights and Welfare of the Child, which entered into force on 29 November 1999 and which Kenya is also a signatory, provides that State parties shall take appropriate measures to prevent the abduction, the sale of, or traffic of children for any purpose or in any form, by any person including parents or legal guardians of the child, and the use of children in forms of begging. It also makes provisions for protection of children from child abuse and torture, sexual exploitation, sale and all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's physical, mental, spiritual, moral or social development.

Witness Protection of TIP Victims

The Government does not provide trafficked victims with assistance such as shelter or access to medical services, but it does encourage assistance for victims during the investigation and prosecution of trafficking cases. Unfortunately, victims are usually deported before the investigation concludes due to budget constraints, insufficient capacity training for police and absence of legal statutes under which to prosecute traffickers. Police also treat victims as criminals.

Assistance for trafficked persons is available through existing services and shelters, but these are limited. Shelters are available through the Women's Rights Awareness Programme (WRAP) in Nairobi, but these are short-term shelters (six weeks) for victims of domestic violence and sexual abuse, not specifically for trafficked persons. In 2006 the City Councils of Nairobi, Mombasa and Kisumu established shelters for exploited street children to rehabilitate them

since they are vulnerable to forced labour and sexual abuses; however capacity building for the shelter staff on recognising and documenting trafficked persons needs to be done. The international NGO GOAL also operates a shelter for children in Nairobi.

The Trafficking in Persons Bill provides guidelines for trafficked persons in Kenya who are nationals of a foreign country to be entitled to appropriate protection, assistance and services. The Bill provides that victims shall be permitted continued presence in Kenya for a length of time prescribed by the Board. The Board will be established under the legislation when it comes into force to implement the law. It will have representatives from various ministries; the Attorney General; the Commissioner of Police, six representatives from civil society, an employers' representative and others. A secretariat will also be established to discharge the Board's specific functions.

Migration Policy

Migration in Kenya has been linked to the pursuit of higher education or business. The policies towards migrant workers are repressive and there are no policy guidelines for women migrants. The Board, mentioned above, will also review migration policies that affect migrant women.



FIDA Kenya's Experience in Providing Legal Aid to Trafficked Victims

FIDA Kenya has provided assistance to trafficked persons, but this is frequently left unresolved as clients don't often follow up on their cases after reporting to FIDA Kenya. This could be attributed to the insecurity of the victims since the Government does not protect them. After the 2007 December election, the country experienced violent clashes over the election results, and many people were affected and displaced from their homes. Many of those who were displaced ended up living in camps set up for internally displaced people. At these camps, children and women have been trafficked to urban areas and farm lands to work as domestic workers and at the farms. FIDA Kenya offered humanitarian support to the victims and educated the internally displaced people on trafficking issues. It was very hard for FIDA Kenya to follow up on the reported cases since it was not the victims themselves reporting

for assistance.

FIDA also conducts awareness on trafficking events at the police training colleges and at the community level with local leaders.

The Network on Trafficking in Persons

In 2005 a TIP network was started by FIDA Kenya, Association of Media Women in Kenya (AMWIK), and Women in Law East-Africa (WLEA). Other civil society organisations and government ministries have also joined the network. The overall goal and purpose of the TIP network is to prevent and combat trafficking in persons; and to protect and provide assistance to victims of trafficking, especially women and children.

The network aims to:

- co-ordinate work on trafficking in persons amongst the members
- undertake collaborative efforts
- build capacities of members and government agencies that deal with trafficking in persons.
- develop joint publications for creation of awareness
- establish a resource center for information
- develop and implement information campaigns warning of the dangers of trafficking and providing assistance information
- develop a rapid response mechanism for trafficking cases
- facilitate information sharing and referrals
- provide assistance services to trafficked persons
- identify gaps in policy and legislation and make appropriate recommendations
- develop best practices in the justice system using international standards and experiences.

One of the successes of the TIP network is assisting in the drafting of the TIP Bill. The network members also meet often to share information about their work in order to avoid duplication and to strategise on activities. For example, community awareness on trafficking is done in an organised manner, with each network member being allocated actions relating to information sharing and awareness that it is best placed to implement. Research findings are also shared among members and the data is being used to lobby the Government to enact legislation on trafficking. Various members in the network are implementing the National Plan of Action on TIP, which is based on the three thematic areas of prevention, protection and prosecution. The network has also borne another network - the network hosted by the Children's Department on trafficking of children.

The main challenge of the network is finding funding to enable the network to have regular meetings and to realize its objectives. As a result, most information is shared through email or during forums at other events.

Focus Areas for Future Anti-Trafficking Work in Kenya

There are many areas that need addressing in future anti-trafficking work in Kenya. These include:

- enacting the legislation on TIP to criminalise traffickers and protect trafficked persons
- more research to assess the magnitude of trafficking both internally and across the border
- increasing advocacy and public awareness on trafficking
- training on trafficking to law enforcement agencies that is provided by the Government, to enhance what the civil society is already doing
- stronger border surveillance without unnecessarily prejudicing any person's freedom of movement so as to prevent and detect trafficking in persons.
- networking and collaborating on TIP is a necessity.
- addressing root causes by providing free primary education, as well as economic empowerment and peace enhancement for the people of Kenya, especially at this moment when most people are affected by the post election violence in the country.

Endnotes

¹ 1997 UN special Rapporteur on violence against women.

ABOUT THE FEDERATION OF WOMEN LAWYERS IN KENYA (FIDA KENYA)

FIDA Kenya is a registered Non-governmental organization committed to creating a society that is free of all forms of injustices and discrimination against women. Realising that women play an active and significant part in the development of our society, and form the majority of Kenya's population and yet face major obstacles that prevent them from full enjoyment of their rights and privileges. FIDA Kenya among other things researches, monitors and reports women's rights violations around the country. FIDA Kenya's membership is women Lawyers and Women Law students.

FIDA Kenya's Objectives:

- To improve the legal status of women in Kenya.
- To increase access to justice by women in Kenya.
- To enhance public awareness on women's rights issues

Through:

- Offering quality legal services to a limited number of women
- Undertaking transformative public interest litigation
- Creating awareness of legal rights and educating women on how to claim them through self-representation in court
- Researching and reporting on women's rights violations
- Lobbying and advocating for reform of laws and policies
- Monitoring the implementation and enforcement of legislation and policies
- Engaging and nurturing linkages with strategic partners



Alice Maranga
Programme Officer, Rights Team
Nairobi, Kenya

GAATW IMC 2007



UPDATES FROM THE SECRETARIAT

GAATW Triennial International Members Congress (IMC)

The Impact of Anti-Trafficking Measures on Human Rights Around the World
5-8 November 2007

Between 5 and 8 November 2007, GAATW held its second triennial International Members' Congress in Bangkok, Thailand. The four-day event began with a two-day conference on the theme: "The Impact of Anti-Trafficking Measures on Human Rights Around the World", based on the findings of GAATW's recent research report *Collateral Damage*. Days three and four of the Congress were open only to members of GAATW to discuss aspects of their work in more detail as well as structural matters of the Alliance.

The conference was opened by Thai drummers trained in Japanese Taiko, and then an opening presentation by GAATW Board Member, Sunita Danuwar. This was followed by a networking session for the participants to meet each other and learn about their colleagues in various parts of the world. Each person had prepared colourful posters to depict their work, and everyone was eager to both share and listen to others in the relaxed pace. It was wonderful to watch people meet for the first time and getting into interesting conversations, as well as to see old friends catching up.

After lunch, the first substantive session on *Collateral Damage* began. Highlighting the conclusions of *Collateral Damage* in her opening address, Bandana Pattanaik, GAATW International Coordinator said: "The report demonstrates that we are very far from being able to claim that the human rights of trafficked persons and migrant workers are being adequately protected and promoted by state and non-state actors." She had added that the findings were a reminder that, "all of us need to be more accountable to the people whose rights we are seeking to protect." Brief presentations were given by panellists who were part of the research team including Mike Dottridge, the Editor of *Collateral Damage*. Participants then divided into regional groups and discussed the relevance of the report, follow-up campaign strategies for GAATW and its member organisations, and topics for further research.

For the remainder of the two days conference, presentations were made about the work of 'self-organised' groups, and the challenges of providing access to justice for trafficked persons. The work of the self-organised groups was also presented outside of the conference room, in a photographic exhibition entitled *Creating Change*. The photographs showcased the vitality, commitment and strength of self-organised groups of

trafficking survivors, migrant workers, domestic workers and sex workers in Asia. Through creative use of photographs and text, the exhibition highlighted the process of social change brought about by self-organising.

Nelia Sancho (GAATW Board Member, Philippines) brought the first part of the IMC to a close by reminding all participants:

"This is only the beginning of our journey to address the complex realities of human rights violations in today's globalised world and accelerated migration. We need to be more vigilant and critical of the human rights impacts of anti-trafficking measures but above all, be sensitive, reflective and creative in promoting human rights."

That night, participants joined in a Solidarity Evening on the 32nd floor of the Windsor Suites Hotel, and cheerfully mingled with each other above a breathtaking view of Bangkok by night.

The *second part* of the IMC on 7-8 November was for members, together with a few close friends and associates of GAATW. Although GAATW was launched and led by an alliance of individual activists for several years, over the last few years the IS and the international board have made a conscious attempt to transition into an alliance where member organisations would play a more active role. Several steps have been taken by the IS to strengthen communication between members and the IS as well as among member organisations. It was clear during the course of 7 & 8 November that this was indeed the right moment for all members present to have greater clarity on the current structure and to start a participatory process to bring about necessary changes that would ensure greater ownership of member organisations in the Alliance.

To learn more from regions in which GAATW has little or no contact, a slot was set aside on 7 November for guest-speakers to share their experiences on the issue of human trafficking in Lebanon, South Africa and Kenya. All participants strongly felt that forging partnerships in the Middle East and African regions should be a future priority for the alliance. All sessions underscored not just the need for making stronger linkages and fostering mutual learning, participants also identified their most urgent priorities and made very concrete suggestions to GAATW-IS for better facilitation of partnership.

A strong note of optimism, determination to work together and a mild touch of sadness were in the air at the closure of the IMC.

The report of the IMC is ready. To have access to the International Members Congress (IMC) Report we have created an account for members on the GAATW website. For information to log-in, write to info@gaatw.org

**“Connecting Across Borders”
3rd Annual Consultation with Self-Organised Groups
December 7-10, 2007
Bhubaneswar, Orissa, India**



Global Alliance Against Traffic in Women (GAATW) and a member organisation, the Institute for Social Development (ISD) coordinated the 3rd Annual Consultation with Self-Organised Groups and brought together some of GAATW's self-organised and community-based organisations to strengthen solidarity links between members, provide an opportunity for members to learn from the work of other member organisations, and to celebrate the strength and resilience of these groups. Participants from eight member organisations attended, representing migrant workers, trafficking survivors, domestic workers and young women in Thailand, India and Nepal. The self-organised groups in GAATW include organisations that are run by trafficking survivors, migrant workers, domestic workers, sex workers and racialised groups working for empowerment and change.

The December 2007 consultation focused on providing as many opportunities for members to learn from other members and to share their knowledge, their skills and their talents. Participants also got the chance to visit Nimapara an arts village and income generation programme. Nimapara and Raghurajpur programs provided international participants with a glimpse of how local income generation programmes in Orissa are also strengthening local arts and facilitating community development and community organising. Participants appreciated the opportunity to meet other member organisations and highlighted the goodwill, solidarity and cooperation between participants as one of the strengths of the meeting.

Programme Priorities of GAATW-IS in 2008-10

The programme work of the international secretariat is linked by the central mission of promoting a human rights centred approach to anti-trafficking. Over the 2008-2010 three-year programme, we are focusing on seven themes including promoting access to justice; supporting the work of self-organised groups; research; exploring and building linkages with migration, gender and labour movements; alliance strengthening; and communications and information exchange. Through these areas, we will continue to implement the principles that we advocate for: engagement with individuals who have direct experience of migration and/or trafficking and expanding the evidence-base for our work.

Regular updates about the various activities coordinated by the IS are shared with members via our monthly e-bulletin and our advocacy updates so this section will only briefly highlight a few activities.

**Vienna Forum To Fight Human Trafficking
13-15 February 2008**

The UN Global Initiative to Fight Trafficking (UN.GIFT) held the Vienna Forum to Fight Human Trafficking at the Austria Centre, Vienna in mid-February. The Forum was a huge event with over 1600 participants including government delegations, NGO representatives, members of the private sector, academics and UN representatives. GAATW members from Europe, Asia and LAC were present and Betty Pedraza from Espacios de Mujer, Colombia, and Maria Tchomarova of Animus Association Foundation (La Strada Bulgaria) spoke on panels. Eleanor from the GAATW-IS also attended and organised a stand in the NGO Exhibition room at which GAATW members displayed materials. Most attention, however, was on the celebrities who lent their support to the event. Emma Thompson and Ricky Martin gave opening addresses, and a Canadian singer and a Ukrainian pop star, Ruslana, performed at the closing. The UNODC and a member of the Women's Leadership Council gave closing speeches to highlight the conclusions and recommendations that emerged from the three days of discussions. These speeches are available at www.ungift.org. UN.GIFT was established in March 2007 as a temporary initiative to coordinate global anti-trafficking efforts. It is led by a steering committee comprising various UN agencies and intergovernmental organisations, with the UN Office on Drugs and Crime (UNODC) playing a key role. To read the GAATW-IS report check the Advocacy Update for April, the first issue in 2008:

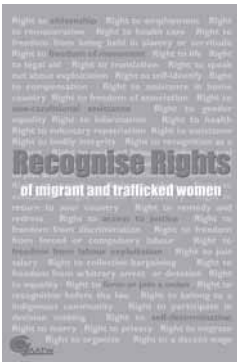
http://www.gaatw.net/e-bulletin/GAATWAdvocacy_Update_April08.pdf

Campaign for the Promotion of Human Rights for Trafficked Persons and Migrant Workers

Following the release in September 2007 of the GAATW global report *Collateral Damage*, GAATW launched the global campaign - **Recognise Rights** - on 14 February 2008 in Vienna, the eve of the Vienna Forum to Fight Human Trafficking.

The goal of the Recognise Rights campaign is to increase protection and recognition of the rights of trafficked and migrant women.

The Campaign calls on governments to prioritise human rights when planning and implementing anti-trafficking programmes, and to do more to create long term solutions for trafficked persons.



The priority issues highlighted in the campaign include the need to end the practice of making assistance to trafficked persons conditional on testifying against the trafficker, to provide trafficked persons with access to justice and compensation, and to increase safe opportunities for migrant work.

Join this campaign and be part of a global platform to advocate for positive changes at an international, regional and national level. United, we - human rights activists, anti-trafficking organisations, migrant workers, self-organized groups, women's rights organisations, sister movements, trafficked persons and other allies - will strengthen our demands to ensure that migrants and trafficked women will be respected and recognized, and their rights will be acknowledged.

For further information go to Campaigns at www.gaatw.org or contact Zoë Bake-Paterson, Campaigns Officer, zoe@gaatw.org

GAATW would like to thank LEFÖ, GAATW's member in Austria, for kindly hosting and opening the launch at her Vienna offices. Dr Helga Konrad, former OSCE Special Representative on Combating Trafficking in Human Beings, Dr Renu Rajabhandari of WOREC in Nepal, and Eleanor Taylor-Nicholson from the GAATW-IS spoke at the launch.



Above Photo: International Press Conference on Human Trafficking by GAATW in co-operation with LEFÖ. 12.02.2008. On the podium: Eleanor Taylor-Nicholson, Dr Renu Rajabhandari, Evelyn Probst, Dr Helga Konrad (from left to right).

GAATW Annual Board Meeting

On 5-7 April 2008 the GAATW International Secretariat held its **Annual Board Meeting** at the Royal Princess Hotel, Bangkok. Board members from the Philippines, Poland, Thailand and Brazil attended the three-day meeting. Secretariat Staff presented the 2007 Annual Report and the new Multi-Annual Proposal 2008-2010, which outlines programmes and activities for the coming three years, which were discussed in detail.



The Expanded Secretariat

GAATW-IS warmly welcomes four new colleagues who have recently joined the staff early this year. Amy Bain from Washington DC will be working as a short-term Programme Officer on Advocacy until July 2008; Rebecca Napier-Moore from USA/UK will be working as the Programme Officer for Research and Training; Zoë Bake-Paterson from Vancouver, Canada as the Communications and Campaigns Officer; and Liyana Pavon from the Dominican Republic as the Programme Officer for the Americas, which includes North and Latin America and the Caribbean. A New Staff Orientation was held in March 2008 at the GAATW-IS Offices.

2nd GAATW-REDLAC Meeting Dominican Republic, 5-7 March 2008

The members of GAATW's regional chapter in Latin America and the Caribbean (REDLAC) gathered in the Dominican Republic from 5-7 March. A total of 23 people participated including representatives from 14 member organisations in the LAC region, one European member, one GAATW-IS representative, four non-members from Peru, Uruguay and the Dominican Republic, and three consultants/donor representatives.



REDLAC was launched in 2006 with the mission to facilitate joint actions at the regional level among the GAATW members in LAC. During the three-day meeting, three members presented a research they had undertaken together on trafficking patterns between the North of Brazil and the Dominican Republic to Suriname, and Iris Rodriguez from Proyecto Esperanza in Spain also presented a report on the evaluation of their direct assistance services. This was of great interest to members in the LAC region. The Self-organised Groups (SOGs) in LAC shared their work, and Nerea from the GAATW-IS updated the REDLAC members about the GAATW-IS 2008-10 Action Plan and the Vienna Forum. The meeting served to develop the GAATW-REDLAC Action Plan for the next year and to discuss the internal coordination and structure of the regional chapter. A new Coordinating Committee was elected with a two-year mandate, comprising COIN (Dominican Republic), SODIREITOS (Brazil) and ECPAT (Guatemala).

RESOURCES

Below are some useful links to resources on human trafficking, migration and forced labour in Africa

Trafficking – General Information

SELLING SEX IN CAPE TOWN: SEX WORK AND TRAFFICKING IN A SOUTH AFRICAN CITY

Chandre Gould in collaboration with Nicole Fick, Institute for Security Studies, June 2008

An in-depth study of the sex industry in Cape Town undertaken by the Institute for Security Studies and SWEAT, it calls into question allegations of large-scale trafficking into the sex industry and suggests that a law enforcement approach is not the most appropriate way to counter the problem. Rather it calls for decriminalisation and regulation of the sex industry.

A survey of ten percent of sex workers in Cape Town carried out during the second half of 2007, revealed that the majority of the sex workers entered the industry to meet immediate financial needs. Sex work offers the women more flexibility and better returns than many other jobs. Only eight people interviewed of 164 had experienced 'trafficking-like practices'. The book makes recommendations to civil society organisations, the South African Minister of Safety and Security, the South African Police Services, the Department of Health and the Department of Home Affairs.
<http://www.iss.co.za/>

UN Educational Scientific and Cultural Organization (UNESCO) PROJECT TO FIGHT HUMAN TRAFFICKING IN AFRICA

UNESCO recently published a series of papers on trafficking in Africa, particularly looking at trafficking of women and children in Western and Southern Africa.

UNESCO (2006) 'Human Trafficking in Mozambique: Root causes and recommendations', Policy Paper Poverty Series 14.1 (E).

UNESCO (2006) 'Human Trafficking in Nigeria: Root causes and recommendations', Policy Paper Poverty Series 14.2 (E).

UNESCO (2007) 'La Traite des Personnes au Benin: Facteurs et recommandations', Policy Paper Poverty Series 14.3 (F).

UNESCO (2007) 'La Traite des Personnes au Togo: Facteurs et recommandations', Policy Paper Poverty Series 14.4 (F).

UNESCO (2007) 'Human Trafficking in South Africa: Root causes and recommendations', Policy Paper Poverty Series 14.5 (E).

UNESCO (2007) 'Human Trafficking in Lesotho: Root causes and recommendations', Policy Paper Poverty Series 14.6 (E).

These studies are available at: www.unesco.org/shs/humantrafficking

Also, Saori Terada, UNESCO Focal Point for Human Trafficking, and Paul de Guchteneire, Chief of the UNESCO International Migration Section, published an article entitled "Fighting Human Trafficking in South Africa" in the May 2006 edition of the Forced Migration Review 25, pg. 31. This article is found at: <http://www.fmreview.org/FMRpdfs/FMR25/FMR25full.pdf>

REVIEW OF RESEARCH AND DATA ON HUMAN TRAFFICKING IN SUB-SAHARAN AFRICA

Aderanti Adepoju (2005) Review of Research and Data on Human Trafficking in sub-Saharan Africa, International Organisation for Migration, 2005

Sub-Saharan Africa (SSA) is a region characterized by a variety of migration patterns, including cross-border movements; contract workers; labour migrants; and the migration of skilled professionals, refugees, and displaced persons. The human trafficking phenomenon in the region became apparent when activists, media, and non-government organisations in Nigeria, Togo, and Benin raised concerns in the late 1990s.

The paper sets out: (1) to present an overview of the main features of trafficking, its dynamics, and its root causes in SSA; (2) to review current research on trafficking in the region, focusing in particular on the methodology used and the extent to which findings of these studies can be generalized nationally; (3) to identify the ways in which governments have responded to human trafficking; and (4) to outline gaps in knowledge and suggest a range of research themes that could help enhance understanding of the dynamics of trafficking in the region.
<http://www.nswp.org/pdf/IOM-GLOBALTRAFFICK.PDF>

MRS N 23 - MIGRATION, HUMAN SMUGGLING AND TRAFFICKING FROM NIGERIA TO EUROPE

International Organisation for Migration (IOM), 2006

Migration from Nigeria to Europe has attracted considerable attention from both governments and the media. This is partly because elements of this migration flow are related to

trafficking in persons and other criminal activities, and also because Nigerians have become prominent among sub-Saharan African asylum seekers in Europe.

Although existing research and documentation on Nigerians in Europe concentrates on prostitution, trafficking and other criminal activities, the great majority of Nigerian immigrants living in Europe without any involvement in those are ignored. http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/serial_publications/MRS23.pdf

POVERTY, GENDER AND HUMAN TRAFFICKING IN SUB-SAHARAN AFRICA: RETHINKING BEST PRACTICES IN MIGRATION MANAGEMENT

Thanh-Dam Truong, UNESCO, 2006

"Many aspects of human trafficking remain poorly understood even though it is now a priority issue for many governments." This publication discusses the profiles, strengths and weaknesses of Best Practices in fighting human trafficking, the way they understand what brings about this phenomenon and their replicability. A better understanding of what constitutes a Best Practice in fighting human trafficking requires an analytical approach which can explain why certain factors have converged to produce this illegal trade of people. "Without adequate explanation, policy tends to shift stance and direction."

<http://unesdoc.unesco.org/images/0014/001432/143227E.pdf>

Please note that parts of this publication are based on the co-authored report entitled *Searching for Best Practices to Counter Human Trafficking in Africa: A Focus on Women and Children* by Thanh-Dam Truong and Maria Belen Angeles (see below).

SEARCHING FOR BEST PRACTICES TO COUNTER HUMAN TRAFFICKING IN AFRICA: A FOCUS ON WOMEN AND CHILDREN

Thanh-Dam Truong and Maria Belen Angeles, UNESCO, 2005

"The report contributes to the ongoing discussions on the concept of Best Practices (BP) as applied in the campaign against human trafficking, with particular emphasis on women and children in Africa. The report identifies key actors, including international organizations and bilateral agencies engaged in the struggle against human trafficking, and discusses their roles as channels of ideas and practices. It traces the main areas of relevant expertise - human rights protection, migration and crime control - and shows how beliefs about causative aspects as well as valid intervention are translated into action on the field. Experiences of ten NGOs in Africa engaged in the campaign against the trafficking of women and children are highlighted and discussed in conjunction with their identification of strength and weakness."

http://portal.unesco.org/shs/en/ev.php-URL_ID=7255&URL_DO=DO_TOPIC&URL_SECTION=201.html

ETHIOPIAN WOMEN INCREASINGLY TRAFFICKED TO YEMEN

Forced Migration Review, 25 May 2006

Not many people are aware that a number of Ethiopian women were trafficked to Yemen to work as domestic workers. Numerous women have sent a letter to *Gebetta*, a magazine for Ethiopians in Yemen, speaking "of deception, isolation, maltreatment, heavy workloads, unpaid salaries, confiscated passports and physical and psychological abuse." Despite efforts from the International Organisation for Migration (IOM) and the Ethiopian authorities to manage trafficking of Ethiopian women to the Middle East, most of the women would prefer to use the traffickers because of the bureaucratic procedures in migrating legally and because it is so time consuming. Forced Migration Review 25, May 2006.

<http://www.fmreview.org/FMRpdfs/FMR25/FMR25full.pdf>

COLLATERAL DAMAGE: THE IMPACT OF ANTI-TRAFFICKING MEASURES ON HUMAN RIGHTS AROUND THE WORLD

NIGERIA, by Victoria Ijeoma Nwogu

Global Alliance Against Traffic in Women (GAATW), 2007

By 2007, seven years after the UN adopted the *Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children*, a global anti-trafficking industry worth hundreds of millions of dollars had developed, and had created a raft of new legislation, policies and programmes.

Collateral Damage, by the Global Alliance Against Traffic in Women (GAATW), is the first attempt to assess what has been done, and more importantly, what has been the impact of these efforts on the people they are seeking to help. Have a significant number of people been able to exercise their rights better? Or have there been negative impacts (collateral damage) on certain groups?

The Report reviews the experience of eight countries across different regions. The countries have different levels of economic development and different approaches to anti-trafficking and migration policies. The eight are: Australia, Bosnia and Herzegovina, Brazil, India, Nigeria, Thailand, the United Kingdom and the United States. Each review was undertaken by an independent expert in trafficking or human rights.

Read the entire chapter on Nigeria on pages 142-170 of *Collateral Damage* report.

http://www.gaatw.net/Collateral%20Damage_Final/CollateralDamage_NIGERIA.pdf

To order a printed copy of the full report, write to info@gaatw.org

TRAFFICKING IN HUMAN BEINGS, ESPECIALLY WOMEN AND CHILDREN, IN AFRICA

The United Nations Children's Fund (UNICEF) Innocenti Research Center, 2nd Edition, Florence, Italy

The study builds upon previous IRC work on child trafficking in eight countries in West Africa. This study focuses on existing national legal frameworks and policy approaches to deal with trafficking in children and women. In addition, it explores ways of enhancing existing international cooperation and inter-agency dialogue to combat trafficking within Africa, including through relevant regional mechanisms.

<http://www.unicef-irc.org/publications/pdf/trafficking-gb2ed-2005.pdf>

Trafficking and Forced Labour

REPORT OF THE EASTERN & HORN OF AFRICA CONFERENCE ON HUMAN TRAFFICKING & FORCED LABOUR, 5-7 JULY 2005

African Network for the Prevention and Protection against Child Abuse and Neglect (ANNPPCAN) and Anti-Slavery International

This Conference on human trafficking and labour was organised to address the factors that contribute to human trafficking and forced labour in the East and the Horn of Africa, which include extreme poverty, armed conflict, early marriages and high numbers of girls missing out on education. It was also meant to provide a forum for organisations and other stakeholders to share information, learn from each other and network.

<http://www.antislavery.org/homepage/resources/PDF/PDFtraffic.htm>

Gender and Migration

GENDER, REMITTANCES AND DEVELOPMENT: PRELIMINARY FINDINGS FROM SELECTED SADC COUNTRIES

The United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW) and the South African Institute of International Affairs (SAIIA), with support from the United Nations Population Fund (UNFPA)

The report give emphasis to the growing influence of women's migration on households, families and communities from and between six Southern African Development Community (SADC) countries, namely Botswana, Lesotho, Malawi, Mozambique, Swaziland and Zimbabwe mainly to South Africa. Through a combination of literature review, focus group discussions, and personal interviews, the study documents the changing role of women within migratory flows in Southern Africa, explores the potential impact of the increase in women who migrate independently as heads of households as well as migrants' access to financial and other services. The data and information reviewed in the UN-INSTRAW/SAIIA study point to an urgent need for more research on the migration of women and their role in sending, receiving and utilizing remittances. The study also calls for increased dialogue on the policy context of migration in Southern Africa that takes into account the tremendously diverse nature of migration in this region, which includes permanent, temporary and contract migration, localized mobility, asylum seekers and refugees, and unauthorized migration.

<http://allafrica.com/sustainable/resources/view/00011496.pdf>

VIEWS ON MIGRATION IN SUB-SAHARAN AFRICA: PROCEEDINGS OF AN AFRICAN MIGRATION ALLIANCE WORKSHOP

Human Sciences Research Council and Department of Social Development, South Africa

'Migration by the poor is a scorching issue in the world today - both inside their own countries and on the international scene, the world's poor are voting with their feet to escape poverty and make their bid for new lives in new places. Public anxiety

is reaching fever pitch in the developed world, xenophobia is spreading, and governments everywhere are struggling to mobilize policies that will enable them to respond humanely and effectively to a rising human tide. How does Africa stand on migration?

In spite of new policy thinking from the African Union, African countries have not yet fully prioritised the migration issue in their public policy or through their shared institutions.

Identifying this gap, the African Migration Alliance - a new network of policy researchers for the continent - has held an international workshop to ask the question: *What are Africa's policy concerns on migration?* In intriguing new research papers the leading migration scholars of the continent give their views on new destinations, free movement of peoples, xenophobia, human trafficking and other migration issues, as they outline public priorities and work toward guidelines for future African migration policies.'

<http://www.hsrcpress.ac.za/product.php?productid=2158>

Migrant Labour and Forced Labour

KEEP YOUR HEAD DOWN: UNPROTECTED MIGRANTS IN SOUTH AFRICA

Human Rights Watch

The report underscores the situation of Zimbabweans and Mozambicans in South Africa's Limpopo and Mpumalanga provinces. Human Rights Watch deems that in South Africa, migrants are frequently subjected to human rights violations when they are deported, and that *South Africa's Immigration Act* is routinely violated. As evident by the situation in Limpopo and Mpumalanga provinces, both documented and undocumented foreign farm workers may have their rights under South Africa's basic employment protection law violated by employers. Violations that span from wage exploitation to uncompensated workplace injury, and from appalling housing conditions to workplace violence. Human Rights Watch appeals on the government of South Africa to revise its immigration law to include enforceable rights for undocumented migrants to get hold of their wages and possessions in the event that they are deported. The government is advised to be a signatory to the International Convention on the Protection of the Rights of All Migrants and Members of their Families and to incorporate its provisions in domestic law.

<http://hrw.org/reports/2007/southafrica0207/southafrica0207low.pdf>

A GLOBAL ALLIANCE AGAINST FORCED LABOUR

International Labour Office (ILO), Geneva

The second ILO Global Report on forced labour includes sections on Africa that refer to persistent cases of "traditional" forms of forced labour such as the residual slavery-related practices most evident today in West Africa.

See pg 42-45. Refer to number 195 to 216 of the report.

http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=5059

BOTTOM OF THE LADDER: EXPLOITATION AND ABUSE OF GIRL DOMESTIC WORKERS IN GUINEA

Human Rights Watch

The report highlights the tens of thousands of young girls, as young as 8 years old, who work up to 18 hours a day as domestic workers, often without pay. Those that do receive irregular payment are paid less than US\$5 a month. They often suffer physical violence, abuse, sexual harassment and rape by their employers. Domestic work is the largest category of work for children worldwide, and this is true of Guinea as well. The full report can be downloaded from:

<http://hrw.org/reports/2007/guinea0607/guinea0607webwcover.pdf>

Migrants, Asylum Seekers and Refugees

LIBYA

STEMMING THE FLOW: ABUSES AGAINST MIGRANTS, ASYLUM SEEKERS AND REFUGEES PART III OF A THREE-PART SERIES

Human Rights Watch

A long time ago, Libya welcomed Africans in the spirit of pan-African solidarity. In recent years thousands of sub-Saharan migrants, asylum seekers and refugees have left or transited through it to Europe, riding in packed smugglers' boats to Italy. The European Union has urged Libya to stem the flow. Over the years, the Libyan government has toughened its border controls, bolstered its immigration department and now closely cooperates with the EU, individual European governments and IOM on migration control. In Libya and Italy, Human Rights Watch interviewed dozens of migrants, refugees and asylum seekers who had experience or witnessed beatings and other maltreatment by border guards and police during their time in Libya. The interviewees' countries of origin were: Cameroon, Democratic Republic of Congo, Egypt, Eritrea, Ethiopia, Ghana, Liberia, Niger, Nigeria, Somalia, and Sudan. The report also addresses the treatment of sub-Saharan Africans in the Libyan criminal justice system.

<http://www.hrw.org/reports/2006/libya0906/libya0906webwcover.pdf>

Transit Migration

AFRICAN TRANSIT MIGRATION THROUGH LIBYA TO EUROPE: THE HUMAN COST

Sara Hamood, The American University in Cairo
Forced Migration and Refugee Studies

'The report seeks to shed light on the experiences of refugees, asylum seekers and migrants temporarily residing in and passing through Libya en route to the EU. The report examines the experiences of refugees, asylum-seekers and migrants, originating from Egypt, Sudan and the Horn of Africa, from their countries of origin to the end destination of the EU. Finally, it outlines and analyzes the cooperation between EU and Libya on migration issues.'

http://www.aucegypt.edu/ResearchatAUC/rc/fmrs/reports/Documents/African_Transit_Migration_through_Libya_-_Jan_2006_000.pdf

MOROCCO: FROM EMIGRATION COUNTRY TO AFRICA'S MIGRATION PASSAGE TO EUROPE

Hein de Haas, Radboud University Nijmegen
Migration Information Source

'Over the second half of the century, Morocco has evolved into one of the world's leading emigration countries. Moroccans form one of the largest and most dispersed non-Western migrant communities in Western Europe. In the meantime, Morocco seems to be evolving into a transit and immigration country for migrants from sub-Saharan Africa.'

<http://www.migrationinformation.org/Profiles/print.cfm?ID=339>

STATES OF INSECURITY: CONSEQUENCES OF SAHARAN TRANSIT MIGRATION

Michael Collyer, Centre on Migration, Policy and Society,
Working Paper No. 31

University of Oxford, 2006

<http://www.compas.ox.ac.uk/publications/Working%20papers/WP0631-Collyer.pdf>

Migration

MIGRATION WITHOUT BORDERS: NORTH AFRICA AS A RESERVE OF CHEAP LABOR FOR EUROPE

Draft Article of the Migration Without Borders Series
Ayman Zohry, UNESCO 2005

'This paper examines the scenario of migration without borders and the relationship between countries in the southern and the northern shores of the Mediterranean, Southern and Western Europe and North African countries. This paper sheds some light on the possibility of liberating labour movement between two regions and its positive and negative implications for both sides.'

<http://unesdoc.unesco.org/images/0013/001391/139152e.pdf>

Trafficking and Smuggling

OUT OF AFRICA: THE HUMAN TRADE BETWEEN LIBYA AND LAMPEDUSA

Salvatore Colucello and Simon Massey

Trends in Organized Crime, Springer New York

'Recent objective indicators show that between 2000-2005 the reported incidence of people trafficking and smuggling from North Africa to Europe has escalated. The article examines the nature of criminality involved in people smuggling and trafficking with specific reference to the sea route between Libya and the Italian island of Lampedusa, 180 miles north of the Libyan coast. The article aims to cast light on how people are smuggled and trafficked. The article's chief objective is to provide a greater understanding of the mechanisms and processes involved in smuggling/trafficking.'

Trends in Organized Crime, Volume 10, Number 4/December, 2007, pg 77-90.

<http://www.springerlink.com/content/v774j854r6n18438/>

HUMAN RIGHTS
at home, abroad and on the way



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