

# **UNHCR National Strategy to Address Trafficking and Smuggling of Refugees and Asylum-Seekers in Ethiopia**



**December 2014**

## TERMINOLOGY

In line with relevant international conventions, the following terms are used in this document:

**Trafficking** – Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines “trafficking” as *“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”*

**Smuggling** - Article 3 of the Protocol against the Smuggling of Migrants by Land, Sea and Air defines “smuggling” as *“the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.”*

**Refugee** – According to the 1951 Convention relating to the Status of Refugees (“1951 Refugee Convention”), a “refugee” is defined as *“any person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his/her nationality and is unable, or owing to such fear, is unwilling to avail himself/herself of the protection of that country.”*

The definition of a “refugee” under the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa (“1969 OAU Convention”) also includes any person who, *“owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.”*

**Asylum Seeker** - An asylum seeker is a person who is an individual who is seeking international protection and whose claim has not yet been finally determined.

## BACKGROUND

In recent years, the United Nations, inter-governmental organizations, non-governmental agencies and affected States have increased efforts to better understand and combat the global phenomena of trafficking and smuggling. Countless individuals have suffered severe human rights abuses, as well as death, at the hands of traffickers and smugglers. Involving breaches of criminal law, trafficking and smuggling also implicate States’ security interests. Because trafficking and smuggling are regional and global phenomena, international, multilateral and bilateral cooperation plays an important role in addressing the matter in a comprehensive and coordinated manner.

Recognizing that States bear the primary responsibility to protect and promote the rights of victims of trafficking and smuggled persons, the United Nations High Commissioner for Refugees (UNHCR) has been increasing its global efforts to address this phenomenon, in particular as it affects refugees, asylum seekers and other persons of concern. In 2007, UNHCR issued its 10 Point Plan of Action on Refugee Protection and Mixed Migration<sup>1</sup>, and in 2013 issued a Regional Strategy and Plan of Action on Trafficking and Smuggling from the East and Horn

<sup>1</sup> UNHCR 10 Point Plan of Action on Refugee Protection and Mixed Migration, <http://www.unhcr.org/4742a30b4.html>.

of Africa<sup>2</sup>. Both of these documents have informed the development of the present UNHCR national strategy for Ethiopia.

**In line with UNHCR's global efforts to combat trafficking and smuggling of persons of concern, the UNHCR Ethiopia operation will be expanding its efforts in this area and implementing new activities with partners to this end, as outlined in this document.**

UNHCR's efforts will be closely aligned with both the Government of Ethiopia's National Action Plan for Reducing, Managing and Controlling Human Trafficking (September 2014-August 2017) and the Ethiopia United Nations Country Team's (UNCT) Joint Programme on Counter-Trafficking and Migration Management, which is currently being developed.

The Government's National Action Plan focuses on the trafficking of Ethiopian nationals and structures its response around the four themes of "Prevention, Protection, Prosecution, and Partnership." In that context, the plan prioritizes six activities: 1) Prevention and awareness-raising on risks of illegal travel; 2) development of government administrative procedures to address the issue of trafficking; 3) direct assistance to returnees/survivors; 4) legal measures, both with regard to prosecution of traffickers and smugglers and legal assistance to victims; 5) capacity building of relevant government officials; and, 6) data management.

Under the leadership of IOM, the UN Joint Programme includes five priority objectives: 1) Ensure partners have credible and reliable data in order to carry out evidence-based advocacy, policy development and programming to uphold migrants' and refugees' human rights; 2) Support government, civil society and international development partners to offer direct assistance to survivors of trafficking and smuggling; 3) Provide prospective migrants, returning migrants and source communities alternatives to irregular migration and demonstrate greater willingness to assert and uphold human rights; 4) Support governments to address irregular migration and to uphold the rights of migrants, refugees, victims of trafficking and smuggled persons, through improved rule of law and border management; and 5) Enhance national and interregional dialogue and cooperation facilitate the protection of vulnerable migrants and refugees.

## ETHIOPIA: OPERATIONAL CONTEXT

### 1. Overview

As of 31 August 2014, Ethiopia hosted almost 636,000 refugees. The largest population group was South Sudanese (with over 250,650 individuals), followed by Somalis (with over 245,500 individuals), Eritreans (with over 100,300 individuals), Sudanese (with over 35,000 individuals) and refugees from several other countries, including the Democratic Republic of Congo, Kenya, Djibouti, Yemen, Burundi, Rwanda and Uganda (with over 4,500 individuals).

Ethiopia is a source, transit and destination country for refugees, asylum-seekers and migrants. Both Ethiopian nationals and foreign-born refugees residing in the country have relied upon networks of smugglers and traffickers as they seek to leave Ethiopia to countries further afield where opportunities are seen to be more plentiful. Refugees, asylum-seekers and migrants have traveled in all directions, to the northwest towards Europe or Israel, to the southwest towards South Sudan, to the south towards Kenya, and South Africa, and to the east across the Gulf of Aden to Yemen and Saudi Arabia. While *en route*, many have fallen victim to physical abuse, sexual violence, torture, robbery, and kidnapping, in particular by members of the Rashaida and Bedouin ethnic groups. Incidents of organ trafficking have also been reported. In many cases, individuals may freely enter into an agreement with smugglers to help them cross international borders, only to have that arrangement transform into abduction and trafficking while *en route* or in the country of destination.

<sup>2</sup> UNHCR Regional Strategy and Plan of Action to Address Trafficking and Smuggling from the East and Horn of Africa, <http://www.refworld.org/pdfid/51d175314.pdf>.

Some refugees and asylum-seekers are able to escape from their traffickers or smugglers or are released after payment of ransom. They may then face arrest and detention by the government, pending deportation or other arrangements. As a general matter, with the exception of some returns from Egypt, the Government of Ethiopia does not allow refugees who had transited through Ethiopia to return to the country if apprehended in a transit or destination country. The risk of return to the country of origin hangs heavy over the lives of many.

While comprehensive and reliable data on human trafficking and smuggling in Ethiopia is lacking, it is known that the Eritrean refugee population has been particularly affected by onward movements and incidents of trafficking and smuggling. The Eritrean diaspora is also involved in the movement of Eritreans from Africa towards Europe and the United States, oftentimes providing financial support for the travel of family members and others. Diaspora from other refugee communities play a similar role for those of their nationality.

## **2. Reasons for Onward (or Secondary) Movement from Ethiopia**

Many refugees and asylum-seekers<sup>3</sup> consider Ethiopia to be a transit country. For some, although they may leave their country of origin for persecution-related reasons, they have no intention from the outset to remain in Ethiopia and plan accordingly. Others may decide to move on after spending a certain period of time in the country. The ultimate destination may be a European country, Israel, or eventually the United States or Australia.

Restrictions on formal employment and limited services in the camps, coupled with restrictions on freedom of movement (unless eligible for the Government's "Out of Camp Policy," the urban-assisted refugee programme, or university studies) are factors considered by many refugees and asylum-seekers traveling further afield.

Further, misperceptions on risks of travel also play a role in fueling onward movement. Although most refugees and asylum-seekers know there is a risk of death while crossing the Mediterranean, many do not have full awareness of the other risks, including the high incidence of torture, disfigurement, sexual violence, and hostage-taking in Sudan and Egypt, with ransom payments as high as \$40,000.

Finally, many refugees and asylum-seekers have misperceptions of life in Europe, further fueling onward movements. A recent study conducted by the UNHCR Europe Bureau found that many refugees have "*an unrealistic picture of Europe before they depart...they expect they will immediately get a job and housing once they arrive. Respondents claimed they were not prepared for the grim reality.*"<sup>4</sup> Members of the diaspora in Europe shared with UNHCR that they feel a great pressure to succeed, and sometimes post photographs on social media or send emails of other peoples' expensive cars or houses, to give an impression of success. In reality, the diaspora shared that they struggle with legal status and racism, and many have challenges in finding jobs and housing, due to education levels which are not on par with local residents, and an inability to speak the local languages.

## **3. Eritrean Unaccompanied and Separated Children (UASC)**

Unaccompanied and Separated Children (UASC) in the northern refugee camps are at particular risk of smuggling, trafficking, and exploitation. As of end-September 2014, there were some 1,600 Eritrean refugee UASC in the northern camps, with on average 200 arriving every month. Limited educational opportunities, insufficient services in the camps, restrictions on freedom of movement, and pressure from family members in Eritrea, Ethiopia, or elsewhere were found to result in some UASC leaving the camps, either to locations within Ethiopia (e.g., Addis Ababa) or destinations abroad.

## **4. Increased Global and Regional Attention and Response**

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<sup>3</sup> While reference is made throughout this document to both refugees and asylum-seekers, it is noted that the vast majority of persons seeking protection in Ethiopia are granted refugee status on a *prima facie* basis at the time they cross the border.

<sup>4</sup> "*They Think We Live in Paradise*," UNHCR Europe Bureau Report, February 2014.

There has been an increase in activity in recent years to combat trafficking and smuggling in the East and Horn of Africa. The African Union held a regional consultative meeting in Khartoum in October 2014 to address the problem of smuggling and trafficking from the Horn of Africa. The Government of Ethiopia has also prioritized initiatives to combat human trafficking and smuggling, as demonstrated by the recently established National Anti-Human Trafficking Council - chaired by the Deputy Prime Minister – and the preparation of a National Action Plan for Reducing, Managing and Controlling Human Trafficking. The UN Country Team in Ethiopia is presently developing a Joint Programme to address trafficking and smuggling in the country. Additionally, in March 2014, the European Parliament adopted a resolution calling upon countries in the region to end trafficking and kidnapping of refugees and migrants,<sup>5</sup> with the UN Human Rights Council doing the same with regard to investigation and prosecution of traffickers for kidnapping, torturing, and killing refugees and migrants in the Sinai.<sup>6</sup>

## OVERVIEW OF PROTECTION CONCERNS

### 1. **Violation of the right to life and liberty, and protection against torture**

Human trafficking often involves severe violations of the right to life, including torture and/or other forms of exploitation. The same may also occur in situations of smuggling, especially when abduction for payment of ransom occurs, transforming the movement into one of trafficking. Concerning trends include shootings at border crossing areas, torture, electrocution, and inhumane treatment of trafficked and smuggled persons, along with credible reports of organ removal.

### 2. **Sexual and Gender-Based Violence (SGBV)**

Reports of physical abuse and sexual violence against women are common amongst trafficked and smuggled populations. Rape of men, though less common, is also reported. Additionally, limited access to reproductive health care for victims of trafficking and smuggled persons results in high risk of untreated infections, ectopic pregnancy, HIV infection, and/or sterility.

### 3. **Child Protection concerns: unaccompanied and separated children (UASC)**

Minors are subject to heightened risks throughout the trafficking and smuggling cycle, and unaccompanied and separated children (UASC) are at particular risk of abuse. Reports of sexual abuse and rape of children have been reported, along with organ removal and forced labour, with minors being less aware of their rights than the rest of the population. UNHCR has launched a Child Protection Regional Initiative, which includes initiatives intended to mitigate onward movement of these children.

### 4. **Kidnapping and Payment of Ransom**

Kidnapping of asylum-seekers and refugees by members of the Rashaida and Bedouin ethnic groups in Sudan and Egypt have been widely reported, with ransom amounts as high as \$40,000 USD. Interviewed refugees have indicated that the ransoms are often paid by family and relatives in Europe, the United States, Israel, Eritrea, Canada, and Australia, and sometimes by Eritrean NGOs. These ransom payments, estimated to be in the tens of millions of dollars, further underwrite the trafficking and smuggling enterprises.

### 5. **Exploitation and other human rights abuses**

Trafficking often results in sexual and/or labour exploitation, either *en route* or in the country of destination. Smuggling may turn into trafficking when the smugglers sell their “clients” to other traffickers and criminal gangs, especially when a ransom later demanded cannot be paid. Traffickers are often able to develop strong psychological control over their victims by threatening to have victims arrested, or to harm family members if they report the perpetrators. Other human rights violations include abridgements on the right to liberty, the right to be free from cruel and inhuman treatment, and the right not to be held in slavery or involuntary servitude.

<sup>5</sup> European Parliament resolution on security and human trafficking in the Sinai (2014/2630(RSP), March 2014.

<sup>6</sup> 25th Session of the United Nations Human Rights Council, Geneva, Statement by the Permanent Representative of the Federal Republic of Germany, March 2014.

## THE STRATEGY

The UNHCR Ethiopia national strategy to address human trafficking and smuggling of persons of concern is comprised of seven key strategic objectives:

- 1. Collection and analysis of current and reliable data**
- 2. Enhancing security and mitigating risks**
- 3. Promoting solutions and alternatives**
- 4. Awareness-raising and prevention**
- 5. Provision of assistance to survivors**
- 6. Building national capacity**
- 7. Enhancing cooperation between partners**

The strategic areas of work and activities that UNHCR will undertake to meet the above-mentioned objectives are outlined in greater detail below.

### Objective One: Collection and Analysis of Current and Reliable Data

In order to better understand trends, flight paths, and reasons for onward movement, UNHCR, inter-agency partners, and the Government of Ethiopia will seek to improve collection and analysis of data. UNHCR and partners will increase activities to ensure that policy-making and planned interventions are informed by current, relevant, and reliable data; and that such data is shared with stakeholders as appropriate, taking into account principles of confidentiality.

#### **Recommended activities for Objective One include the following:**

- Improve data collection methods and analysis of the reasons for onward movement amongst refugees and asylum-seekers in Ethiopia, including through the development of a questionnaire to be voluntarily completed by refugees returned to Ethiopia, their first country of asylum; evaluate trends and similar or disparate factors amongst population groups;
- Increase monitoring of refugee presence in refugee camps, in particular through implementation of continuous registration activities, allowing UNHCR to monitor absences of refugees based on food distribution and other sources;
- Develop clear arrangements with ARRA to ensure that UNHCR is alerted systematically when registered refugees are apprehended at border locations and/or returned to the camp following deportation from a third country;
- Ensure that refugees and asylum-seekers who have been trafficked or smuggled are systematically identified in UNHCR records to meet particular protection and assistance needs;
- Give special attention to collection of data for trafficked and smuggled children, tracking absences of children from alternative care arrangements, transit centres and schools within the camps. Systematically interview social workers, follow up with children's refugee associations, other UASC, and refugee community members to follow up on reports of missing children;
- Systematically track onward movers, based on data received from countries of transit, as well as from refugees later returned to Ethiopia;
- Undertake research, either by UNHCR or by a partner, on migration and trafficking trends in Ethiopia, in particular as they relate to refugees and asylum-seekers;

- Maintain and strengthen cross-border data sharing between UNHCR Ethiopia and UNHCR Sudan on onward movements of refugees moving between the two countries, and expand to include Egypt, Israel, Djibouti, Libya, and Yemen to the extent feasible.

## Objective Two: Enhancing Security and Mitigating Risks

Accountability for perpetrators of trafficking and smuggling remains a challenge in Ethiopia. The Ethiopian Criminal Code contains provisions relevant to trafficking, yet prosecutions and convictions are often not realized. Although the Federal High Court convicted an increased number of transnational labor traffickers in 2013, challenges remain, including as related to investigation and prosecution of sex trafficking crimes, compilation of data, and limited use of trafficking-specific provisions. Border and immigration officials, while often in a position to identify human trafficking victims, do not always have the necessary training to assist them effectively.

UNHCR Ethiopia shall enhance efforts to mitigate risks of trafficking and smuggling in refugee camps and urban areas, utilizing a victim-centric approach. It will also support the Government of Ethiopia to the extent possible and appropriate, in improving security for refugees where they reside and in surrounding areas from traffickers and smugglers.

### **Recommended activities for Objective Two include the following:**

- With partners, adopt a “victim-centric” approach to trafficking, including through advocacy for the criminalization of trafficking and related crimes in countries of asylum, and through recognition that refugees and asylum-seekers who fall prey to traffickers should be considered victims and not accomplices to these crimes;
- With relevant partners, provide support to local law enforcement, be it technical, financial, or in-kind, to respond to trafficking and smuggling in the camps and host communities;
- With government and partners, review existing practices of border/ immigration officials, and support implementation of protection-sensitive entry systems and reception;
- Establish referral mechanisms with UNHCR offices in the region to ensure that persons recognized as refugees in Ethiopia who are apprehended in transit outside the country are made known to UNHCR Ethiopia;
- Establish mechanisms for systematically sharing of data with and between ARRA and UNHCR on arrest, detention, and prosecution of suspected traffickers and smugglers of refugees and asylum-seekers;
- Support government efforts to improve camp security and to identify and respond to presence of criminal networks or potential smugglers operating in refugee camps and the host community;
- Encourage and support governments to take action against perpetrators through effective legal provisions and their pro-active implementation;
- Support the government of Ethiopia ensure the physical safety of refugees and asylum-seekers who testify against traffickers and smugglers;
- Ensure that children who have been trafficked or smuggled can participate, safely and meaningfully, in court proceedings against traffickers and smugglers.
- Strengthen relationships between community watch groups, refugee associations, and local law enforcement to identify and refer to the police persons engaged in trafficking and smuggling of refugees and asylum-seekers.

## Objective Three: Promoting Solutions and Alternatives

As prioritized in the UNHCR Regional Strategy, UNHCR shall take additional measures to mitigate the primary drivers of onward movement. Reports have indicated that the primary reasons for onward movement are limited livelihoods, informal employment, and income-generating activities (IGA) in Ethiopia. Refugees have shared that expansion of informal employment activities and IGA would be the most likely way of reducing departures from the camps.<sup>7</sup>

Durable solutions will also be prioritized. UNHCR shall increase advocacy for local integration options, and expansion of the “Out of Camp Policy” (OCP) programme. While resettlement will only be an option for a relative few refugees, it will continue to be used for victims of trafficking and smuggled persons who meet the UNHCR resettlement criteria.

Some Eritrean unaccompanied and separated children (UASCs) in Ethiopia, in particular those of a very young age, have stated that they wish to return home to Eritrea. In order to support the principle of family unity, UNHCR will explore with ICRC opportunities for voluntary return of these children, but only if such returns can be effected in safety and dignity, and with proper and independent monitoring conducted inside Eritrea.

**Recommended activities for Objective Three include the following:**

- Expand livelihoods programmes and income-generating activities (IGA) in both urban and camp settings, targeting in particular young adults;
- Expand “self-reliance” and resiliency initiatives in Ethiopia, as piloted in the Liben Zone / Dollo Ado population;
- Improve educational opportunities for adolescents and young adults, including accelerated learning programmes and post-secondary opportunities;
- Consider strengthened partnerships between UNHCR and universities in Ethiopia and regionally to enable refugees to pursue online under/post graduate studies;
- Reach out to refugee diaspora to explore possible employment opportunities abroad for refugees graduating from university in Ethiopia and/or refugees with specific skill sets;
- With ARRA, review the Government of Ethiopia’s “Out of Camp Policy” (OCP) programme, and advocate for its improvement and expansion, ensuring that refugees are aware of the programme and the rights and responsibilities that attach to it;
- Continue advocacy with the Government of Ethiopia to consider expanded formal and informal employment opportunities for refugees and asylum-seekers;
- Implement strategic and targeted use of resettlement opportunities, in particular for victims of trafficking and smuggled persons who have suffered human rights abuses;
- With regard to particularly young Eritrean UASC wishing to return home to their families, explore with ARRA and the ICRC, in coordination with counterparts in Eritrea, opportunities for voluntary and safe return, with proper post-return monitoring ensured.

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<sup>7</sup> “*They Think We Live in Paradise,*” UNHCR Europe Bureau Report, February 2014.

## Objective Four: Awareness-Raising and Prevention

In line with the 10 Point Plan of Action, the UNHCR Regional Strategy, and the Ethiopia UNCT draft Strategy, UNHCR shall undertake activities to promote awareness-raising on the serious risks of trafficking and smuggling, with the goal of curbing onward movement. The aim of the awareness-raising activities will be to reveal the variety of dangers of the journey, as well as the realities and challenges of life in Europe.

While most refugees and asylum-seekers are aware of the risk involved in crossing the Mediterranean Sea, many are unaware of the high risks of rape, torture and disfigurement, organ removal, abduction/kidnapping and death, while *en route*. Additionally, many refugees and asylum-seekers have misperceptions of life in the intended destination countries, not being aware of the difficulties in obtaining legal status, jobs, and housing in Europe. Many stakeholders (including refugees, ARRA, UNHCR, NGO staff, and host communities) are unaware of the existing trafficking and smuggling laws intended to protect individuals and hold perpetrators accountable.

### **Recommended activities for Objective Four include the following:**

- Strengthen public information campaigns on trafficking and smuggling aimed at refugees and asylum-seekers in Ethiopia in 2014-2015. Working with the UNHCR Europe Bureau, in coordination with planned EU awareness-raising initiatives, highlight the risks of trafficking and onward movement and the realities of life in Europe for those who succeed in getting there.
- Create printed informational materials in Amharic and Tigrinya (and other languages as appropriate) on the risks of trafficking and smuggling, where possible using stories of real victims (with concealment of identities);
- Reach out to Eritrean diaspora and family members residing abroad not to encourage and otherwise finance onward movements of refugees and asylum-seekers;
- Engage with traditional and religious leaders, and empower Refugee Central Committees (RCCs), Women's Association, and Youth Committees, Child Welfare Committees and Child Parliaments to take a leading role in preventing and addressing issues of trafficking and smuggling in the camps (to be designed by an expert in community based awareness campaigns);
- Engage with journalists and relevant public information stakeholders to discuss the linkages between trafficking, smuggling, refugee protection, and mixed migration, and the role of the media in addressing this phenomenon.

## Objective Five: Provision of Direct Assistance

The UNHCR Ethiopia national strategy will emphasize provision of direct assistance to victims of trafficking and other human rights abuses. Due to the trauma experienced, such persons often require a range of emergency and long-term services. These can include victim advocacy, shelter/housing, medical care, mental health treatment, support groups, employment support, and literacy training.

With regard to legal assistance in particular, there is a lack of understanding of how to identify victims of human trafficking, not just by the public, government officials, and law enforcement, but also by refugees themselves, who may not understand that they are victims of a crime.

It is critical that those who may encounter victims of human trafficking or other human rights abuses are able to recognize the relevant indicators. Proactive efforts by government and nongovernmental entities to identify victims are essential because the use of coercion, and the exploitation of victims' fears by perpetrators, leads few victims to seek assistance independently, either from law enforcement or service providers.

### **Recommended activities for Objective Five include the following:**

- Improve methods to identify victims of trafficking and abuse/exploitation from the refugee and host community, including standard procedures on processing of refugees apprehended at or near the Ethiopia-Sudan border seeking to depart Ethiopia;
- Provide psycho-social and medical support for trafficked and smuggled refugees and asylum-seekers who have suffered physical and/or mental harm and abuse, in particular to those who have suffered from sexual and gender-based violence;
- Expand availability of safe places to trafficking victims and smuggled persons who may be in danger of violence or retribution;
- Ensure that assistance to victims of trafficking is not linked to cooperation in prosecution efforts;
- Provide information on, participation in, and assistance with legal proceedings to victims of trafficking and smuggled persons, in particular where abuse and/or exploitation have occurred;
- Utilize Best Interest Assessments (BIA) and Best Interest Determinations (BID) to determine proper course of action for children who have been trafficked or smuggled;
- Support the Government of Ethiopia and other partners in developing effective procedures for the prevention and rapid identification of trafficked children, including the strengthening of birth registration procedures and issuance of birth certificates, and the recording of missing and exploited children;
- Provide special services to children who have been trafficked or smuggled, in particular unaccompanied and separated children, including provision of shelter and clothing, psychosocial assistance and appropriate alternative care arrangements;
- Where the age of a trafficking victim is uncertain, and there are reasons to believe the victim is a child, treat the victim as a child until his or her age is verified;
- In alignment with the Convention on the Rights of the Child (CRC), ensure re-entry of victims of child trafficking into the educational system.

### **Objective Six: Building National Capacity and Technical Assistance**

UNHCR Ethiopia shall work with partners to strengthen the capacity of government and private and civil society actors to protect refugees and asylum-seekers from trafficking and smuggling. This will include evaluation of Ethiopia's accession and implementation of relevant international law, training of immigration officials and police in collaboration with partners, and support for the systematic issuance of documentation for refugees.

Annex 3 at the end of this document provides an overview of Ethiopia's accession to relevant international legal instruments. The 1994 Federal Constitution prohibits all forms of human trafficking.<sup>8</sup> Additionally, sex and labor trafficking are prohibited under Ethiopian criminal law.<sup>9</sup> However prosecutions are not standardized and penalties could be strengthened.

#### **Recommended actions for Objective Six include the following:**

- Conduct a systematic training countrywide for immigration and security personnel on principles of refugee protection, how trafficking and smuggling affects refugee communities, the particular protection needs of women and children, and available support for those who have been trafficked or smuggled;
- Consult with the Government of Ethiopia counterparts and relevant partners to map existing trafficking and smuggling laws, and to assist in ensuring conformity of such laws with international standards;
- In coordination with partners, provide technical support to the Ministry of Justice, the judiciary, prosecutors, and lawyers on prosecution of smuggling/trafficking cases, in particular as they affect refugees, asylum-seekers and others of concern to UNHCR.

<sup>8</sup> Federal Constitution of Ethiopia, Article 18(2) and (3), 1994.

<sup>9</sup> US Department of State, 2013 Trafficking in Persons Report, <http://www.state.gov/documents/organization/210739.pdf>

- Conduct media briefings on trafficking and smuggling of refugees and asylum-seekers to sensitize local media and journalists;
- With ARRA, conduct trainings at the local camp level to ensure understanding of relevant laws and policies by ARRA, UNHCR and partner staff.

### **Objective Seven: Enhancing Cooperation between Partners**

In March 2013, UNHCR issued its Regional Strategy and Plan of Action on Trafficking and Smuggling from the East and Horn of Africa, with UNHCR offices in the region to develop national strategies thereafter. UNHCR Ethiopia shall work with UNHCR focal points in the region in order to align workplans, share best practices, and establish regular information-sharing and cooperation arrangements.

UNHCR's main partner in implementing the present strategy will be the Government of Ethiopia, in particular the Administration for Refugee and Returnee Affairs (ARRA). UNHCR will also support the Government in the implementation of its National Action Plan, identifying synergies with this strategy where possible.

As well, UNHCR will work closely with inter-governmental agencies, notably IOM, UNODC, UNICEF, and NGO partners providing support and counseling to refugees, as well as livelihood, education and other key services. UNHCR will contribute to the development and implementation of the UNCT Strategy to Combat Trafficking and Irregular Migration, which will be aligned and linked with government plans. Additionally, UNHCR will liaise with the AU on its planned activities to prevent trafficking and smuggling in the region.

Collaboration will reach to the camp-level, engaging with UNHCR staff, ARRA, and partners in the field.

#### **Recommended actions for Objective Seven include the following:**

##### **1. Coordination at the Regional Level**

- Participate in regular regional teleconferences with UNHCR colleagues and partners in the region, including from Djibouti, Ethiopia, Kenya, Sudan, Somalia, Eritrea, Libya, Yemen, and Geneva;
- Contribute to AU-led regional consultations on trafficking/smuggling in the Sinai region and via Libya to Europe;
- Follow-up from the November 2013 Yemen regional conference on mixed migration;
- Encourage cross-border dialogue between the governments of Ethiopia and Sudan on the issue of onward movement of refugees and asylum-seekers from Ethiopia to Israel or Europe via Sudan.

##### **2. National Coordination**

- Contribute to implementation of the "UN Country Team Joint Programme on Counter Trafficking and Migration Management,"
- Systematically engage on the issue of trafficking and smuggling with the Government of Ethiopia, IOM, UNICEF, UNFPA, UNODC, and other key partners
- Engage with donors and diplomatic missions from destination countries.

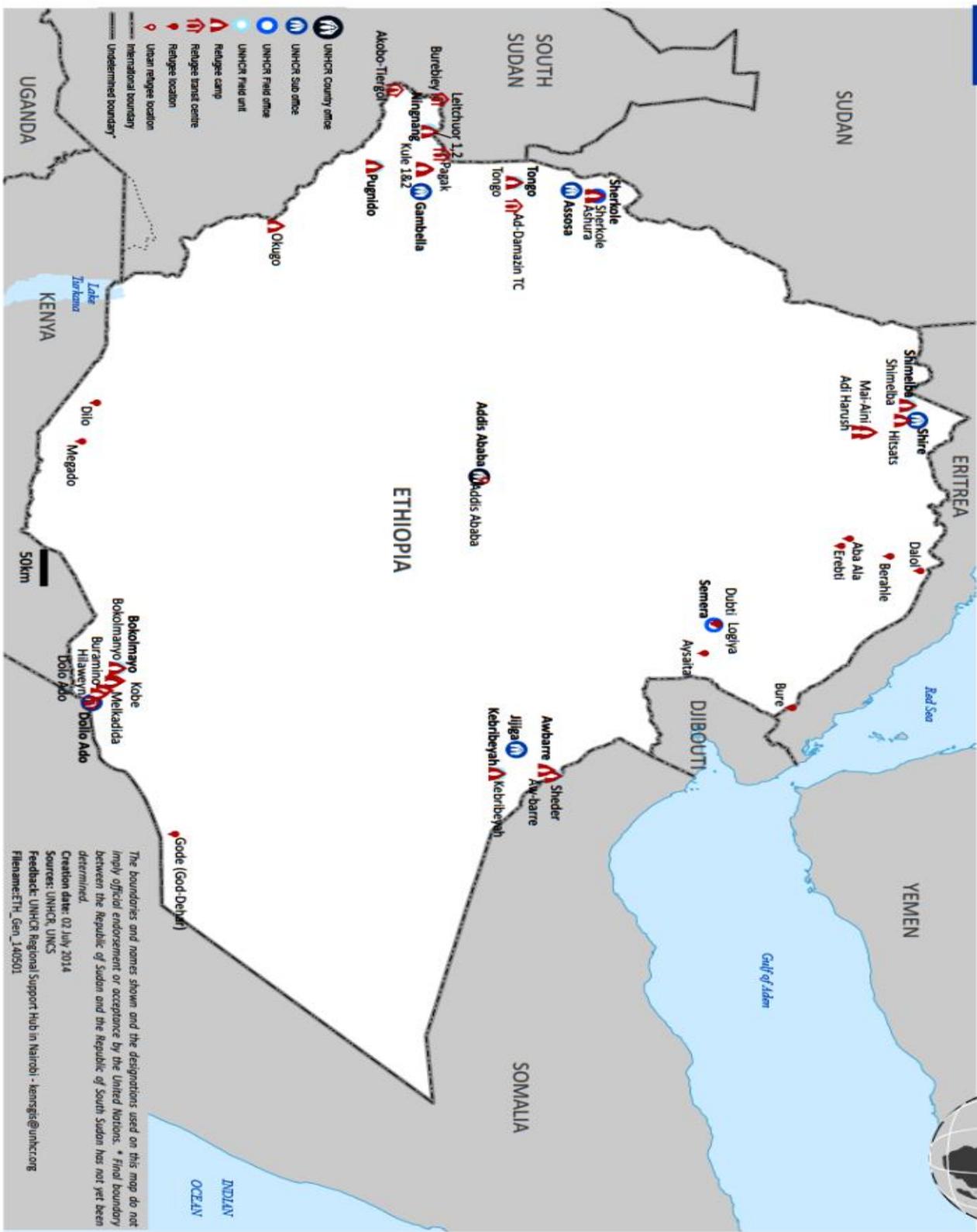
##### **3. Coordination at the local level**

- Create zonal task forces on trafficking/smuggling
- Create camp-based task forces on trafficking/smugglin

### **ANNEX 1 – Map of UNHCR Presence in Ethiopia**

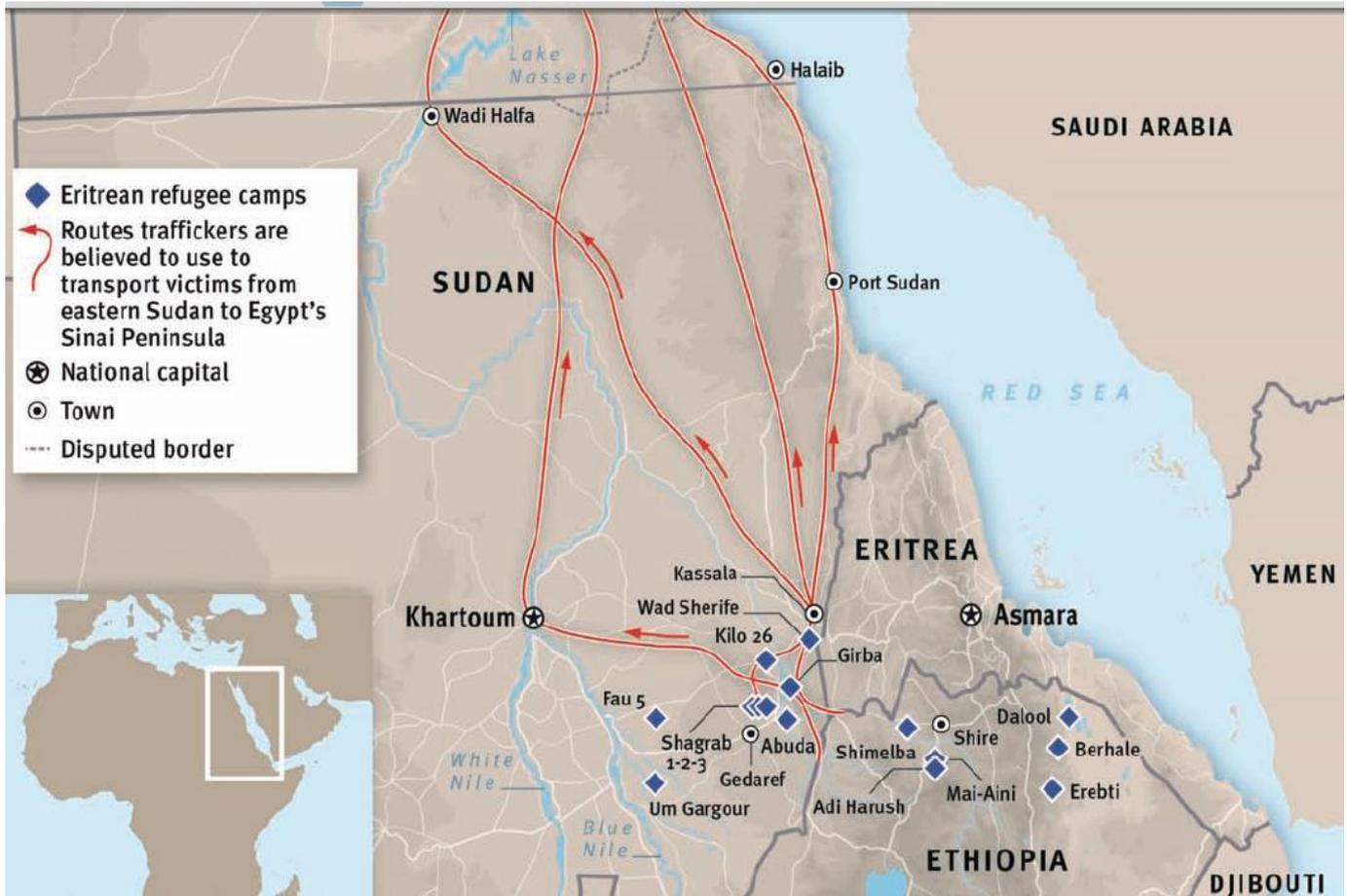
# Ethiopia: UNHCR presence and population of concern locations

As of July 2014



## ANNEX 2 – Map of Trafficking and Smuggling Routes for Eritrean Refugees<sup>10</sup>

<sup>10</sup> "I Wanted to Lie Down and Die," Human Rights Watch Report, 2014.



### ANNEX 3 - Ethiopia's Accession to Relevant International Legal Instruments<sup>11</sup>

<sup>11</sup> United Nations Treaty Collection, <http://treaties.un.org/pages/ParticipationStatus.aspx>

Name	Status
1951 Convention relating to the Status of Refugees	Acceded 10 November 1969
1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa	Ratified 15 October 1973
Convention Against Transnational Organized Crime	Ratified 23 July, 2007
Optional Protocol Against the Smuggling of Migrants by Land, Sea, and Air	Ratified 22 June, 2012
Optional Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (“Palermo Protocol”)	Accession 22 June, 2012.
Convention on the Rights of the Child	Acceded 14 May 1991
Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	<i>Not ratified</i>
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Ratified 10 September 1981
Optional Protocol to CEDAW	<i>Not ratified</i>
Convention Against Torture	Acceded 14 March 1994
Domestic Workers Convention	<i>Not ratified</i>