Irregular Migration from and in the East and Horn of Africa

May 2016

Katrin Marchand, Inez Roosen, Julia Reinold, Melissa Siegel
Maastricht Graduate School of Governance

Maastricht University

Table of Contents

List of Tables

List of Figures

List of Abbreviations

AMISOM	African Union Mission in Somalia
AU	African Union
AU.COMMIT	AU Commission Initiative against Trafficking Campaign
CDTD	Center for Domestic Training and Development
CIA	Central Intelligence Agency
COMESA	Common Market for Eastern and Southern Africa
COR	Commissioner of Refugees
CRA	Commission for Refugee Affairs
DNPI	Department of Nationality Passports and Immigration
DRC	Danish Refugee Council
EAPCO	East African Police Chiefs Cooperation Organisation
EU	European Union
FAO	Food and Agriculture Organization
FDI	Foreign Direct Investment
GDP	Gross Domestic Product
HAART	Awareness Against Human Trafficking
HDC	Human Development Council
HoA	Horn of Africa
ICMPD	International Centre for Migration Policy Development
ICRC	International Committee of the Red Cross
IDMC	Internal Displacement Monitoring Centre
IDP	Internally Displaced Person
IGAD	Intergovernmental Authority on Development
ILO	International Labour Organization
INGO	International Non-Governmental Organization
IO	International Organization
IOM	International Migration Organization
MOLSA	Ministry of Labour and Social Affairs
MSF	Médecins Sans Frontières
NAC	National Aliens Committee
NCCT	National Council on Combating Trafficking
NCEW	National Confederation of Eritrean Workers
NGO	Non-Governmental Organization
NUEW	National Union of Eritrean Women
OECD	Organization for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
ONARS	Office National d'Assistance aux Réfugiés et Sinistrés
RMMS	Regional Mixed Migration Secretariat

RSD	Refugee Status Determination
SPLA	Sudan People's Liberation Army
TIP	Trafficking in Persons
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UN.GIFT	United Nations Global Initiative to Fight Human Trafficking
UN-Habitat	United Nations Human Settlements Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
UNMISS	United Nations Mission in South Sudan
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNODC	United Nations Office on Drugs and Crime
UNOPS	United Nations Office for Project Services
UNV	United Nations Volunteers
US	United States
USD	United States Dollar
WFP	World Food Programme
WHO	World Health Organization
VoT	Victim of trafficking

Acknowledgements

Executive Summary

This report provides an overview of the current trends and policies in irregular migration in the East and Horn of Africa based on a review of the existing literature. A particular focus lies on human trafficking and smuggling. Specifically, the mixed migration context of seven countries in the East and Horn of Africa is examined. These countries are Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan and Sudan, which to different extents are origin, transit and/ or destination countries for migrants, asylum seekers and refugees:

- **Djibouti** is mainly a transit country, which is crossed by migrants on their way to Yemen and the Gulf States. The majority of irregular migrants that enter Djibouti are Ethiopian and to a lesser extent Somali and only a small share end up staying in the country. The country also hosts refugees, mainly from Somalia and more recently from Yemen. Djiboutian nationals are, on the other hand, rarely documented as leaving their country irregularly despite widespread poverty in the country.
- **Eritrea** is a key country of origin of mixed migration movements. Leaving the country through legal channels is often possible as passports or exit visas are generally not issued to those between the ages of 18-30 because of national service obligations. Eritrea is not really used as a transit or destination country by other migrants and only hosts a very small population of Somali refugees.
- **Ethiopia** is primarily a source and destination country for mixed migrants and to a lesser extent a transit country. As of 2014 Ethiopia is host to the largest refugee population in the region as it hosts more refugees than Kenya since the onset of the conflict in South Sudan in December 2013. The significance of Ethiopia as an origin country is highlighted by the fact that Ethiopians are the majority of migrants on the move both within and out of the Horn of Africa region.
- **Kenya** is a major transit and destination country for mixed migration from neighbouring countries such as Ethiopia, Somalia and South Sudan and from other countries such as Eritrea, Sudan, the Democratic Republic of Congo and Rwanda. Compared to its neighbours, Kenya is relatively well developed and stable, has good infrastructure and already established migrant communities and extensive smuggling networks that make it an important irregular migration hub in the region. Kenya also hosts a significant refugee population, mainly from Somalia, Ethiopia and South Sudan. In terms of emigration, however, Kenyans are rarely found among the flows of irregular migrants in or out of the region. They usually travel with documents and visas, which they may then fail to renew or overstay and become irregular as a consequence.
- **Somalia** is a country of origin, transit and destination for mixed migration flows in and out of the East and Horn of Africa region. Main factors that push migrants to leave the country are poverty, insecurity and natural disasters. As well as the terrorist attacks by al-Shabaab and the Kenyan military operations in South Central Somalia as well as the Horn of Africa famine of 2011. The majority of emigrants come from South Central Somalia, while individuals from Puntland and Somaliland are found among migration flows from Somalia to a much lesser extent. Recently there has been an increase in return migration of Somalis to their home country, both from the East and Horn of Africa as well as Yemen and the Arabian Peninsula. These returns are, however, considered to be problematic due to a lack of infrastructure and livelihood opportunities in Somalia. Refugees and asylum seekers from other countries, mainly Ethiopia and increasingly Yemen, predominantly live in Somaliland and Puntland. Somalia, in particular Somaliland and Puntland, is also a transit country on the way to Yemen and beyond, especially for Ethiopians as well as South Central Somalis.

- **South Sudan** is a country of origin, transit and destination for mixed migration flows in the Horn of Africa region. While more than 500,000 South Sudanese returned to the country after independence in 2011, the outbreak of civil war in December of 2013 led to displacement both within South Sudan as well as to neighbouring countries such as Kenya, Ethiopia, Sudan and Uganda. At the same time, South Sudan also hosts a significant population of refugees from countries such as the Central African Republic, the Democratic Republic of Congo, Ethiopia and Sudan. South Sudan is also a destination country for irregular labour migrants mainly from the Democratic Republic of Congo, Kenya, Somalia and Uganda. Other migrants, mainly from Eritrea, Ethiopia and Somalia, are more likely to use South Sudan as a transit country on their way to Sudan.
- **Sudan** is mainly a country of destination and transit for migrants and to a lesser extent a country of origin. Large numbers of irregular migrants move through Sudan and few decide to settle in the country for longer periods. Many stay only long enough to earn enough money to move onwards. Sudan has also been hosting refugees for more than 40 years, with significant populations from South Sudan and Eritrea, among others. Emigration of Sudanese nationals is limited and largely described by forced movements of refugees and asylum seekers and labour migration to countries such as Saudi Arabia, Libya and Egypt, but also to the United Kingdom and United States.

Key Irregular Migration Trends

- Eritrea, Somalia, Ethiopia and South Sudan are the **main countries of origin** of refugees and migrants in the region, with more than 1 million Somali refugees and internally displaced persons (IDPs) respectively followed by South Sudan with over 700, 000 refugees and 1.6 million IDPs.

- Movement in the region is by nature mainly irregular as there are very limited options for regular movements. The extreme case is Eritrea, where nationals need exit visas to leave the country, which are rarely issued. This 'forces' those that still want to leave to do so irregularly. In addition, the legal measurements several countries have implemented, such as bans on overseas labour migration in Ethiopia and Kenya, also increase irregular migration.

- The significance of irregular migration in the region is shown by its scale. To name two examples, around 5,000 Eritreans were arriving in Ethiopia each month in the last three months of 2014 and it is estimated that between 2009 and 2014 a minimum of 410,000 Ethiopians arrived in Yemen.

- The **main drivers** of irregular migration in the region are varied and dependent on the specific country context. The region as a whole faces challenges associated with low human and economic development. Environmental factors also increasingly push individuals away from their current place of residence. Often it is a mix of factors that lead to the decision of people to migrate.

- Human rights violations and unlimited national service are the main drivers of irregular migration from Eritrea. Insecurity remains to be the key driver of migration from Somalia, especially South Central Somalia. Poverty and political oppression, particularly for the Oromo, remain the drivers behind a considerable part of the migration from Ethiopia.

- A **'culture' of migration** has been recognized particularly in Ethiopia, Eritrea and Somalia. This describes a situation where a family or community sends a, mostly young male, migrant

abroad with the expectation that s/he will provide income for those left behind by sending remittances.

- Since 2014, Ethiopia is **host** to the largest refugee population in Africa, with the majority of refugees coming from Southern Sudan. Kenya, which hosted the largest group of refugees for a long time prior, still has the largest refugee camp in Africa in Dadaab, which is mostly occupied by Somali refugees.

- Several countries in the region are also important transit countries, mainly Djibouti, Ethiopia, Kenya and Sudan. Many irregular migrants pass through these countries. The majority of these are Eritreans, Ethiopians and Somalis and unaccompanied minors are increasingly part of the irregular migration flows.

- There are four main **routes** out of the region that are commonly used by irregular migrants. Migrants transit through Djibouti on the eastern route to Yemen, the Middle East and beyond; through Sudan on the western route mainly to Libya and onwards to Europe; on the northern route to Egypt and Israel; and through Kenya on the southern route to South Africa.

- The journey of most irregular migrants is dangerous as large parts of the routes go through desert areas, where supplies of water and food are often not sufficient. Casualties occur frequently on these trips and often go unreported. Migrants are aware of the risks associated, but are willing to take them indicating that they have nothing to lose.

- The **conflicts in Yemen** have led to what can be called reverse flows on the eastern route. Migrants that were settled in Yemen have been returning and with them come Yemeni refugees. The arrivals seek safety in Djibouti, Somalia, Ethiopia and Sudan. Stricter immigration controls in Israel have also led to significant decreases of the number of migrants following the northern route. Evidence suggests that flows have been redirected mainly to the western route.

Smuggling and Trafficking

- Irregular migrants in and from the East and Horn of Africa usually **contract smugglers for at least part, if not all, of their journey**. With the exception of asylum seekers that have a good chance of having their claim accepted in the country they are going to, however, these movements usually happen without proper documents. As such they must proceed clandestinely, which requires the assistance of smugglers. This exposes migrants to considerable risks, such as neglect, violent abuse and extortion. It also increases their risk of being subjected to trafficking.

- **Trafficking** is a criminal offense that is of concern in all countries of the East and Horn of Africa. National as well as migrant children, women and men are subjected to trafficking within the respective country as well as internationally. Main purposes of trafficking include forced labour and sexual exploitation. An additional concern, especially in Somalia, South Sudan and Sudan, are child soldiers that are recruited by governmental as well as opposition forces.

- Evidence exists that in many countries in the East and Horn of Africa, government officials such as border and police officers, but also higher ranked officials, are actively or passively engaged in smuggling and trafficking operations. The engagement ranges from occasionally accepting bribes at border crossings or inland checkpoints to officials subjecting victims of trafficking to domestic servitude or sexual exploitation themselves.

Policy Responses

- On the **national level** efforts to address irregular migration and counter human trafficking differ with Djibouti, Ethiopia and Kenya performing slightly better than the other countries. In most cases, national legislation covers prevention of irregular migration, protection of vulnerable individuals and criminal prosecution. Often policies and legislation are poorly implemented due to a lack of resources and capacities. A lack of cooperation, including sharing of information, between different government authorities is also apparent.

- Many of the policies in the countries of the East and Horn of Africa reflect a lack of understanding of the **differences between smuggling and trafficking**. While the lines are blurry, the implications for migrants are substantially different. In addition, anti-trafficking initiatives that do exist largely focus on children and women, while acknowledgement of men as victims of trafficking is lacking.

- Dealing with irregular migration requires the commitment of **international organisations** such as IOM and several UN agencies. Furthermore, several international NGOs perform activities related to irregular migration, often with a humanitarian focus. The number and standing of local NGOs differs significantly between countries and needs to be improved to address irregular migration and human trafficking effectively.

- Issues of irregular migration are commonly addressed on the **regional level**. In recent years, the countries in the East and Horn of Africa have made significant progress in this regard considering that only South Sudan and Somalia are not members of the Common Market for East and Southern Africa (COMESA). Several regional projects relate to irregular migration in general and human trafficking in particular. The most important ones are arguably the COMESA regional consultative process on migration called MIDCOM; the Regional Migration Policy Framework and Migration Action Plan developed by the Intergovernmental Authority on Development (IGAD) (Eritrea is currently not a member of the IGAD); the establishment of the Regional Mixed Migration Secretariat (RMMS); and the East African Police Chiefs Cooperation Organization (EAPCO). However, regional cooperation remains difficult because of mistrust between governments and security issues. As on the national level, cooperation is limited as is the sharing of information.

- There are few **international frameworks** regulating irregular migration as the issue is mostly addressed on the regional or national level. International agreements focus on human trafficking, with the UN protocol to 'Prevent, Suppress and Punish Trafficking in Persons' arguably being the most important one. International organisations push for the acknowledgement of irregular migration as an issue that needs to be addressed globally.

1. Introduction

Irregular migratory movements in and out of the East and Horn of Africa[1] are diverse and significant in volume. Irregular migrants cross "borders without proper authority or violating conditions for entering another country" (Jordan & Düvell, 2002: 15). A critical difference is made in the literature between irregular *entry* and irregular *stay*. A migrant can enter a country irregularly without documentation, but can later acquire regularization, therefore making her/ his *stay* regular. On the contrary, a migrant can enter regularly, for example with a visa, but can become irregular by failing to renew or overstaying this visa (de Haas, 2008).

Most of the countries in the East and Horn of Africa region are, at least to some extent, source, transit and destination countries of irregular as well as forced and regular migrants. Migration within the region is traditionally dynamic and highly reactive to political and environmental factors, while emigration from the region is extensive and growing. In contrast to the internal movements, migration out of the East and Horn of Africa tends to be driven by longer-term structural factors such as poverty, lack of opportunities or long-term insecurity or oppression. This report aims to provide an overview on the existing data and information on current migration trends in and from the East and Horn of Africa based on a review of the existing literature as well as a review of existing national, regional and international policies and frameworks regarding irregular migration. A particular focus lies on human trafficking and smuggling.

Migration flows within the East and Horn of Africa region as well as from the region can best be described as mixed migration flows.[2] Most migrants make the decision to leave their home country based on a mixture of different factors, which makes the categorization of migrants challenging. In addition, asylum seekers, refugees and economic migrants often follow the same routes and means of travel. Victims of trafficking (VoTs) are often also caught up in these migratory flows. As such separating different types of migrants is difficult, if not impossible.

It is also important to point out that any discussion about irregular migration is limited by the fact that irregular migrants as such are unregistered and often seek to be invisible to the authorities. Data on irregular migration is therefore limited as it requires "counting the uncountable" (Triandafyllidou, 2010). Only some estimates are available and these are largely based on the numbers of irregular migrants that have been apprehended by authorities (Kuschminder et al. 2015).

The rest of this report will be structured as follow: Section 2 will provide an overview of key trends of migration by country and look at the key migration movements between countries in the region. Section 3 will then provide a brief overview of the routes migrants commonly take out of the region. Section 4 will focus on smuggling and trafficking in and from the countries before section 5 provides an overview of policies and national and international actors that are in place to address irregular migration at the national level. In section 6 and 7 regional and international frameworks on irregular migration are presented respectively. Finally, section 8 concludes with an overview of identified gaps in the current literature on irregular migration and particularly trafficking in and from the East and Horn of Africa.

---

[1] The countries of interest for this report are Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan and Sudan.

[2] Mixed flows are defined in the IOM Glossary on Migration as "complex migratory population movements that include refugees, asylum-seekers, economic migrants and other migrants, as opposed to migratory population movements that consist entirely of one category of migrants" (IOM, 2011a).

2. Mixed Migration Trends in the East and Horn of Africa Region

Mixed migration in the East and Horn of Africa has increased and become more complex in nature in recent years. At the same time, migrants face significant protection issues as well as increasingly abuse and exploitation by smugglers and traffickers and hostile environments in transit and host countries. In this report the East and Horn of Africa region is considered to encompass Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan and Sudan as shown in Figure 1.

Figure 1: East and Horn of Africa Regional Map

Source: United Nations Geospatial Information Section, 2016.

Drivers of migration in the region are varied and dependent on the specific country context of the migrants' origin. Table A1 in Annex A presents some basic information and relevant development indicators for the countries in the East and Horn of Africa based on the most recent data available. Overall it can be said that the region as a whole faces challenges associated with low human and economic development. In addition, violent conflicts and political oppression and persecution are main migration drivers. Environmental factors also increasingly have to be seen as pushing people out of their place of origin. Often it is a mix of factors that finally leads to the decision to migrate.

Nonetheless, the migration situations of the countries of interest in this report are diverse and as such deserve to be looked at in more detail at a national level. Table A2 in Annex A provides an overview of some key migration statistics for Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan and Sudan. What can be seen in the table is that the characteristics of these seven countries in terms of emigration and immigration differ significantly. Djibouti in particular has large stocks of immigrants that make up more than 14 per cent of the total population, while only 1.7 per cent of the population have emigrated. The country has been politically stable and is an important transit point on the route to Yemen, the Gulf States and beyond. Conflict-affected Somalia is the extreme opposite as 18.7 per cent of the population currently live abroad and almost no immigrants reside in

the country. The table also shows that most of the countries in the region are affected by what is often referred to as brain drain. Between 14 per cent in Somalia and close to 43 per cent of emigrants from Kenya located in OECD countries are tertiary educated. While this is not part of irregular migration, the focus of this report, it is another indicator of how different the migration profiles of the countries in the region are. It is, therefore, important to look at the migration context of these seven countries in turn, focusing on irregular migration flows.

2.1.   Djibouti

Djibouti is a small country (23,200 km^2) in the Horn of Africa bordering Eritrea, Ethiopia and Somalia as well as the Gulf of Aden and the Red Sea (CIA, 2016a). It has a total population of 887,861 (UN DESA, 2015) and is a country with a low Human Development Index (2014: 0.470; ranking at 168 out of 188 countries) (UNDP, 2015). Despite high poverty levels (29.3 per cent of the population live in multidimensional poverty), limited employment and livelihood opportunities (unemployment rates are estimated to be around 60 per cent overall and up to 80 per cent for youth) (CIA, 2016a), very few Djiboutian have been registered as leaving their country irregularly. It has been assumed that some of the migrants take on a Somali identity in order to benefit from refugee status given to Somalis in many countries. But overall Djiboutians are largely missing from the voluminous mixed migration flows in and out of the East and Horn of Africa (Horwood, 2015). Only 921 refugees and 494 asylum seekers were registered by UNHCR in June 2015 (UNHCR, 2016a). The absence of Djiboutians in irregular migration flows is also evident in the "4mi - Mixed Migration Monitoring Mechanism initiative", which is managed by the Regional Mixed Migration Secretariat (RMMS) and aims at monitoring mixed migration flows in the region. Through a network of 30 monitors in main migration hubs along the main migration routes, the project currently tracks people from Djibouti, Eritrea, Ethiopia and Somalia moving along these routes. Out of more than 1,000 migrants that have been tracked so far, only 18 were from Djibouti (4mi, 2016). The overall Djiboutian emigrant stock in 2013 was below 15,000, which equals less than 2 per cent of the total population (World Bank, 2015).

Djibouti is mainly a country of transit for migrants on their way to Yemen and Gulf States (see section 3.2). The journey of migrants crossing through the country to Djibouti's coast is dangerous as they have to walk through large, desolate areas. There have been reports of deaths during this journey, yet migrants fear detection and deportation by police and border officials if they were to travel on main roads (RMMS, 2016a).

Around 75 per cent of the migrants that arrived in Yemen in 2012 took the route through Djibouti (RMMS, 2013). The majority of irregular migrants that enter Djibouti are from Ethiopia and largely belong to the Oromo ethnic-linguistic group from the Wollo province (DAI Europe & EuroTrends, 2015). Somalis are both irregular migrants as well as refugees in Djibouti. While the exact volume of migration through Djibouti is not known due to the nature of these migration flows, estimates show that between 2011 and 2014 around 243,000 people moved through Djibouti to the Gulf region (Horwood, 2015). The majority of these were Ethiopians as it has been estimated that only about 6 per cent of the total transit flows were Somalis (DAI Europe & EuroTrends, 2015).

Some migrants also stay in Djibouti Ville, where there is a sizable Somali community and an unknown number of undocumented Ethiopians, or are detained at the Nagad detention facility. Most of the migrants in the capital do, however, report that they are not planning to remain in Djibouti (RMMS, 2016a; Trueman, 2012).

In June 2015, there were 14,787 refugees and 2,586 asylum seekers registered with UNHCR in Djibouti. While the majority of refugees and asylum seekers come from Somalia, there are also Ethiopians and Eritreans, all of which fled their home countries as a result of persistent conflict and violence as well as poverty and restricted economic opportunities (RMMS, 2016a). Asylum seekers from South Central Somalia are granted refugee status on a prima facie basis, while those from other countries and other parts of Somalia have to undergo individual Refugee Status Determination (RSD) procedures and are often seen as irregular migrants when entering the country (DAI Europe & EuroTrends, 2015). About 80 per cent of the refugees and asylum seekers in Djibouti live in the main two refugee camps Ali Addeh and Holl Holl, while the majority of the rest live in the capital city Djibouti Ville (RMMS, 2016a). Women and children represent more than 70 per cent of the population in these camps (UNHCR, 2016a). The number of refugees in Djibouti has remained fairly stable with only a slight increase in recent years as the majority of migrants transits through the country rather than stay in the country (Horwood, 2015).

As of April 2015, Yemenis were granted refugee status prima facie in Djibouti due to the conflict in Yemen. By March 2016, 18,952 Yemenis have been registered by UNHCR in Djibouti. In addition, more than 12,000 migrants of other nationalities have fled from Yemen to Djibouti (UNHCR, 2016). In addition, it is likely that there are many more people that escaped the conflict in the direction of Djibouti, that were not registered. Yemenis are generally placed in the Markazi camp, which is located in a dry desert area of Djibouti. Conditions are harsh and many refugees do not stay for long. It is usually only the most vulnerable that stay there, while others move on to Obock or Djibouti Ville. The camp is therefore not at capacity. Most of the Yemenis indicate that they will return as soon as the conflict in Yemen is resolved (DAI Europe & EuroTrends, 2015).

As the irregular migration flows are placing a significant burden on the services, resources and assets of Djibouti, the government is actively trying to reduce irregular migration (UNHCR, 2016a). Ethiopians – the majority of migrants moving through the country - are usually considered to be irregular migrants. Djiboutian officials frequently conduct checks of boats leaving for Yemen and round-ups of non-Djiboutian residents. Migrants that are not able to present proper documentation are arrested and ultimately deported. Groups of detained migrants are usually placed at the Nagad detention facility or in local prisons. There is generally no individual assessment of the migrants' situation, so that irregular migrants and asylum seekers are treated equally. There is also no distinction being made between adults and minors, which are increasingly found among the migratory flows in Djibouti. Deportation usually happens within 24 hours of detection (RMMS, 2015).

Internal displacement is not a critical issue in Djibouti. Some movements from rural to urban areas were observed during periods of severe droughts in 2011 and early 2012, but the overall extent is limited (Horwood, 2015).

2.2. Eritrea

The State of Eritrea is a country in the Horn of Africa, bordering Djibouti in the south-east, Ethiopia in the south and Sudan in the west, while the eastern side is a Red Sea coastline (CIA, 2016b). The country has an estimated population of around 5.23 million (UN DESA, 2015) and is one of the poorest countries in the world. Its Human Development Index was the third lowest globally in 2014 (0.391) (UNDP, 2015). Eritrea is a closed society and a highly securitized state ruled by an authoritarian government (CIA, 2016b). Official movement out of Eritrea is restricted; especially for people less than 50 years of age and movements both within and outside of the country are strictly

controlled. Exit visas are extremely difficult to obtain and therefore irregular migration is the only option for both forced and economic migrants. Those that get caught attempting to leave the country without the proper documents face imprisonment and if detected in areas close to the border may even be shot. Repatriated Eritrean refugees and asylum seekers face detention and as a reaction UNHCR has stopped returns to Eritrea in 2008/09 and encourages country governments to follow their lead (RMMS, 2016b). However, the harsh treatment of citizens has not been successful in limiting outmigration of Eritreans.

Eritrea is mainly a country of origin of mixed migration in the region, with people leaving the country both for political and for economic reasons. One of the main drivers of migration is the obligatory national service, which all Eritreans between the ages of 18 and 40 must perform for a total of 18 months, including 6 months of military training and 12 months of service in a government-run work unit, which includes the Eritrean Defence Forces. This 18 months limit is, however, often not enforced and the service lasts much longer in practice. Individuals between the ages of 40 and 50 are considered to be on reserve status, if they previously had performed active duty service. Students in their last year of high school have to attend the Sawa military and educational camp in order to graduate. It is assumed that not all of these students have reached the age of 18 yet. Conditions at the camp are reportedly bad and abuse of both males and females as well as sexual abuse and rape of females appear to occur. As a consequence, irregular migration of Eritreans is dominated by young men, who are more affected by the service requirements (US Department of State, 2015). The human rights situation in Eritrea has been under investigation by the UN and while the Special Rapporteur has been denied entry, in a 2015 report the exodus of Eritreans was associated with extrajudicial executions, torture and forced military conscription (UN General Assembly 2015).

These prolonged national service obligations, political oppression as well as poor economic conditions are therefore described as the main drivers for migration particularly of young Eritreans, including unaccompanied minors. The outmigration of Eritreans started with the struggle for independence from Ethiopia in the 1960s. Refugees from Eritrea in Sudan currently represent one of the most protracted refugee situations in Africa. Significant numbers of Eritreans still enter both Ethiopia and Sudan, with estimates indicating around 2,000 new arrivals per month in early 2014 and up to 5,000 since the fall of 2014 (UNHCR, 2014). Actual numbers are likely to be even higher as not all Eritreans register (RMMS, 2016b). UNHCR reported a significant increase in inflows into both Ethiopia and Sudan in late 2014, with more than 80 per cent of these new arrivals being between 18 and 24 years old. The magnitude of these flows is shown by the fact that in the first week of November 2014 alone more than 1,200 Eritreans were registered just in Ethiopia (UNHCR, 2014). One factor explaining this sharp increase could be new military conscription drives in Eritrea that reportedly took place during 2014 (Horwood, 2015).

Eritreans often claim asylum in their first country of flight as they are almost certain to receive refugee status. Globally 383,869 Eritrean refugees and 60,157 asylum seekers were registered by UNHCR in June 2015 (UNHCR, 2016b), with the majority in Ethiopia and Sudan (216,000 in April 2015). The share of Eritreans that have practiced secondary movement since registration is, however, not known. It is estimated that significant and increasing shares of the refugees move onward to third countries from the refugee camps due to poor conditions and a lack of future perspectives. While these onward journeys, mainly through Egypt or Libya to Europe, are associated with high risks, many are willing to take on these dangerous routes (RMMS, 2016b). And the Eritreans that do make it to European countries have high chances of receiving refugee status there. Their recognition rate (89 per cent in 2014) is among the highest out of all countries (Eurostat,

2016). The majority of these asylum seekers were Christians, indicating the vulnerable situation they face in Eritrea (Human Rights Watch, 2014).

Eritreans have been able to receive ID cards or passports from the Eritrean embassy in Khartoum for inflated fees or bribes, which they are then able to present when they arrive in Europe. While they often leave Eritrea illegally, they are not required to present an exit visa at the embassy (Immigration and Refugee Board of Canada, 2013; US Department of State, 2015). This is interesting due to the otherwise restrictive actions surrounding movement of Eritreans by authorities (RMMS, 2014).

In the past, Israel was also a very significant destination country for Eritrean migrants. The number of Eritreans crossing the border from Sinai to Israel increased significantly from 1,348 in 2006 to 17,175 in 2011 (Humphris, 2013). However, this changed in early 2014 due to stricter immigration controls by the Israeli government, the building of a guarded fence and general refusal to consider asylum claims from Africa. As a consequence the flows decreased to or close to zero (Horwood, 2015). This will be further discusses below in section 3.1 on the northern route.

Eritrea is foremost a country of origin of mixed migration, but a short look at other migration flows should also be taken into account. Eritrea does not have laws governing the protection of asylum seekers or refugees, but in practice does host a small refugee population of 2,944 in June 2015 (UNCHR, 2016b). The size of this population has been more or less stable since 2007. The vast majority of about 96 per cent of these refugees are Somalis, with only a few Sudanese, South Sudanese and Ethiopians also in the country. These groups are not recognized as refugees by the Eritreans state, but are under UNHCR protection. They are mainly settled in urban and semi-urban areas. The Somalis in contrast were given refugee status on a prima facie basis in the early 1990s and reside in the UmKulu refugee camp in the northern Red Sea Region close to the port city of Massawa. Due to the political and economic situation as well as its location, there is no other immigration to Eritrea besides this small group and the country is also not used for transit (RMMS, 2016b).

There are no reports of detention of migrants in Eritrea, but there has been no independent monitoring of this. International and national observers are not permitted to visit prisons or detention centres. There is, however, information on Eritrean nationals that attempt to leave the country or are returned back and then do face detention. Those Eritreans that are caught on their way to Sudan may be imprisoned for three years, while those arrested fleeing to Ethiopia face the death penalty (van Reisen, Estefanos and Rijken, 2013).

Information about internal displacement is limited. According to the government, all internally displaced persons (IDPs) that were in camps had been resettled or returned by March 2008. The Internal Displacement Monitoring Centre (IDMC), on the other hand, estimates based on UN reports that there may still be around 10,000 IDPs today. Nothing is known about their situation or that of the resettled and returned IDPs (IDMC, 2016a).

2.3. Ethiopia

The Federal Republic of Ethiopia is a country in the Horn of Africa, bordering Eritrea to the north and north-east, Djibouti and Somalia to the east, Sudan and South Sudan to the west and Kenya to the south. Ethiopia has a population of close to 100 million, which makes it the second-most populated African country after Nigeria (CIA, 2016c). Like all countries in the region, Ethiopia has a low Human Development Index (2014: 0.4442; ranking at 174/ 188 countries) (UNDP, 2015). The country faces

structural food deficits and has a high incidence of poverty with 39 per cent of the population living below the poverty line. Unemployment rates are also relatively high with around 18 per cent (CIA, 2016c). These conditions and a lack of livelihood opportunities are the main drivers of Ethiopian migration, followed by insecurity especially for ethnic Oromos, who face or claim to face political oppression and persecution (RMMS, 2016c). In addition, the International Labour Organization (ILO) has also identified that in many communities a "culture of migration" has developed, where children are expected to go abroad in order to provide income for their families in Ethiopia through remittances (ILO, 2011).

As in the region in general, migration flows in Ethiopia are diverse. The country can be characterized as a country of origin and of destination and to some extent also as a transit country. As of 2014 Ethiopia is host to the largest refugee population in the region as it hosts more refugees than Kenya since the onset of the conflict in South Sudan in December 2013 (UNHCR, 2014a). The refugees mainly come from neighbouring countries South Sudan, Somalia and Eritrea. In 2014 alone, there was an influx of about 200,000 South Sudanese refugees. In June 2015, there were a total of 702,467 refugees and 2,871 asylum seekers registered with UNHCR in Ethiopia. The refugees are mostly accommodated in 23 camps that are spread throughout the country and are under protection of the police. Due to its geographical location, it is assumed that Ethiopia will continue to receive asylum seekers from neighbouring countries in the future. The Ethiopian Government will keep up an open-door-policy and provide protection to those seeking refuge in the country (UNHCR, 2016c).

Migrant flows through Ethiopia include Eritreans, Sudanese and Somalis. They have been found to be on the southern route to Kenya and beyond to South Africa as well as on the western route through Sudan to Libya and onward to Europe from there if they do not stay in one of the refugee camps in either of the two countries. The size of these migration flows is, however, not known (RMMS, 2016c).

Ethiopia is also a key country of origin for both regular and irregular migration. In fact Ethiopians are the majority of migrants on the move both within and out of the region (RMMS, 2014a). Ethiopians are mainly perceived as being economic migrants as they face difficulties with claiming asylum in other countries in the region (Horwood, 2015). Main drivers of migration include, but are not limited to:

- The socio-economic situation and a lack of opportunities in the country. Specific factors found in different studies relate to population density, inflation and reported high levels of taxation.
- The "culture of migration" as mentioned above.
- Political insecurity and oppression as "the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) is reported to have remained repressive since the 2005 elections, with critics or 'banned organisations' of the regime facing arrest, detention, and even killing by members of the regime's security apparatus"(RMMS, 2014b: 25).
- Feared political persecution particularly by members of the Oromo Liberation Front that feel they are under threat of persecution by the national government in the Oromo region of the country.
- Tribal tensions resulting in the persecution of Ethiopians of Somali descent and localised conflicts particularly in the Ogaden region.
- Pressures to join the military in the context of the intervention in Somalia.
- Environmental factors and change such as droughts and soil degradation, particularly in the Amhara and Tigray regions (Altai Consulting & UNHCR, 2013; Amnesty International, 2013; Horwood, 2015; Human Rights Watch, 2013; ILO, 2011; RMMS, 2014a; RMMS, 2014b).

Globally there were 88,149 Ethiopian refugees registered in June 2015. Main countries of destination are others in the region, mainly Kenya, South Sudan, Sudan and Yemen. The number of Ethiopians seeking asylum in Europe or North America is limited (UNHCR, 2016e).

The Ethiopian state encourages labour migration, for example through labour exchange agreements with Gulf States and especially Saudi Arabia, where flows are one directional only (RMMS, 2016c). Labour migration from Ethiopia to the Arabian Peninsula and Middle East started in the 1980s and has increased in volume significantly in recent years. Private Employment Agencies facilitated the migration of more than 160,000 Ethiopian domestic workers in the first half of 2012 alone, which was more than 10 times the number of the same flow in the previous year (RMMS, 2013a). Migrants on this route have been found to be particularly vulnerable to trafficking and abuse (ILO, 2011) – an issue which will be discussed in more detail in section 4.3 below.

Irregular emigration from Ethiopia is dominated by young adults between the ages of 18 and 25. While official statistics show a feminization of Ethiopian migration (Kuschminder & Siegel, 2014), irregular migration flows seem to be dominated by males. Females, on the other hand, have more opportunities for legal labour migration to the Middle East (RMMS, 2014a). Other characteristics of migrants appear to differ according to the destinations that they choose. It was for example found that migrants generally tended to be more educated than non-migrants (Kuschminder & Siegel, 2014), but this does not hold for those migrating on the eastern route. Muslims also seem to be more likely to travel east, while Christians are more commonly found on the other routes (RMMS, 2014a). In terms of ethnic groups, Oromos seems to be the largest group among Ethiopian migrants, particularly in Yemen (Colburn Consulting International, 2014; RMMS, 2014). Ethiopian migrants largely come from Jimma, Arsi, Bale, Eastern Haraghe of Oromia, Mekele and Raya Azebo of Tigray, Amhara-Oromia and Northern Wollo of Amhara as well as Dire Dawa (RMMS, 2015a).

The most significant irregular movement is that of Ethiopians to Yemen and beyond to Saudi Arabia and other Gulf States or even further into the Middle East, Turkey or Europe. Ethiopians usually do not register with the government or UNHCR in Yemen as their chances of being given refugee status are low and most want to move, often using the service of smugglers. However, there are also Ethiopians that stay and work in Yemen. Most of these work on khat plantations or as herders in rural areas of the country, while small populations of Ethiopians can also be found in specific areas of large cities such as Sana'a, Aden and Ta'iz (RMMS 2016c).

Estimates show that between 2006 until the end of 2014 a minimum of 410,000 Ethiopians arrived in Yemen (Horwood, 2015). The numbers were on the rise steadily between 2009 and 2012. In 2012 alone around 84,000 Ethiopians were recorded to have arrived in Yemen (RMMS, 2016c). In contrast, the numbers of arrivals in 2013 decreased significantly to just around 48,500, with a particularly sharp decrease in the last months of the year. The implementation of stricter immigration controls in Saudi Arabia is one explanation for this trend as the intended destination of many Ethiopians was the Gulf state. Undocumented workers in Saudi Arabia had a period of seven months between April and November 2013 during which they could regularize their stay or they faced deportation (RMMS, 2016c). Between November 2013 and February 2014 more than 160,000 irregular migrants were deported via plane to Addis Ababa from Saudi Arabia (Horwood, 2015). The majority of these returned migrants were males (over 60 per cent), while a quarter were female and around 10 per cent were children, including unaccompanied minors. The vast majority of the returnees (85 per cent) were in need of assistance when they arrived in Addis Ababa, but the usual procedure was that they would either spend one night at a transit facility or be driven to a bus stop immediately to travel to their home area from there. However, many of these returnees may in fact require psycho-social and livelihood support long after their return (RMMS, 2016c).

Data on Ethiopians moving via the northern and western route through Sudan or through the southern route through Kenya is not available. It is, however, estimated that many thousands take these routes also each year (RMMS, 2016c). The Ministry of Foreign Affairs of Ethiopia estimated in 2010 that annually between 75,000 and 100,000 Ethiopians migrate to Libya, aiming to cross the Mediterranean from there (ILO, 2011). In 2013, a study by Altai Consulting & UNHCR found that 50 to 100 Ethiopians cross the border into Sudan on an average day, which would lead to an annual flow between 18,000 and 37,000. The migrants' journey to Khartoum from Addis Ababa usually takes between three and six days and is undertaken largely with the help of smugglers (for more see on smuggling see section 4.2) (Altai Consulting & UNHCR, 2013; RMMS, 2014b).

Earlier research by ICMPD (2008) showed that a significant route for Ethiopians was to first move north to Cairo and then on to Europe from Alexandria or west from there to Libya. It is not clear how utilized this route is nowadays, but there are reports by IOM and UNHCR that increasingly Ethiopians are held by Egyptian authorities indicating that they still take this route (Horwood, 2015).

Ethiopians on the southern route mainly have South Africa as their intended destination, where until recently they had higher chances to receive asylum seeker status. Populations of Ethiopian refugees, asylum seekers and irregular migrants can also be found in Kenya, but as large shares are not registered numbers are not clear (RMMS, 2014b).

Internal displacement in Ethiopia is not well documented, though many people are in protracted displacement situations due to inter-communal and cross-border violence. As of July 2015, the IDMC estimated that there were 413,400 IDPs in the country (IDMC, 2016b).

2.4.   Kenya

The Republic of Kenya is a country in East Africa and a founding member of the East African Community. The country borders Ethiopia in the north, Somalia in the north-east, the Indian Ocean in the south-east, Tanzania in the south and Uganda in the west. The country has an estimated population of close to 46 million (CIA, 2016d). While Kenya can be considered to be the most developed of the countries under consideration in this report, it still had a low Human Development Index of 0.548 in 2014, which places it at rank 145 out of 188 countries (UNDP, 2015). Unemployment is significantly high with an estimated rate of 40 per cent in 2013 as is the poverty rate of 43 per cent (CIA, 2016d).

When looking at migratory movements, Kenya is a central hub for irregular migrants in the East Africa region. It is both a country of destination and transit for asylum seekers, refugees and economic migrants from neighbouring countries such as Ethiopia, Somalia and South Sudan and from other countries such as Eritrea, Sudan, the Democratic Republic of Congo and Rwanda. Compared to its neighbours, Kenya is relatively well developed and stable. In addition, its geographic location, good infrastructure – both for plane and road travel – as well as the already established migrant communities and extensive smuggling networks are characteristics making Kenya an important irregular migration hub in the region (Horwood, 2015).

The border with Somalia has a length of about 700 km and is as such especially difficult to control, making it relatively easy for asylum seekers and irregular migrants to come into Kenya. Migrants stay in the two main urban centres Mombasa and Nairobi as well as in other cities or refugee camps. The duration of stay varies largely and short, medium and long term have been observed. This largely depends on whether Kenya is the final destination or a transit point on the journey (Horwood, 2015).

Kenya is host to a large refugee population, mainly coming from Somalia, Ethiopia and South Sudan. Refugee flows from the neighbouring countries started in the early 1990s, when there was conflict and/ or incidences of extreme droughts and famine. Most of these refugees received their status on a prima facie basis due to the severity of problems during those times (Horwood, 2015). Currently, Somalis, except those form Puntland and Somaliland, and South Sudanese are eligible for prima facie refugee status (RMMS, 2016d).

As of June 2015, 552,272 refugees and 40,341 asylum seekers were registered in Kenya by UNHCR. Looking at countries of origin of these refugees and asylum seekers, Somalis are the vast majority with around 70 per cent, but there are also South Sudanese (around 20 per cent), Ethiopians (around 4 per cent) and others such as the Democratic Republic of Congo, Sudan, Burundi, Uganda, Eritrea and Rwanda (around 6 per cent) (UNHCR, 2016d). Refugees and asylum seekers in Kenya are officially required by national regulations to stay in refugee camps if they want to access assistance. In practice, settlements of refugees and asylum seekers in Nairobi (57,420 in mid-2015) and other cities have also occurred and are generally accepted (DAI Europe & EuroTrends, 2015).

The two main refugee camps in Kenya are Dadaab in the east of the country and Kakuma in the north-west (Horwood, 2015). Dadaab is the largest refugee camp in the world and hosts close to 60 per cent of the refugees currently in Kenya. The camp was established in the early 1990s in response to the large inflow of Somalis at the time. Back then it was supposed to have a capacity for 90,000 people, while as of March 2016 it hosts 345,491 (DAI Europe & EuroTrends, 2015; UNHCR, 2016j). Kakuma was established around the same time and is significantly smaller. It was hosting 181,685 refugees as of August 2015, which equals around 30 per cent of the refugees in Kenya (UNHCR, 2015c). The situation in these camps is difficult due to over-crowding caused by the encampment policy and most of the refugees' situations can be classified as protracted. These refugees are therefore likely to stay in camps for long periods of time without access to higher education, employment or travel (Horwood, 2015).

In more recent years, there are also high numbers of economic migrants among those coming to Kenya. This has been explained by migrants growing aspirations for a better life for themselves as well as the existing migration industry in Kenya consisting of smuggling and trafficking networks and corrupt public officials that facilitate these inflows (RMMS, 2016d). There are also labour migrants from countries like India, Bangladesh and Pakistan in Kenya. They usually arrive without proper documentation, but are often able to obtain fake or real ones by paying bribes as well as avoid arrest by paying off immigration and police officers (Horwood, 2015).

Kenya is also a main transit hub for migrants from the East and Horn of Africa, mainly on the way to South Africa. The majority of transit migrants are Eritreans, Ethiopians and Somalis, pushed out of their origin countries by the factors described in the respective section of this report. The length of time they spend in Kenya depends on their resources or need to acquire them for onward travel and how fast they can make connections to smugglers to facilitate their onward journey (RMMS, 2016d).

In terms of emigration, Kenya shows significantly different characteristics compared to the other countries in the East and Horn of Africa. Kenyans are rarely found among the flows of irregular migrants in or out of the region. Instead Kenyans travel with documents and visas, which they may then fail to renew or overstay and become irregular as a consequence. But initial movements are usually not considered irregular and as such Kenyans seldom use smugglers for their migration journey. There is no indication of the number of Kenyans living and working abroad irregularly (Horwood, 2015).

The majority of Kenyan emigration is legal and largely characterized by the migration of skilled Kenyans mainly for educational or work purposes. Main countries of destination on the African continent are Tanzania, Uganda, South Africa, Lesotho, Botswana and Nigeria. In addition, significant numbers of Kenyans have migrated to the United Kingdom, the United States, Canada, Australia and European countries (RMMS, 2016d).

The Gulf States and the Middle East are key destination regions for low-skilled Kenyan labour migrants. While exact numbers on the extent of these flows are lacking, estimates indicate that there were around 100,000 Kenyans working in the Gulf States in November 2014 (RMMS, 2016d). Other estimates indicate that there are 40,000 Kenyan workers in Saudi Arabia alone, with the majority being regular (Horwood, 2015).

Information on internal displacement in Kenya is limited. The IDMC estimates that there were 309,200 IDPs as of April 2015. Causes of internal displacement in Kenya include ethnic, political and land-related violence as well as disasters and development projects. Not much is known about the situation and protection needs of Kenyan IDPs (IDMC, 2016c).

2.5. Somalia

The Federal Republic of Somalia is a country located in the Horn of Africa. It borders the Gulf of Aden in the north, the Indian Ocean in the east, Kenya in the south-west, Ethiopia in the west and Djibouti in the north-west. The country has a population of more than 10.6 million (CIA, 2016e). The country has experienced excessive amounts of political instability during the past decades and especially since the collapse of the regime in 1991. Somaliland was declared independent that same year by local clans. While the independence is not recognized by any state, Somaliland has had a stable existence since and aims to establish itself as a constitutional democracy. In addition, there is the semi-autonomous region of Puntland, which is a self-governing entity since 1998 and the strongest state in the federation, but does not strive for independence. Somalia has not had a stable government for years and many of the states of the country continue to be under self-rule with control held by local leaders, increasing its instability. In addition, the insurgent group al-Shabaab, which has been associated with Al-Qaeda, has been furthering the destabilization since it gained significant power in 2009. A Federal Government was established in 2012, but the nation remains fragile (CIA, 2016e; DAI Europe & EuroTrends, 2015). Due to the instable situation, data on living conditions and labour markets are not readily available. It is, however, clear that in particular in South Central Somalia conditions are dire. UNDP estimates that overall 73 per cent of the population live below the poverty line. In addition, youth unemployment is extremely high with 67 per cent (UNDP, 2016).

Somalia is a country of origin, transit and destination for mixed migration flows in and out of the East and Horn of Africa region. Main factors that push migrants to leave the country are poverty, insecurity and natural disasters. Recent main events have been the terrorist attacks by al-Shabaab and the Kenyan military operations in South Central Somalia as well as the Horn of Africa famine of 2011. The majority of migrants come from South Central Somalia as can be seen, for example, when looking at the inflows in Yemen in November 2011, where 95 per cent of the registered Somalis came from this region. Migrants from Puntland and Somaliland are found rarely among Somali migrants encountered in Yemen. Young, unemployed youth from Puntland and Somaliland are found among migration flows in the Middle East and Europe, but still to a much lesser extent than South Central Somalis (RMMS, 2016e,f,g).

There were 1.1 million refugees and 49,990 asylum seekers from Somalia registered by UNHCR globally as of June 2015 (UNHCR, 2016f). The majority of them remain in the Horn and East of Africa, primarily Ethiopia and Kenya. Economic migrants are also increasingly found among the mixed migration flows from Somalia. It has been observed that there is social pressure on young Somalis to migrate for the purpose of sending remittances home to support their family and in some cases even whole communities. There have been documented cases where migrants were chosen collectively and then funds were accumulated to enable their migration journey (DAI Europe & EuroTrends, 2015).

Common ways out of Somalia are to move south to Kenya, west with Europe as destination or east to Yemen and beyond. The third option may have become less popular since 2015 due to the conflict in Yemen as further described in section 3.2. Previously, however, this was a main route that was used by close to 70,000 Somalis between 2010 and 2012 (RMMS, 2016f). The western route is becoming increasingly popular and more Somalis have been seen in Libya since 2013 than prior. The southern route leads some only as far as Kenya, while others move on from there to South Africa as described in section 3.3. Smuggling is common on all of these routes, but not all can afford this and have to make the trip on foot, which can be dangerous (RMMS, 2016e,f,g).

Recently there has been an increase in return migration of Somalis to their home country, both from the East and Horn of Africa as well as Yemen and the Arabian Peninsula. In November 2013, Kenya, Somalia and UNHCR concluded the *Tripartite Agreement Governing the Voluntary Repatriation of Somali Refugees Living in Kenya*. Up until July 2015, 3,634 Somalis have been returned under this agreement and the aim is to have a total of 135,000 returnees by the end of 2017 (UNHCR, 2015b). In addition, UNHCR estimated that around 20,000 Somalis would return spontaneously from Kenya in 2015 largely to South Central regions of the country. Returns were also expected from Djibouti, but those were more likely to return to Somaliland. There have also been thousands of returns from Yemen back to Bossasso driven by the outbreak of conflict there in March 2015 (DAI Europe & EuroTrends, 2015; RMMS, 2016e). In total, 31,761 individuals have fled from Yemen to Somali since the onset of the conflict, with the majority of 87 per cent being Somalis and Yemenis accounting for 12 per cent (UNHCR, 2016i). Returns to Somalia are problematic as the Regional Durable Solutions Secretariat (ReDSS) finds that the infrastructure and livelihood opportunities in Somalia are not sufficient to lead to sustainable reintegration of returnees (ReDSS, 2015).

Somalia was hosting 3,582 refugees and 9,320 asylum seekers registered by UNHCR as of June 2015 (UNHCR, 2016f). These numbers are likely to have increased since due to the conflict in Yemen. Prior Ethiopians were the majority of forced migrants in Somalia and living mainly in Somaliland and Puntland (DAI Europe & EuroTrends, 2015), while there is no refugee population in South Central Somalia (RMMS, 2016f). Recent estimates by the Embassy of Yemen in Mogadishu indicate that there may currently be as many as 24,000 Yemenis in Somalia (DAI Europe & EuroTrends, 2015).

Somalia is also a transit country, in particular on the eastern route to Yemen and beyond. While the migration flows on this route have significantly decreased since the onset of the crisis in Yemen, the port of Bossasso is a main departure point in the Horn of Africa region on that route that is mostly used by Ethiopians and Somalis (RMMS, 2016e). The urban centres of Mogadishu, Beledweyne and Galkayo in South Somalia are the main departure and transit points for migrants on the way north to Puntland, Somaliland and Djibouti (RMMS, 2016f).

Instability and environmental disasters have also caused internal displacement of 1.13 million Somalis as of June 2015 (UNHCR, 2016f). The majority of IDPs are from the South Central region, where about 25 per cent of the total population are displaced (RMMS, 2016f).

2.6. South Sudan

The Republic of South Sudan is a country in East-Central Africa, bordering Sudan to the north, Ethiopia to the east, Kenya to the south-east, Uganda to the south, the Democratic Republic of Congo (DRC) to the south-west and the Central African Republic to the west (CIA, 2016f). South Sudan is the youngest country in the world and only gained independence from Sudan in July 2011. The young nation faces a big challenge as the decades of liberation war and instability have led to serious socio-economic challenges and a complete absence of basic infrastructure and social services (DAI Europe & EuroTrends, 2015). South Sudan has a population of a bit over 12 million (CIA, 2016f) and has a low Human Development Index (2014: 0.467; ranking at 169/ 188 countries) (UNDP, 2015). In terms of (regional) migration, South Sudan is a country of origin, transit and destination for mixed migration flows.

Since the signing of a Comprehensive Peace Agreement in 2005 and increasingly after independence, large numbers of South Sudanese returned from Sudan and other countries in Africa. After independence in 2011 more than 500,000 South Sudanese returned to the country (DAI Europe & EuroTrends, 2015). However, with the outbreak of civil war in December of 2013, displacement of South Sudanese became a major issue again and pushed large numbers to seek asylum in neighbouring countries such as Kenya, Ethiopia, Sudan and Uganda. In total, there were 744,102 South Sudanese refugees and 3,885 asylum seekers registered by UNHCR globally in June 2015. In addition, there were more than 1.6 million IDPs. About 13 per cent of these IDPs were sheltered in six protection of civilian (PoC) sites by the UN Mission in South Sudan (UNMISS) as of November 2015 (IOM, 2015d; UNHCR, 2016g)

South Sudan also hosts a significant population of 265,887 refugees and 632 asylum seekers. Major countries of origin are the Central African Republic, the Democratic Republic of Congo, Ethiopia and Sudan. The largest share of around 220,000 individuals are Sudanese refugees from the Blue Nile and South Kordofan regions (UNHCR, 2016g). The civil war in South Sudan has also largely affected these refugee populations, along with South Sudanese IDPs. While refugees from the Central African Republic, the Democratic Republic of Congo and Ethiopia are largely located in the central, eastern and western Equatoria states, which have not seen as much impact of the war, the Sudanese refugees and IDPs are largely settled in the Unity and Upper Nile states, which are key war areas. Humanitarian actors are somewhat limited in assisting these populations due to the security situation, but also due to heavy rainfalls. Refugee camps in the north and north-east of the country are facing significant challenges due to these developments, most importantly an erosion of law and order in both the camps, but also the communities surrounding them. Resources are limited and as such conflicts have arisen over them between the different groups. This is an issue that is crucial to address through being more sensitive not only to the needs of the refugees, but also the hosting communities in order to stabilize the security situation and avoid secondary replacement of refugees (UNHCR, 2016g).

There are also an estimated 35,000 protracted refugees in South Sudan. Enabling their self-sufficiency is a challenge, however, due to limitations in terms of land ownership in South Sudan and to it being a highly politicised topic. This limits the opportunities for resettlement of refugees within the country (DAI Europe & EuroTrends, 2015)

South Sudan is also a destination country for irregular labour migrants. A lack of efficient border management, including corrupt border officials, in combination with a perception held by many migrants that there is an abundance of employment opportunities in South Sudan, has led to an

increase in such immigration. The South Sudanese Department of Nationality, Passports and Immigration has previously estimated that there are tens of thousands of irregular workers in the country, largely in Juba where they operate small, informal businesses. They mainly come from the Democratic Republic of Congo, Eritrea, Ethiopia, Kenya, Somalia and Uganda. Kenyans and Ugandans stay more permanently with the aim of sending remittances back to the home country. Migrants from neighbouring countries, mainly Eritrea, Ethiopia and Somalia, are more likely to use South Sudan as a transit country on their way to Sudan and further on the northern route as well as on the western route. They often stay in Juba for some time in order to accumulate enough money for the onward journey (DAI Europe & EuroTrends, 2015).

2.7. Sudan

The Republic of Sudan is a country in North-East Africa, which borders Egypt in the north, Eritrea, Ethiopia and the Red Sea in the east, South Sudan in the south, the Central African Republic in the south-west, Chad in the west and Libya in the north-west. It has a population of 36.1 million (CIA, 2016g) and a Human Development Index of 0.479 in 2014, which ranks the country at place 167 out of 188 (UNDP, 2015). Traditionally, Sudan is a key hub on trade and pilgrimage routes in the East Africa region as well as from and to West Africa (DAI Europe & EuroTrends, 2015).

In terms of migration, Sudan is mainly a country of destination and transit for migrants and to a lesser extent a country of origin. In fact, in recent years the country is increasingly becoming a central hub on the western and northern routes. Hundreds of migrants move through Sudan annually and few decide to settle in the country for longer periods. These flows consist of asylum seekers, refugees and economic migrants. A large percentage is made up of young Eritreans speaking Tigrinya, but there are also other nationalities represented in the flows such as Ethiopians, Somalis, South Sudanese and Sudanese (DAI Europe & EuroTrends, 2015).

Sudan has been hosting refugees for more than 40 years and from different waves, while only some have left. There are currently an estimated 74,000 protracted refugees in Eastern Sudan. Close to 60 per cent of these were born in Sudan with the majority of refugees coming from Ethiopia and Eritrea (UNDP & UNHCR, 2013).

As of June 2015, there were 356,191 refugees and 11,448 asylum seekers registered in Sudan by UNHCR (UNHCR, 2016h). In December 2015, it was reported that there were 125,530 refugees from Eritrea alone in the country (UNHCR, 2015a). In addition, there were at least 100,000 South Sudanese refugees that sought refuge in Sudan after the outbreak of civil war in December 2013 until the middle of October 2014 and the numbers were expected to increase further due to the security situation in South Sudan (UNHCR, 2016h). And even before the war there were already 300,000 to 350,000 South Sudanese individuals in the country. There are no formal camps set up for South Sudanese and they are therefore able to move freely within the country. Many are found in Khartoum and other urban centres (DAI Europe & EuroTrends, 2015). In 2014, an assessment of needs of about 32,000 urban refugees was conducted by UNHCR and the Commissioner of Refugees (COR), which will guide actions regarding their access to livelihoods, education and health services (UNHCR, 2016h).

It is estimated that around one quarter of Khartoum's inhabitants have an immigration background. The majority of those are Eritreans, where some are long-term residents and others transit through the major migration hub. There is also a long established Ethiopian diaspora in Khartoum which is able to move freely in Sudan (DAI Europe & EuroTrends, 2015). Ethiopians are allowed to work if

they obtain a work permit. However, the overall number of work permits issued to foreigners in Sudan is reportedly very low. In 2011, for example, only 2,000 were issued (IOM, 2011b). Individuals from both groups have been reported to be subjected to forced labour in domestic work, as guards or gardeners in Khartoum (US Department of State, 2015). More on trafficking and exploitation in Sudan will be provided in section 4.3 below.

Looking at transit migration, it is evident that the increasing numbers of Eritreans leaving their country of origin in 2014 have also led to a significant increase in the number of Eritreans entering Sudan. While there were on average 600 Eritreans entering on a monthly basis in 2013, the number more than doubled to 1,350 in 2015 (UNHCR, 2015a). When they arrive at the border, asylum seekers are screened and registered in the UNHCR database by the National Intelligence and Security Service (NISS) and the Commission for Refugees (COR). They are then taken to one of the refugee camps. Once they arrive in the camps, Eritreans have to go through a refugee status determination process (RSD) in Sudan, which can take up to three months, usually with a positive outcome. In 2015, 98 per cent were granted refugee status and received an ID card accordingly. Refugees are expected to stay in the camps and are not allowed to move within Sudan. However, large shares of the registered Eritreans disappear even before their RSD status is completed or within six months of their registration. Due to reported abductions from refugee camps in eastern Sudan (see section 4.3 for more on this), there has also been an increasing trend of Eritreans not registering at any camp in Sudan. Instead they move directly to Khartoum. Estimates by the COR indicate that by now about two thirds of the Eritreans that enter the country do not register (RMMS, 2014b). As a consequence, UNHCR is pushing to enable registration also in Khartoum, but the government currently only offers this possibility to Syrian refugees (DAI Europe & EuroTrends, 2015). Ethiopians on the other hand are not eligible for refugee status in Sudan. Nonetheless, an estimated 50 to 100 Ethiopians enter Sudan on a daily basis, which means between 18,000 and 37,000 new arrivals annually (Altai Consulting & UNHCR, 2013).

In terms of Sudanese migration out of the country, the numbers are limited. There is labour migration to countries such as Saudi Arabia, Libya and Egypt, but also to the United Kingdom and United States (DAI Europe & EuroTrends, 2015). In 2013, for example, there were 429,225 Sudanese labour migrants in Saudi Arabia, the United Arab Emirates and Kuwait (UN DESA & UNICEF, 2014). In terms of forced migration, there were 640,919 refugees and 40,109 asylum seekers registered globally as of June 2015 (UNHCR, 2016h).

Internal Displacement, on the other hand, is a significant issue in Sudan. As of June 2015 there were more than 2.3 million IDPs registered by UNHCR and more than 400,000 of those were registered for the first time between January and August of 2014 due to the conflict around Darfur (UNHCR, 2016h). They mainly come from Darfur, South Kordofan and Blue Nile (IOM, 2011b). According to United Nation statistics there are 940,000 IDPs in government controlled sections in the South Kordofan and Blue Nile states and 800,000 in areas controlled by the Sudan People's Liberation Movement-North (US State Department, 2015).

2.8. Common Migration Routes within the Region

It is important to note that generally routes as well as intended destinations of asylum seekers, refugees and other migrants are flexible and adjust frequently throughout the journey depending on individual experiences and/or additional information. Many only want to make it to a safe place, which is usually a neighbouring country, while others leave the country of origin with the aim of

making it to Europe, the Gulf States, South Africa or elsewhere. The destination also largely depends on the resources migrants have at their disposal.

This section of the report considers the initial movements out of the country of origin into other countries in the region as well as movements through countries in the region. It focuses on those border crossings for which evidence was found, while there are likely to be also other cross border movements on which information is lacking at this stage. A visual presentation of these routes is provided in Figure 2, where the arrows represent the regional flows and the green dots major refugee camps in the region.

Figure 2: Common Regional Migration Routes
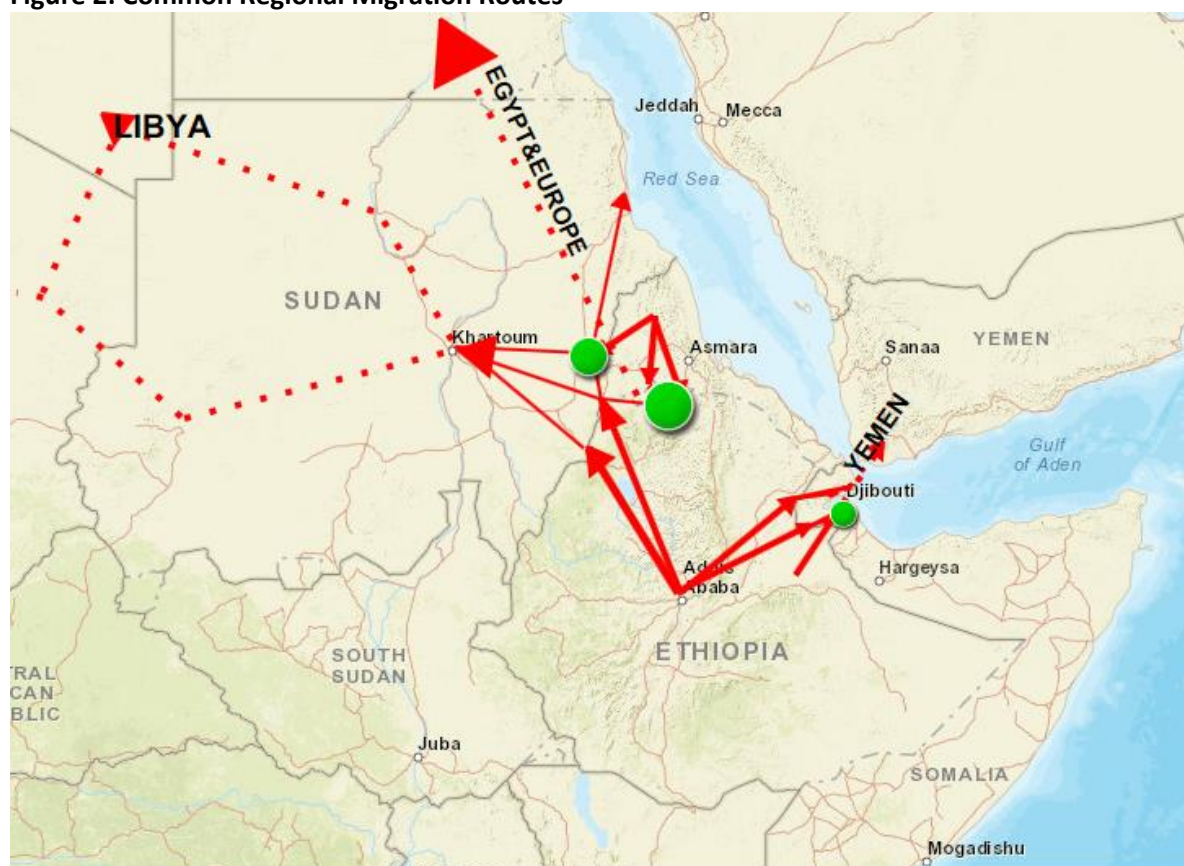
Eritrea to Ethiopia

One of the major routes for people leaving Eritrea is to cross the border to Ethiopia. Estimates show that in the last three months of 2014 alone about 5,000 Eritreans followed this route on a monthly basis. Due to the risks (being shot or detained by Eritrean border guards) associated with these border crossings, they most commonly take place in the dark and in rural areas away from main roads. Most migrants walk to Ethiopia either alone or in groups of up to eight people. On the Ethiopian side they often arrive in the areas close to Badme, Gerehu Srlay, Rama and Zalambessa and are found there by Ethiopian soldiers. They are then brought to the closest police station, from where they are sent to the main refugee registration centre in Endabaguna. They are then placed in one of the four refugee camps that exist in the Tigray region of Ethiopia. The journey from Eritrea to the refugee camp usually takes anywhere between two to six days (Mixed Migration Hub, 2015).

In research done by the Mixed Migration Hub (2015), the migrants usually expressed relief that they made it out of Eritrea, but then soon realized how difficult life is as a refugee in Ethiopia. The

hardship of living in refugee camps in combination with the risk they already took to get out of Eritrea in the first place, often led to the decision to migrate onward to Sudan and then Europe, which they know is a dangerous undertaking (Mixed Migration Hub, 2015).

Eritrea to Sudan

A second common route for Eritreans is directly into Sudan. The first places that Eritreans arrive in Sudan are usually either Kassala or El-Gedaref. Data is available only on those migrants that register with the UNHCR office in Shagarab as per regulation. The numbers show an inflow of Eritreans of up to 3,500 per month (RMMS, 2014c) and it is estimated that there are probably the same number that migrate into Sudan without registering. This is increasingly the case as incidents of abductions from the refugee camps have been reported and further Eritreans have been afraid to go there (RMMS, 2014c). The journey from Asmara or Massawa in Eritrea to Khartoum reportedly takes between three and six days and costs the migrants between USD 100 and 150 (Altai Consulting, 2013). Those that do register often also move on to Khartoum and beyond within a short period of time (Mixed Migration Hub, 2015).

The Eritrean border is well protected by Eritrean forces and, in addition, is dangerous due to land mines remaining from World War II as well as wild animals. Migrants crossing the border either come on their own or utilize the services of smugglers. Those migrants that are found by police or armed forces are brought to the UNHCR reception centre at Shagarab camp to be registered (Mixed Migration Hub, 2015). Others end up in the hands of traffickers, an issue of increasing concern in Sudan, which will be further discussed in section 4.3.

Ethiopia to Sudan

Two main border crossing points have been identified between Ethiopia and Sudan: Humera and Metemma, where the latter is more commonly known and used. Exact numbers are not available for either of the crossing points, but estimates are available for Metemma. The route is the most common one for migrants coming from Addis Ababa and other parts of the country (Mixed Migration Hub, 2015). Estimates by UNHCR indicate that between 18,000 and 36,000 Ethiopian migrants cross into Sudan at Metemma annually (UNHCR, 2013a). The route from Addis Ababa to Metemma appears to be relatively easy for Ethiopians as free movement is possible within the country. The bus ride takes about two days (Mixed Migration Hub, 2015).

Metemma itself is described by migrants as an uncomfortable place. It is very hot and migrants that were injured during their migration attempts are commonly seen. In addition, those migrants that are deported from Sudan are brought to Metemma and often cannot afford to travel back to Addis Ababa or their place of origin. Others are afraid to return, because they feel ashamed after a failed migration attempt. Many therefore try again (Mixed Migration Hub, 2015).

The route from Metemma into Sudan and onwards to Khartoum on the other hand is dangerous and migrants face long, difficult walks and also detention or deportation if they get caught by officials. Often police can be bribed to avoid this, however. Food and water are expensive along the way and this makes the walk even more dangerous. Migrants reported taking about 15 days to Khartoum in total (Mixed Migration Hub, 2015).

Border crossings at Humera are much less understood than those at Metemma. It is located only about five kilometres from the border to Sudan. Eritreans and Ethiopians both travel to Humera, but their means differ. Ethiopians are able to move freely within Ethiopia and can therefore easily travel

there for example using buses. Eritreans on the other hand would need travel permits and pass through several checkpoints if they were to travel on the same, main roads. They run the risk of being detained if officials find them outside of the permitted areas. As a consequence, Eritreans often travel by foot, off the beaten path, where access to food and water are often limited, making the journey a difficult and dangerous one (Mixed Migration Hub, 2015).

In research conducted by the Mixed Migration Hub, one migrant explained that the journey from Humera into Sudan took about four hours. It was done by foot and the migrants needed to cross the Tekeze River, which they did using rope and floating fuel containers. Usually this is done in groups to support each other. Once in Sudan a small town called Hamlayt is a transit point from where migrants then move on to Shagarab camp, Khartoum, Kassala or Port Sudan (Mixed Migration Hub, 2015).

Routes through Sudan

As described above, Sudan and especially Khartoum is a central hub for mixed migration flows. Different trans-Africa and Africa-Europe migration routes pass through Sudan (Thomas, 2012), making it a transit country also for significant number of migrants originating from the source countries located in the East and Horn of Africa. Nowadays it is especially a key transit point on the western route (see section 3.4).

For those asylum seekers and refugees that are placed in Shagarab camp in eastern Sudan, the first step on their journey is the route to Khartoum. They first have to undertake the dangerous crossing of the Atbara River, during which cases of drowning have reportedly occurred. If the river is crossed successfully, often with the support of locals, the way to Khartoum can then be undertaken on land. This is often facilitated by smugglers (Mixed Migration Hub, 2015).

While Khartoum is the final destination for some, most transit through the capital of Sudan staying for shorter or longer periods of time. Often migrants use this time to accumulate money for the onward journey (Mixed Migration Hub, 2015). Migrants stay in Khartoum between one and two years on average (Hamood, 2006). They are spread throughout the city, but are most frequently found in the Al Jereif, Al Daim and Al Haj Yousif areas. From Khartoum the journey often has the destination Libya and smugglers often enable the crossing of the desert (Mixed Migration Hub, 2015). Common departure points for migration to Libya are Souk Libya as well as Al Haj Yousif just outside of Khartoum (EC Report, 2015; Mixed Migration Hub, 2015). Smugglers actively approach and recruit migrants for the trip to Europe. The main targets are young migrants, including unaccompanied minors. Smugglers sometimes offer that the migrants will pay them later, which makes those migrants that accept particularly vulnerable to exploitation and trafficking (Mixed Migration Hub, 2015).

While routes adapt to political developments (Hamood, 2006), three main routes through Sudan in the direction of Libya have been identified: the first goes through Darfur, the second through Dongola in northern Sudan and the third via Chad (ICMPD, 2010). The most common route is the one through Dongola and Selima in the Northern State, which then crosses the desert to the border between Sudan and Libya at Kufra (Mixed Migration Hub, 2015; UNODC, 2010). From there the migrants need to make new arrangements for the onward journey through Libya. The trip from Khartoum takes between 4 and 10 days on average (RMMS, 2014c).

The route through Chad is used in order to avoid the border crossing between Libya and Sudan. The main departure point for Chad is Tine, located at the border between Darfur and Chad. From there

migrants go through the desert, ultimately also bringing them to Kufra or sometimes Al-Qatroun in Libya (RMMS, 2014c). However, due to the conflicts in Darfur, it is unclear how this route has been affected and how frequently used it is.

Migrants with Egypt as their temporary or final destination often stay in eastern Sudan and take the route through Halayeb. The area is a disputed border between Egypt and Sudan and the journey is therefore associated with risks. However, as will be discussed in section 3.1 the number of migrants traveling on this route has decreased significantly in recent years and as such the route across eastern Sudan has also lost significance (Mixed Migration Hub, 2015).

Ethiopia and Somalia to Djibouti

Ethiopian migrants most commonly come into Djibouti in the north at Galafi or in the south through Dikhil. Those that enter in the north then transit to Tadjoura and Obock, while the southern entry point mainly leads them to Ali Asabieh and Loyada (DAI Europe & EuroTrends, 2015).

Djibouti is most often crossed either by mini bus or on foot, where the means and routes largely depend on financial resources and the option of using smugglers. Those that can afford the service of smugglers are usually taken by bus or truck along the few roads to either Djibouti Ville or the main hub on the way to Yemen, Obock. Those that are on their own usually cross the country by foot, going through deserted areas, where they are subject to extreme heat and often dehydration (Horwood, 2015; RMMS, 2016a).

It has also been reported that there is an increasing number of unaccompanied Ethiopian minors arriving in Djibouti. They often come from Dire Dawa to Djibouti Ville by train, but also by foot or bus. From there they mainly aim to make their way to Yemen, but many cannot afford to do so. Nonetheless it has been estimated that almost one third of the migrants departing from Djibouti towards Yemen are minors. Those that remain stranded in Djibouti Ville often have to resort to activities such as begging, peddling goods, washing cars or shoes and petty crimes to make some income. They are vulnerable to exploitation and face deportation as round ups are conducted by Djiboutian authorities regularly (RMMS, 2015b).

For Somali migrants, the urban centres of Mogadishu, Beledweyne and Galkayo in South Somalia are the main departure and transit points on the way north to Puntland, Somaliland and Djibouti (RMMS, 2016e). Those migrants that arrive through the border with Somaliland at Loyada are usually registered by UNHCR as well as the government refugee agency ONARS and then brought to one of the refugee camps in Djibouti (RMMS, 2016a).

3. External Migration Routes

Migration from the Horn of Africa is diverse and can be described using the four cardinal directions north, east, west and south. The eastern, northern and western routes are represented in Figure 3 by the yellow, green and red lines respectively. A separate map can be found below for the southern route.

Figure 3: Common Migration Routes out of the Region

3.1.   The Northern Route

The northern route runs through Sudan and Egypt and via Sinai into Israel. In mid-2012, this route was severely restricted and more or less eliminated in early 2013, when the Israeli government implemented new immigration restrictions (Horwood, 2015). Measures included the building of a fence along the Sinai-Israeli border and a detention centre (Kolmannskog & Afif, 2014).

The policy changes have largely been successful in limiting immigration of Africans in Israel. While in 2011, estimates indicate that about 17,000 Eritreans entered Israel, the number decreased to around 140 in 2015. Numbers were even lower in 2012, 2013 and 2014, when they were close to zero (DRC & RMMS, 2015). Furthermore, African migrants, mainly Eritreans and Somalis, were - as of 2015 - offered USD 3,500 to return voluntarily. Those that refused to do so would be brought to a detention facility in the Negev desert, which makes the voluntariness of these returns questionable. According to the Israeli Population, Immigration and Border Authority more than 8,000 asylum seekers have left Israel for third countries. However, they face challenges in securing legal status upon arrival there and therefore face further protection issues (DRC & RMMS, 2015).

Israel was particularly a key destination country for Eritrean migrants and trafficking as well as kidnappings were a major concern for these migrants on the route (Horwood, 2015). As a consequence of the difficulties migrants now face, many of migration movements through Sudan have shifted. While previously migrants moved from Khartoum through Egypt to Israel, now the western route from Khartoum to Libya and onwards to Europe has become even more popular, especially due to the lack of government in Libya (Mixed Migration Hub, 2015).

Egypt is a main transit country on the northern route and authorities there also aim to limit irregular migration increasingly. In 2015, thousands of migrants were arrested and detained (DRC & RMMS, 2015).

3.2.   The Eastern Route

The eastern route out of the East and Horn of Africa goes to Yemen and onwards to Saudi Arabia and beyond. For a long time, this was the most used and best documented route utilized by people from the Horn of Africa, but it has lost significance due to the stricter immigration controls in Saud Arabia as described in section 2.3. The eastern route is most frequently used by Ethiopian and Somali migrants. Previously Somalis dominated these flows making up about two thirds of their volume. This trend has changed since around 2010, when Ethiopians accounted for about two thirds and Somalis only one third anymore (RMMS, 2016c). In 2014, 42,424 migrants crossed the Red Sea from Djibouti to Yemen, which is a monthly average of more than 3,500 individuals. The vast majority departed (46 per cent in 2014) from Obock, while increasingly the more northern Moulhoule was also used as a departure point (RMMS, 2016a). Numbers were much higher in prior years with 72,142 in 2011 and 80,564 in 2012. This decrease has been explained by the shifting of departure points to Bossasso in Somalia, as authorities in Djibouti increased border controls and stressed stricter enforcement of anti-smuggling laws (Horwood, 2015).

It is also important to note that due to the ongoing conflicts in Yemen migration trends between Djibouti and Yemen have significantly changed recently. While these effects are not fully understood so far, three interesting developments have already been observed: 1) Yemenis displaced by the conflict are moving opposite the usual trends from Yemen to the Horn of Africa; 2) Ethiopians change routes and are less likely to migrate to and through Yemen since 2015, while they appear to be shifting to the western and northern routes; and 3) thousands of Somali refugees and irregular migrants have voluntarily returned from Yemen (Horwood, 2015).

There have also been reports of migrants leaving from the Sudanese coast directly to Saudi Arabia. One account of this happening is the drowning of a boat run by Yemenis that was sailing on this route. Almost 200 migrants died in this incident that was caused by a fire on board the boat while it was in Sudanese waters. Sudanese authorities reported that the boat left out of Tokar, close to the border with Eritrea. Another attempt of a crossing by boat was intercepted by Sudanese authorities when a boat carrying 247 mostly Eritrean, Somali, Nigerian and Chadians left the Tokar region with the aim to reach Saudi Arabia. Overall evidence of these crossings is limited and the route does not seem to be well understood at this stage (RMMS, 2014b).

3.3.   The Southern Route

The southern route, shown in the map in Figure 4, goes from the Horn of Africa through Kenya, Tanzania, Malawi etc. towards South Africa. The route is mainly used by Somali and Ethiopian migrants and Kenya is a main transit hub on the route. Overall the southern route seems less popular and not as well documented and understood as most of the other routes out of the region (Horwood, 2015). A study from 2009 shows that annually between 17,000 and 20,000 migrants from Somalia and Ethiopia were using the southern route between 2008 and 2009 (Horwood, 2009). More recent numbers are not available, but it is estimated that the volume of flows on the southern route increased after that, but are currently on the decline due to anti-immigrant sentiments in

South Africa (RMMS, 2015a). While the southern route is still being utilized, recent trends indicate that the way to go nowadays is west (RMMS, 2014b).

Figure 4: The Southern Route

The southern route is dangerous and is often taken with the "aid" of smugglers (see section 4.2). Few migrants have the resources to fly directly to South Africa from Addis Ababa or Nairobi. But those that can afford it are able to buy tickets and travel documents, mainly in Kenya. Upon arrival in South Africa, smugglers ensure that officials let the migrants into the country. Not much is known about how many migrants travel the southern route in this manner. More commonly, however, migrants seem to fly only part of the way. They travel overland to Nairobi and then fly from there to a capital in one of the countries closer to South Africa such as Maputo, Lilongwe or Lusaka. From there, the way to South Africa is completed on foot or by using busses, cars or trucks (Horwood, 2009). Overall, the journey to South Africa takes on average eight weeks for Ethiopians, but can take up to several months. Risks for migrants are high as the route passes through multiple countries, each with their own protection risks. Smugglers do not use the straight route through Kenya, Tanzania and Mozambique, but in order to avoid detection by authorities they switch up routes and may travel through countries such as Uganda, Rwanda, Burundi, Zambia, Malawi or Zimbabwe (RMMS, 2013a).

The migration of Ethiopians on the southern route commenced in the early 1990s, but has increased in recent years. It has been found that those Ethiopians that arrive in South Africa have different characteristics than those taking the eastern route. Ethiopians in South Africa are mainly from southern Ethiopia, namely the Kembata and Gurage communities (Horwood, 2009). There are fewer women, children and elderly Ethiopians traveling on the southern than on the eastern route (MSF, 2008). The majority are males between the ages of 18 and 35. Johannesburg is a hub, where it is relatively easy for migrants to obtain papers, which enable them to move onward to countries in North and South America, Europe and Australia. And as the South African economy develops, there are also more opportunities for migrants to accumulate enough capital to undertake the next step of their journey (RMMS, 2013a).

3.4.   The Western Route

The Western route out of the Horn of Africa is commonly taken by migrants from Eritrea, Ethiopia and Somalia. It passes through Sudan, Egypt and/ or Libya and in many cases then continues onward to the shores of the Mediterranean in Europe. Recent research largely agrees on the main migration trajectories and hubs that exist along this route (e.g. Altai Consulting & UNHCR, 2013; Global Initiative against Transnational Organized Crime, 2014; Lutterbeck, 2013; RMMS, 2014b; UNODC, 2010). However, overall there is still not a complete understanding of the movements of irregular migrants along this route and their exact paths (Kuschminder, de Bresser & Siegel, 2015). It is, however, known that the western route has become increasingly popular (Horwood, 2015).

The initial steps along the route that are still within the region are described in section 2.8 above. As stated there, Khartoum is a key transit point for those migrating through Sudan. It is the place where irregular migrants make arrangements for their trip to Libya through the Sahara desert (Lutterbeck, 2013; UNODC, 2010). On average, migrants remain in Khartoum for about one to two years before making the next step in their journey. While in transit, routes often change based on current developments such as violent conflicts (Hamood, 2006). One example of this is that prior to the outbreak of war in the region surrounding Darfur in West Sudan, this was a key region for transit for migrants that would then move into Chad and north from there. While the route is still also used today, parts of the movements have shifted to go through northern Sudan into Libya (Altai Consulting & UNHCR, 2013; ICMPD, 2010).

The first city that most migrants reach in Libya is Kufra in the south-eastern part of Libya. Located in the middle of the desert, Kufra is a significant hub for irregular migratory movements from the Horn of Africa (RMMS, 2014b). Tribal tensions that broke out in Kufra between the Zway and the Tebu in 2012 have reportedly led to a significant decrease in numbers of irregular migrants coming through the town. While prior it was estimated that 10,000 to 20,000 migrants passed through each month, in 2013 the number was only estimated to be between 1,000 and 3,000. The migrants, mostly assisted by smugglers, are now rerouting through the Abdul Malek Mountains to the towns of Rebiana and Tazerbo, which are still close to Kufra. Another alternative route that has been recognized to avoid the area around Kufra altogether is to first move north from Dongola into Egypt and then enter Libya in the north-east (Altai Consulting & UNHCR, 2013).

Another route that appears to have emerged recently is mostly used by Sudanese migrants and first takes them to Cairo. They mostly get to Cairo by plane, but some also travel on the Nile and by car. In Cairo the migrants connect with smugglers who take them to the Libyan border at Salloum-Um Saad (Altai Consulting & UNHCR, 2013). There is evidence that some irregular Ethiopian migrants also use this route through Egypt (ICMPD, 2008; RMMS, 2014b). The number of irregular migrants traveling on this route is, however, unknown (Kuschminder et al., 2015).

From Libya most migrants continue onward to Europe, Italy or Malta, on what has been named the Central Mediterranean route. This is one of eight routes that have been identified to be taken by irregular migrants into Europe and appears to be the most commonly used one in recent years, especially by migrants from the East and Horn of Africa (Kuschminder et al., 2015).[3]

---

[3] More detail on the route is beyond the scope of this report. Kuschminder et al. (2015) provide a comprehensive literature review on the different routes irregular migrants use to get to Europe.

4. Smuggling and Trafficking in and from the East and Horn of Africa

4.1. Definitions and Importance

Before looking specifically at the phenomena of smuggling and trafficking in the context of the East and Horn of Africa, it is important to point out that there is a "prevailing confusion between smuggling of migrants and concepts such as irregular migration and trafficking in persons" (UNODC, 2011, p. 5). Smuggling is defined in the "Smuggling of Migrants Protocol", which is a supplement to the United Nations Convention on Transitional Organized Crime, 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 of which the person is not a national or a permanent resident". Smugglers are used by economic migrants as well as potential asylum seekers, who cannot cross borders into a country where they can/want to claim asylum (Castles, de Haas, & Miller, 2014). As immigration controls become stricter, it becomes more difficult for irregular migrants to make the journey without relying on smugglers (de Haas, 2011;Koser & McAuliffe, 2013). The occurrence of smuggling of migrants across international borders has therefore increased significantly in recent years, though its true scope is unknown. Data is scattered and often unclear due to blurred lines between smuggling, trafficking and irregular migration (UNODC, 2011).

In contrast, trafficking in persons is defined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons 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."

Both phenomena are extremely important in the context of irregular migration in and from the East and Horn of Africa. Many of the movements across countries and borders are dangerous and migrants often do not have a choice but to use the services offered by smugglers to support their journeys. Irregular migrants are, however, also extremely vulnerable to being subjected to human trafficking.

4.2. Smuggling in and out of the Countries in the East and Horn of Africa

As mixed migration flows in and out of the region increase, the role of smugglers has also gained importance. They are commonly involved at least at some stage throughout most migrants' journey. Smugglers in the region have been reported to be negligent and forceful with their charges. Smuggling networks are often linked with traffickers and migrants often describe instances of kidnappings, robberies and sexual assault (Horwood, 2015).

Djibouti and the Eastern Route

Migrants transiting through Djibouti usually contract smugglers if they can afford to do so. The smugglers take the migrants in mini-buses or private vehicles to the capital Djibouti Ville or to the port city Obock. As the majority of migrants passing through Djibouti aims to get to Yemen, Obock is a smuggling hub for the crossing of the Red Sea, but smugglers can also be found in smaller coastal towns (RMMS, 2016a).

Smuggling is a significant business in Djibouti, a country with a small population, high rates of poverty and limited natural resources. As livelihood opportunities are limited for local populations, many get involved in smuggling and trafficking operations by providing water and/ or food or other services, by hosting migrants or similar activities (DAI Europe & EuroTrends, 2015).

As the Djiboutian authorities have increased border patrols, smuggling has become even more clandestine in order to avoid arrests and deportation. This has, however, reportedly led to increased extortion of migrants by smugglers en route and sexual and physical abuse happen frequently. Abuse of migrants by fellow migrants has also been reported (RMMS, 2016a).

The journey through Djibouti and across to Yemen are usually charged by smugglers separately. There are only few boats that make the crossing, but the estimated profits the smugglers make are significant. It is estimated that every migrants pays on average USD 140 for the crossing (Horwood, 2015). This means a profit of more than USD 11.2 million in 2012 alone considering that 80,564 migrants crossed from Djibouti to Yemen that year.

It has also been reported that smugglers often make additional income, if they cooperate with criminal extortion gangs in Yemen. The smugglers inform the criminals about arrival locations and times and the gangs then have the chance of abducting new arrivals. Allegedly gangs pay the smugglers up to USD 50 per migrant (Horwood, 2015).

There are consistent and repeated reports by migrants that indicate that police, border guards, immigration staff, sea patrols, soldiers and prison guards are involved in smuggling operations and share the profits with the smugglers (Horwood, 2015).

Eritrea

Due to the risks associated with leaving Eritrea, many of the Eritreans that still wish to do so turn to smugglers. It has been reported that smugglers charge anywhere between USD 960 and USD 9,600 to support migrants in leaving the country (RMMS, 2014b).

A study conducted by researchers at Tilburg University showed that the Eritrean Border Surveillance Unit is actively involved in smuggling operations out of the country. Migrants are transported out of Eritrea hidden on trucks of the Border Surveillance Unit in order to avoid checkpoints. Due to the dangers associated with leaving the country, it is difficult to cross the border without this involvement (van Reisen, Estefanos and Rijken 2012; 2013).

Ethiopia

Crossing borders out of or into Ethiopia is usually done using a combination of walking and vehicles. An extensive network of agents and smugglers exists that facilitate this crossing, and also the transport from different areas within Ethiopia (RMMS, 2016c).

Those migrants with Yemen as their destination are often brought to the departure points in Djibouti or increasingly also to Bossasso in Puntland. In some cases the crossing of the sea is also facilitated by the same smuggler. The process is usually relatively fast and smooth. The smugglers either hide the migrants at road blocks and border crossings or bribe the officials posted there. In this particular case, those migrants that travel without smugglers, whether they cannot afford them or for other reasons, are more vulnerable and often face many more problems on their way (RMMS, 2016c).

Kenya

Overall, data and information on smuggling in Kenya is scarce, especially considering that the country is a central hub for irregular migrants and smuggling networks, particularly for the southern route (see below). Smugglers operate in Nairobi, Mombasa and the refugee camps as well as between these places. Some migrants pay smugglers to take them to Nairobi from the camps. Nairobi is considered to be a central hub for obtaining travel documents, false birth and marriage certificates, as well as visas for other countries (often fake). Many of these documents are particularly needed by migrants that aim to move onwards to countries in Europe or North America (RMMS, 2016d).

Not much is known about the profits of smuggling networks in Kenya. It has merely been reported that migrants pay smugglers between USD 600 and 700 to bring them from the Ethiopian-Kenyan border to Nairobi (RMMS, 2016d).

One of the factors making Kenya particularly interesting for smugglers is the high levels of corruption in the country. Border officials and police can easily be bribed and protection, information, documentation and power can be bought (Gastrow, 2011). Migrants report that it seems like the officials are part of the smuggling and trafficking industry rather than accepting an occasional bribe (Gastrow, 2011; Horwood, 2009).

Somalia

Somalia is a source and transit country for smuggling, which has flourished due to the instability and lack of governmental capacity to address it (DAI Europe & EuroTrends, 2015; UNODC, 2006). The harbour city of Bossasso in Puntland is a main smuggling hub on the eastern route, especially prior to the outbreak of the civil war in Yemen. It is mostly used by Somalis from the South Central states and Ethiopians, mainly from the Ogaden region (RMMS, 2016e). Smugglers often operate out of Mogadishu and move migrants north with mini-buses or private vehicles through Galkayo to Bossasso. A second route is that through Hiiraan, where bribes are commonly paid at the road checkpoints of Garowe and Las Anood. In order to avoid these road blocks and other risks on the way north, migrants from South Central Somalia have been found to fly north from Mogadishu to Berbera/ Hargeisa (RMMS, 2016f). The town of Hargeisa in Somaliland is also a hub for Ethiopian and South Central Somali migrants and smugglers on the eastern route (RMMS, 2016g).

There is evidence of smuggling of Somalis on the southern as well as western route as further described in section 4.2. An increase in Somalis using smugglers to get to Libya has been observed recently as this was not so much the case before 2013 (RMMS, 2016g). Those traveling to Kenya also use smugglers, which will often take them either just to the border between Somalia and Kenya or drop them off close to the Dadaab refugee camp (RMMS, 2016f).

As is the case in most countries, smuggling in Somalia is also often associated with abuse and exploitation of migrants (RMMS, 2016e). In addition, it has been found that in Puntland business

people that are involved in smuggling networks can operate with influential government officials knowing about it (RMMS, 2016f).

South Sudan

Not much is known about smuggling networks operating in South Sudan. Crossing the border with the help of smugglers from South Sudan to Sudan at South Kordofan, reportedly only costs around USD 32. Migrants then move on from there to the major hub Khartoum (DAI Europe & EuroTrends, 2015).

Sudan

Migration movements of thousands of asylum seekers, refugees, irregular migrants as well as Sudanese nationals in, out and through Sudan are facilitated by smugglers every year. In particular Eritreans are almost left with no other choice due to the encampment policy enforced by the Sudanese government as well as exit restrictions by their own government. Movements away from camps, which as described above happen frequently, are clandestine and especially profitable for smugglers (RMMS, 2014b). Migrants that have been in the camps for a longer period of time have been reported to sometimes act as intermediaries between new arrived migrants and smugglers (DAI Europe & EuroTrends, 2015).

Eritreans as well as Ethiopians usually first arrive to Kassala and El-Gedaref and this is also where they first get in contact with Sudanese smugglers as well as traffickers (RMMS, 2014b). Information on the use of smugglers by Eritreans in 2010 showed that they depended on Ethiopian guides that would take them to Khartoum (ICMPD, 2010). More recent reports show that Eritreans depend on Eritrean and Sudanese smugglers for their entire journey from Eritrea to Europe, including the initial step to Khartoum (Frontex, 2013). There are around 11 checkpoints that have to be passed on the way from Kassala to Khartoum and the route is therefore not manageable without smugglers that are able to bribe corrupt officials (RMMS, 2014b). Costs for this trip range between USD 100 and 300 (Mixed Migration Hub, 2015).

Once the migrants are ready to move on from Khartoum, they again contact smugglers that help them to reach the border with Libya (Frontex, 2013). The 4 to 10 day journey from Khartoum to Kufra costs migrants between USD 600 and 1,600. Smugglers usually take the migrants from Khartoum to Dongola or to the border with North Darfur. Migrants then change smugglers, which will take them to the Libyan border (RMMS, 2014b).

Smuggling and trafficking have also been reported in West Sudan, specifically Darfur, but information on these incidents is limited and not much is known about the victims (DAI Europe & EuroTrends, 2015).

The Northern Route

Information on smuggling networks operating on the northern route appears to be limited. Sudanese smugglers bring the migrants, mainly from Khartoum, to the Egyptian border through northern Sudan. At the Egyptian border the migrants are handed over to Egyptian smugglers who take them further (Life & Peace Institute, 2015). As the numbers of migrants going to Israel has decreased as significantly as described in section 3.1, it can be assumed that smugglers operating on this route previously have change their paths to adapt to the western route.

It is clear that the journey through the Sinai was always dangerous. Migrants were usually placed in open back trucks that were overloaded. As a consequence they would fall out of the vehicles or get involved in other road accidents. Smugglers also often did not provide the migrants enough water and food during the journey that can take more than eight days. Others have been left on their own in the desert by smugglers or faced rape and sexual assault. The most concern, however, is the linkage between smugglers and kidnappings as well as trafficking (DRC & RMMS, 2015; Humphris, 2013).

Trafficking and kidnapping of mainly Eritreans on the northern route, particularly in Egypt's Sinai Peninsula were some of the most well-known and talked about cases of trafficking.[4] Estimates indicate that between 2007 and 2011 nearly 30,000 Eritreans were abducted and taken to the Sinai where they were subjected to torture and ransom demands. However, it appears that these incidents were stopped as trafficking operations were hindered by fighting between militants and Egyptian government forces between 2011 and 2013 and have not started up again since (DRC & RMMS, 2015). The "4mi - Mixed Migration Monitoring Mechanism initiative" by RMMS does, however, show that kidnappings remain an issue in countries on the northern route, namely Sudan and Egypt (4mi, 2016).

As a main transit country on the northern route, Egypt has made increased efforts to stop smugglers operating in the country. The Egyptian Cabinet passed an anti-human smuggling legislation which criminalizes persons who facilitate the passage of migrants in and out of the country. However, nothing is known about the implementation and effects on smuggling operations yet (DRC & RMMS, 2015).

The Southern Route

Smuggling is also a substantial business along the southern route through Kenya to South Africa. Kenya is the main transit hub on this route, which is mostly taken by Ethiopians and Somalis. The smuggling networks active on the route are largely run by Kenyans, Somalis, Ethiopians, Tanzanians and others (Life & Peace Institute, 2015). It has been estimated that around 20,000 Ethiopians and Somalis are smuggled to South Africa annually (Horwood, 2009). Smugglers assist the migrants in obtaining travel or refugee status documents, which may be fake or received through corrupt means (Life & Peace Institute, 2015).

A 2009 report estimated the annual revenue of the smuggling of mainly Ethiopians and Somalis along this route to be around USD 40 million (Horwood, 2009). While concrete evidence is based on anecdotal migrant reports, some numbers are available that give an indication of smuggling costs. These indicate that the prices charged by smugglers have been increasing. To be transported on the southern route through Zambia, for example, migrants pay between USD 4,000 and 5,000, while for the way through Malawi prices for Ethiopians and Somalis are lower at around USD 2,500 (IOM, 2013).

Traveling on the southern route is difficult and dangerous. Migrants often travel using multiple smuggler networks and often face abuse and exploitation by them. Incidents such as rough handling, abandonment, confinement, beatings, sexual attacks, lack of food and water, lack of medical care and similar ones have been reported (Horwood, 2009). In addition, what starts as smuggling may

---

[4] As this does not seem to be an issue anymore, more detail will not be provided in this report. More information can be found in the literature, for example RMMS (2013a).

turn into trafficking as the migrants are vulnerable and dependent on their smugglers (RMMS, 2013a). These forms of abuse are mostly due to the nature of the smuggling networks, which depend on subcontracting transportation guides and facilitators. The mainly Nairobi-based chief smugglers can therefore not control how the migrants are treated once they are on their way (Horwood, 2009).

In addition, different forms of accidents occur on the route such as road accidents or drownings. A repeatedly cited example is that of a boat that drowned on Lake Malawi in June 2012 killing 49 irregular Ethiopian migrants (IRIN, 2013). Other risks migrants face while traveling on the road is that of detention when smugglers are not able to protect them. In Tanzania, for example, 1,300 mainly Ethiopian and Somali irregular migrants were detained as of March 2012 (RMMS, 2013a).

It is also interesting that while there are relatively few Kenyans among those that are smuggled on the southern route, the ones that do have significantly different experiences than Ethiopian and Somali migrants. They do not face the same incidents of abuse and hardships and often travel the entire way in one vehicle on the main roads. There are still bribes to border officials involved (Horwood, 2009).

The Western Route

Smuggling on the western route is common and parts of the journey are almost impossible without such assistance. Often parts of the journey are organized by different smugglers and migrants pay each individually. The costs of being brought to Khartoum and Libya depend on the departure point. Eritrean migrants, for example, pay smugglers around USD 100 for the journey to Khartoum (ICMPD, 2010). The trip from Addis Ababa to Khartoum, which takes between three and six days, is estimated to cost between USD 500 and 800 (Altai Consulting & UNHCR, 2013).

Ethiopian migrants are able to get into Sudan legally with a one month visa and get in contact with smugglers there that take them onwards to Libya and eventually Europe. The journey from Khartoum to the south of Libya is estimated to cost around USD 500 (Lutterbeck, 2013). From there migrants pay again to be brought to the coastal hubs Tripoli or Benghazi. The sum is on average USD 800 for a car ride that takes about eight hours. When the migrants are ready to take the step across the Mediterranean to Europe they again need to find a smuggler. Estimates on the rates paid for the crossing range from USD 1,200 to 5,000 (ILO, 2011; RMMS, 2013a).

While not a traditional trajectory of the western route, it should be noted that a recent trend is the smuggling of particularly Somalis to Europe through Turkey. In 2012, Turkish Airlines introduced direct flights between Mogadishu and Istanbul, from where the migrants can easily travel onwards to Europe. Somali-European smuggling networks provide the migrants with fake passports that allow them do so (RMMS, 2013b).

4.3.   Human Trafficking in and out of the Countries in the East and Horn of Africa

Trafficking is a significant concern regarding the growing irregular migration flows in the East and Horn of Africa. It has been estimated that 25,000 to 30,000 individuals became victims of trafficking (VoT) between 2009 and 2013. About 95 per cent of these were Eritreans and there were relatively a few more men than women. Irregular migrants, especially those using smugglers, are particularly vulnerable to becoming victims of trafficking (VoT) (UNHCR, 2014c). This section of the report looks at the role of origin, transit and destination countries for VoTs in the seven countries in the East and Horn of Africa.

Djibouti

The US Department of State characterises Djibouti as a country of origin, transit and destination for children, women and men who are subjected to forced labour and sex trafficking particularly from Eritrea, Ethiopia and Somalia. Many economic migrants transit through Djibouti on their way to Yemen and the Middle East where unknown numbers are "subjected to forced labour and sex trafficking upon arrival" (US Department of State, 2015: 143). Recently, the number of younger children, including foreign street children, transiting through Djibouti increased (RMMS, 2016a).

Apart from being subjected to forced labour in destination countries, migrants are vulnerable to human trafficking and other forms of exploitation during their stay in Djibouti. In Djibouti City, Obock and trucking corridors between Djibouti and Ethiopia, migrant girls and women, but also native Djiboutians might be forced into sex trafficking and domestic servitude (US Department of State, 2015).

Migrants who intend to be smuggled might fall victim to smuggling networks, consisting of Djiboutians inter alia, charging exorbitantly high fees or kidnapping them for ransom, which further increases their vulnerability. The US Department of State reports that some women are forced into domestic servitude or prostitution in Djibouti to pay smuggling fees and/or ransoms. In some cases, traffickers from other destination countries such as Yemen or Saudi Arabia pay such ransoms for migrants to subsequently force/sell them into domestic servitude or prostitution (US Department of State, 2015).

Street children from Djibouti, Ethiopia and Somalia among others, who are forced to beg in the streets to add to their families' income, might fall victim to trafficking as well; the most common forms being domestic servitude, committing petty crimes and prostitution (US Department of State, 2015).

The US Department of State does not identify Djiboutian authorities being involved in trafficking activities. However, there is a need to properly implement existing policies to counter trafficking in human beings effectively (US Department of State, 2015).

Eritrea

The US Department of State identifies Eritrea as a source country for children, women and men who are subjected to forced labour and in rarer occasions to sex and labour trafficking abroad. In some cases Eritrean girls and women are forced into sex trafficking within Eritrea (US Department of State, 2015).

Due to strict exit controls, Eritreans often travel abroad secretly, increasing their vulnerability to human trafficking. In some cases, Eritrean girls and women are subjected to sex trafficking upon arrival in Gulf countries, South Sudan, Sudan and Israel. Male Eritreans are vulnerable to fall victims to sex trafficking in Israel (US Department of State, 2015).

Furthermore, Eritreans living in and close to refugee camps, especially in Sudan, might be kidnapped by criminal groups who transport them to Egypt or Libya to subject them to some form of human trafficking or extort ransoms from their families. Some are subjected to forced labour as cleaners and construction workers while being held captive (US Department of State, 2015).

According to the US Department of State, the Eritrean government increases the vulnerability of its citizens to fall victims to trafficking through its policies of forced labour, to be able to graduate from high school, and strict exit controls. In addition, Eritrean diplomats, military and police officers are

accused of facilitating human trafficking particularly between Eritrea and Sudan (US Department of State, 2015). Reports by the UN Security Council Monitoring Group on Somalia and Eritrea have also indicated that military commanders and other senior regime members are directly involved in trafficking of arms as well as of humans (UN Security Council, 2012). The fact that smuggling and trafficking out of the highly militarized state are happening on a daily basis as such is an indication that officials have to be involved. The Eritrean government has requested the United Nations to investigate the issue in order to be able to combat it. However, no such investigation seems to have taken place up to now (RMMS, 2014b).

Ethiopia

According to the US Department of State Ethiopia is mainly a source, but also transit and destination country for children, women and men who are subjected to sex trafficking and forced labour domestically and abroad. Examples for trafficking in Ethiopia are girls from rural areas being exploited as prostitutes or domestic servants, boys being "subjected to forced labour on traditional waving, herding, guarding and street vending" (US Department of State, 2015: 155) and Eritreans living in refugee camps in Ethiopia being trafficked to Sudan or Egypt. In addition, Ethiopian girls and boys are vulnerable to being forced into similar activities in neighbouring countries and the Middle East often under falls pretences of a better life. Officials are accused of facilitating irregular migration and work of minors in exchange for bribes (US Department of State, 2015).

Legal and irregular migrants to the Middle East and South Africa might fall victim to trafficking in transit countries, notably Djibouti, Egypt, Somalia, Sudan, or Kenya. Furthermore, Ethiopian women working as domestic servants in the Middle East are vulnerable to physical and sexual abuse, detention and withholding passports. If these women are able escape their mediate situation, they may fall victim to sex trafficking (RMMS, 2014a; US Department of State, 2015).

Kenya

According to the US Department of State (2015) Kenya can be characterized as source, transit and destination country for children, men and women who are subjected to sex trafficking and forced labour. Due to the nature of trafficking, data on the number of victims is limited, but it is an issue of serious concern for the national government (IOM, 2015e). Human trafficking in Kenya has been estimated to have a black market value of USD 40 million (Havoscope, 2016).

In Kenya, native boys and girls as well as refugee children living in the country might be forced to work as domestic and agricultural workers, fishers, herders, street vendors and beggars. In addition, they might be forced into prostitution, for instance in the coastal sex tourism industry. Typically, children are exploited by individuals working in khat cultivation, gold mines, truck drivers and fishermen. Similarly, in Kenya children from East Africa and South Sudan might be subjected to sex trafficking and forced labour. In addition, some Somalis living in Kenya's largest refugee camp, Dadaab, are afraid of them and their children being recruited by the terrorist group al-Shabaab. Moreover, it is reported that girls and women from Somalia and India are brought to Nairobi and Mombasa to work in the sex industry (US Department of State, 2015).

Popular destinations for Kenyan labour migrants are Africa, South Sudan, Angola, Europe, the US and the Middle East. In some cases they are "exploited in domestic servitude, massage parlors and brothels or forced manual labor" (US Department of State, 2015: 204). In addition, bi- and homosexual men are convinced to work overseas, for instance in Qatar and the United Arab Emirates, where they do not find the promised jobs but are forced into prostitution (US Department

of State, 2015). Furthermore, Kenyan children are vulnerable to being subjected to sex trafficking and forced labour in South Sudan and East Africa (US Department of State, 2015).

While the US Department of State (2015) does not report Kenyan officials to facilitate trafficking in human beings, there is a need for the Kenyan government to improve their counter-trafficking efforts.

Somalia

The US Department of State (2015) identifies Somalia as a special case as Somalia's Federal Government only has limited influence to counter trafficking in the country due to capacity-constraints, a lack of understanding parts of the country having declared independence, and confrontations with the terrorist group al-Shabaab, leading to the African Union Mission in Somalia (AMISOM). Therefore, verified information about human trafficking in the country is difficult to obtain. Somalia is involved in all phases of human trafficking as country of source, transit and destination for children, women and men who are subjected to sex trafficking and forced labour (US Department of State, 2015).

In Somalia, individuals, including undocumented Ethiopians, are trafficked from southern and central regions to the north of the country (Puntland and Somaliland). In Somaliland, victims of trafficking might be recruited to work in the sex industry or as domestic servants in Djibouti, Ethiopia and Puntland. In many cases such recruiters are women. Furthermore, (former) pirate groups engage in trafficking of Somali girls and women as alternative source of income since piracy has been in decline since 2014 (US Department of State, 2015).

In many cases, Somali victims of trafficking are brought to the Middle East, Gulf countries or Kenya, where women in most cases are forced to work as domestic servants and prostitutes while men are forced to work as herders and workers and children are forced to work as beggars. Human trafficking is facilitated by employment agencies and federal government officials providing travel documents. There is an increase of children and university graduates being trafficked from Somaliland to Ethiopia, Sudan, Libya and the Middle East. In addition, members of the Somali diaspora, often relatives, offer Somalis to live with them in Europe or the US where they are forced to work as prostitutes or domestic servants (US Department of State, 2015).

Certain ethnic groups such as Bantus and Midgaan are particularly vulnerable to fall victims to human trafficking due to their marginalisation, poverty and inability to care for all family members. They might be forced to work in households, on farms and as herders for more powerful clan members. In addition they might "willingly surrender custody of their children" (US Department of State, 2015: 370), who are likely to be subjected to sex trafficking or forced to work in the agricultural, the construction and the khat industry, as domestic servants, herders and stone crushers.

Similarly, IDPs are particularly vulnerable to becoming victims of human trafficking. Under false pretences, smugglers particularly lure children and women to go work in Europe, the US or Canada. According to the US Department of State (2015) women and girls living in IDP camps are at times forced "to provide sex acts in exchange for food and services available within the camps" (p.370). In addition, IDPs are charged for services usually being free of charge to establish a cycle of debt, which further increases their vulnerability. This exploitation of IDPs arguable happens in cooperation with Somali officials (US Department of State, 2015).

Another issue is that children are forced to work as child soldiers, in particular for al-Shabaab, but also for the Somali National Army and the militia Ahlu Sunna Wal Jama'a. Children who manage to escape from the terrorist group are particularly vulnerable to become subjected to forced labour and sex trafficking (US Department of State, 2015).

Furthermore, there are some indications of AMISOM personnel from Burundi and Uganda sexually abusing Somali girls and women (US Department of State, 2015).

South Sudan

South Sudan is characterised in the US Department of State Trafficking in Persons Report of 2015 as a country of origin and destination for women, men and children who are subjected to forced labour and sex trafficking. Trafficking to South Sudan mainly concerns individuals from Kenya, Uganda, Ethiopia and Eritrea and the Democratic Republic of Congo who often voluntary migrate to South Sudan under false pretences, such as attractive job offers in the tourism or construction industry, and are then subjected to sex trafficking, forced marriages or forced labour. South Sudanese nationals experience similar situations and recent reports have indicated that this is increasingly the case as foreigners leave the country because of the security situation, making locals more vulnerable. Domestic trafficking has therefore been increasing where women and children, particularly also IDPs, are taken from rural to urban areas like Juba, Wau and Nimule. Mainly they are exploited for domestic servitude, but sexual exploitation has also been reported. Child prostitution is a key concern in South Sudan and cases have been reported where corrupt law enforcement agents are involved or protect such activities (US Department of State, 2015).

Trafficking in the South Sudanese context has become more organized in recent years in particular with regard to children from the above mentioned countries, who are brought into the country and mainly to Juba by traffickers for child prostitution, child labour and street begging (DAI Europe & EuroTrends, 2015). Trafficking networks operate both within and across borders. According to the US Department of State Trafficking in Persons Report of 2015, cases have been observed where authorities aided traffickers in crossing borders and protected establishments subjecting victims of trafficking to sexual exploitation. Furthermore, some officials even subject VoTs to domestic servitude or sexual exploitation and protect establishments themselves (US Department of State, 2015).

In South Sudan, one of the main concerns is the issue of child soldiers in the context of the ongoing civil war. While prior to the war the Sudan People's Liberation Army (SPLA) had worked towards decreasing the inclusion of children in their operations, numbers of child soldiers increased again significantly with the onset of the war. In 2014, the UN estimated that there were around 12,000 child soldiers in the SPLA and opposition forces. The main activity of these children is to act as servants in military barracks, while only small numbers are actively involved in fighting. More details on the issue of child soldiers in South Sudan are provided in the 2015 Trafficking in Persons Report (US Department of State, 2015).

Due to the high rates of internal displacement and unaccompanied minors, large shares of the population are vulnerable to be trafficked and instances of abductions from camps or of individuals moving between camps have increasingly been reported. An example is the abduction of 40 boys (13 or older) by SPLA soldiers in February 2015 from an IDP camp in the Upper Nile state. There have also been instances of abduction of girls for domestic servitude as well as other types of slavery in Khartoum and other urban centres (US Department of State, 2015).

Sudan

The US Department of State (2015) characterises Sudan as a source, transit and destination for individuals who are subjected to sex trafficking and forced labour.

In particular, Sudanese women and girls from rural areas, IDPs, labour migrants and refugees are vulnerable to being forced to work as domestic servants and sex trafficking in Sudan and abroad. Refugees and asylum seekers from East and West Africa, Nigeria, South Sudan, and Syria, are particularly vulnerable to be exploited in Sudan and other countries. Examples for this are individuals being forced to work in the domestic and the manufacturing sector and smugglers demanding ransom money. Women from Ethiopia, Eritrea and the Philippines are sometimes forced to work as domestic servants, while women from East Africa and Thailand might be forced into prostitution (US Department of State, 2015). Conditions are extremely serious as the example Eritrean women that had been forced into prostitution shows. They reported that they either paid their traffickers to be released or they would be infected with HIV or Hepatitis before being let go without any resources (DAI Europe & EuroTrends, 2015).

In some cases legal migrants from Bangladesh and Ethiopia come to work in factories in Khartoum and other parts of Sudan, where they are subsequently subjected to forced labour and prostitution (US Department of State, 2015). Furthermore, trafficking has been observed to Libya where Sudanese nationals were then forced to work in artisanal mining (DAI Europe & EuroTrends, 2015).

An increasing number of street children from Sudan and neighbouring countries are trafficked and forced to work as beggars and in the gold mining industry. In addition, children might be recruited to work as child soldiers by armed groups and the Sudanese Armed Forces (US Department of State, 2015).

The refugee camps in eastern Sudan have been the site of kidnappings of migrants for ransom payment or other forms of exploitation (US Department of State, 2015). It has been reported that this has decreased significantly since 2013. Individual incidents are, however, still being reported, such as the kidnapping by traffickers of asylum seekers that were being transported by UNHCR to Shagarab camp. Increasingly kidnappings are now reported to happen closer to the borders between Sudan and Eritrea as well as Ethiopia as well as in Khartoum (DAI Europe & EuroTrends, 2015). Local communities, and particularly the Rashaida tribes of eastern Sudan as well as Al Shukria and Al Habab tribes, have been found to be involved in abuse, kidnappings and trafficking of refugees as a way to make a living for themselves (Humphris, 2013; Mixed Migration Hub, 2015). Eritreans are more vulnerable to become victims of kidnappings and trafficking than migrants of other nationalities, because it is assumed that they have family members that already live abroad and therefore have money to pay ransoms (Mixed Migration Hub, 2015). Ransoms for kidnapped migrants range from USD 15,000 to 50,000 and it has been reported that one migrant may be abducted multiple times (RMMS, 2014b).

The US Department of States (2015) reports that corrupt Sudanese government officials facilitate trafficking in human beings by not prosecuting potential traffickers and letting potential victims of trafficking be transported across international borders and other relevant security checkpoints. In addition, some officials are accused of being involved in and profiting from (child) prostitution rings (US Department of State, 2015).

## 5. National Policy Responses Regarding Irregular Migration

In this section the policy responses regarding irregular migration on a national level will be mapped with a focus on smuggling and trafficking. Smuggling and trafficking initiatives and regulations are often linked as the moment individuals use smugglers in order to migrate irregularly they increase their vulnerability to abuse and human trafficking (RMMS, 2016b). Additionally, a brief evaluation will be provided of the current national initiatives and regulations. Actors (international organisations, international civil society and non-governmental organisations (INGOs) and national civil society and non-governmental organisations (NGOs)) involved in irregular migration will also be listed for each country. It is important to mention that only a selection of initiatives targeting irregular migration run by international organisations, INGOs and NGOs is included here.

5.1. Djibouti

According to Djiboutian law (Art. 3 & 4, Act No.201/AN/07/5éme) irregular migration is an offence and authorities actively intercept non-Djiboutian residents along border points and migration routes. To avoid these checkpoints, transit migrants use irregular ways to cross borders and travel across the country, often leading to extortion and abuse by their smugglers en route and potentially also trafficking (RMMS, 2016a). Due to the lack of resources authorities hold irregular migrants that are identified in detention centres or prisons before their deportation, without making a distinction between asylum seekers, migrant children or adult migrants (RMMS, 2016a). Table B1 in Annex B presents an overview of existing migration policy responses taken by the Djibouti Government, divided by general, preventative, protective and prosecution measures.

Looking specifically at trafficking, Djibouti is placed on the Tier 2 Watch List of the Trafficking in Persons (TIP) Report by the US State Department (Figure 5). Despite governmental efforts to address human trafficking, the government does not fully comply with the minimum standards targeting trafficking and in comparison with previous years increasing efforts to do so are lacking. Djibouti adopted the anti-trafficking law 'Combating Trafficking in Human Beings' (*Law n°210/AN/07/5ème L*) in 2007. This law provides regulations for the prosecution of traffickers; it did, however, not provide a clear distinction between smuggling and trafficking. To support the anti-trafficking law, Djibouti designed the law 'Regarding the Fight Against Terrorism and Other Serious Crimes' in 2011 (*Law 111/AN/11/6ème L*). This law applies a correct definition of human trafficking and increases the penalties related to this crime (US Department of State, 2015; DAI Europe & EuroTrends, 2015; RMMS, 2016a). No protection measures, such as shelter, medical care or counselling, are in place to actively encourage VoTs to participate in the prosecution of their traffickers. Overall, the legislation provides a minimal framework to prosecute human traffickers (US Department of State, 2015; DAI Europe & EuroTrends, 2015).

Figure 5: Djibouti Tier Ranking
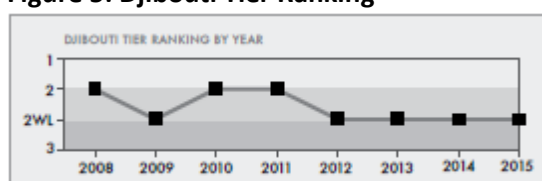
Source: US Department of State, 2015.

A 'National Action Plan' addressing trafficking was drafted by the Djiboutian government and is in place until 2020. If implemented, this plan would contribute greatly to the achievement of the minimum anti-trafficking standards (US Department of State, 2015). Increasingly, international organisations (IOM, UNHCR and UNODC) cooperate with the government on the national and local level (DAI Europe & EuroTrends, 2015; US Department of State, 2015).

Key governmental actors involved in irregular migration affairs in Djibouti are the Commission Nationale d'Éligibilitè des Refugiès (CNE), the Ministry of Justice, Organisation National d'Assistance aux Réfugiés et Sinistrés (ONARS), Ministry of Health, Gendarmerie Nationale, National Security, Ministry of the Interior (Ministère de l'Interieur) and the Coast-Guards (US Department of State, 2015; DAI Europe & EuroTrends, 2015; RMMS, 2016a). In general, difficulties in the coordination between the different ministries have been observed, hindering effective implementation of legislative frameworks regarding irregular migration and trafficking (US Department of State, 2015).

International Organisations

The government cooperates with several international organisations to handle irregular migration such as the International Organization for Migration (IOM), the Office of the High Commissioner for Human Rights (OHCHR), the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC) (US Department of State, 2015; DAI Europe & EuroTrends, 2015; UNHCR, 2016a). The International organisations mainly support the government in providing trainings to officials, awareness campaigns focusing on the dangers of irregular migration, judicial support and medical support (US Department of State, 2015; DAI Europe & EuroTrends, 2015).

In Table B2 in Annex B more specific examples of support given by international organisations to the Djibouti government in targeting irregular migration are presented.

International Civil Society Organisations

Information on international civil society organisations involved in activities to handle irregular migration in Djibouti is limited. The Danish Refugee Council (DRC) recently established operations in Djibouti and is involved in anti-trafficking training (DAI Europe & EuroTrends, 2015). Based on the UNHCR country profile (2016a), numerous other NGOs are also involved in supporting refugees, such as: Caritas, Life in Abundance International, Norwegian Refugee Council and Lutheran World Federation.

Local Civil Society Organisations

Limited information was found on the local civil society organisations in Djibouti; however, based on the UNHCR country profile (2016a) NGOs that are involved are: Association pour la protection de l'enfance et pour l'épanouissement de la famille and Union nationale des femmes djiboutiennes. Furthermore, the Trafficking in Persons Report (US Department of State, 2015) shows that local NGOs run several programs to assist trafficking victims, such as counselling centres, with support from the government.

5.2.   Eritrea

Eritrea lacks any asylum or refugee regulations, although in practice minimal protection is provided for refugees (mostly from Somalia) (RMMS, 2016b). Furthermore, any well-established regulations in

relation to migration are missing and national policies drive nationals towards irregular migration. Moreover, governmental officials are found to be complicit in trafficking and smuggling (US Department of State, 2015; RMMS, 2016b). Eritrea is ranked on the Tier 3 of the TIP Report (Figure 6), which is based on the overall minor efforts of the Eritrean government to comply with the minimum standards to eliminate human trafficking. In addition, it seems that the governmental efforts that do exist are mostly focused on female and child trafficking related to prostitution. The risk of male trafficking and forced labour, abduction, forced begging, extortion, etc. which is dominant in the border regions between Eritrea and Sudan, the refugee camps in Sudan and previously in the Sinai, is completely ignored (DAI Europe & EuroTrends, 2015; RMMS, 2016b). In addition, the actions that are taken show a lack of understanding of the crime by the government as well as contradicting measurements. The anti-trafficking prevention messages of the government combine human trafficking with transnational migration. Furthermore, no efforts are taken to reduce the demand for prostitution or forced labour and no anti-trafficking trainings are provided to governmental or military staff. The Eritrean government took minor efforts regarding the protection of trafficking victims (US Department of State, 2015).

Figure 6: Eritrea Tier Ranking
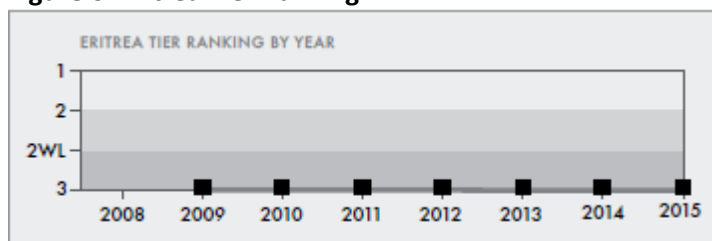
Source: US Department of State, 2015.

A significant problem in Eritrea is the recruitment of children to armed forces. To prevent child soldiers the government established the Proclamation of National Service 11/199, which prohibits the recruitment of child soldiers. Nonetheless, the government has policies in place that forces young children under the age of 18 to work in public works projects during their summer holidays (Maetot) and they oblige their children to complete their final year of secondary education at the Sawa military and educational camp (US Department of State, 2015; RMMS, 2016b).

The lack of refugee protection efforts is a source of frustration to some refugees residing in Eritrea, leading to an increasing use of smugglers as a way out of the country. These refugees are often victims of abuse and trafficking when they are smuggled (RMMS, 2016b). Not only do Eritrean nationals not receive any protection, but also foreign victims (e.g. asylum-seekers or refugees) will receive the minimum support and mostly are deported from the country (US Department of State, 2015).

The combination of forced national service and extremely strict exit procedures are underlying reasons for the lack of legal protection measures by the government for irregular migrants as well as a trigger for irregular migration by Eritrean citizens. Proclamation on National Service (no 82 / 1995) forces Eritrean citizens between the age of 18-40 to work in the national army or another work-unit related to the government. In addition to the Proclamation, the government established a mandatory citizen militia, extending the age till 70 years. In case citizens do not serve the state they are threatened and forced to do so (US Department of State, 2015; RMMS, 2016b). Furthermore, Eritrea also has an extremely strict exit law in place, limiting the distribution of passports and exit visas, especially for their population under the age of 50 years. Therefore, the government does not acknowledge irregular migration and the related risks such as human trafficking. Due to the lack of

acknowledgement, reception centres that offer help to trafficking victims are not approved within the country. Eritrean citizens who have been identified as irregular migrants, including trafficked individuals, when fleeing or being deported from another country are exposed to several repercussions, such as arrest, detention, abuse, extortion, physical violence or even public execution (US Department of State, 2015; DAI Europe & EuroTrends, 2015; RMMS, 2016b). In addition to the obstructive laws, particularly Eritrean diplomats in Sudan are known to be corrupt, even assisting the trafficking and smuggling of their nationals (US Department of State, 2015; RMMS, 2016b).

Even though the government claims to adjust the Proclamation on National Service (no 82/ 1995), putting a time limitation as well as excluding the forced civilian projects, until now no action has been observed that would indicate that the Eritrean government actually has adjusted this Decree. Instead, as was previously discussed, anyone who does not comply with the national service will be seen as a deserter and will be punished accordingly, with imprisonment, fines and even a possible death sentence (US Department of State, 2015; DAI Europe & EuroTrends, 2015). Interestingly, any laws related to prosecute individuals of forced labour, such as Labour Proclamation 118 (2001) excludes the forced national service in a subparagraph (Article 3, sub-paragraph 17 of the 2001 Labour Proclamation) (US Department of State, 2015). Other criminal code articles related to the prosecution of human traffickers (e.g. Eritrean Transitional Criminal Code Article 605 and New criminal code articles 315 and 316) incorrectly define trafficking, are poorly drafted and focus solely on female and child sex trafficking (US Department of State, 2015; DAI Europe & EuroTrends, 2015). Furthermore, the government fails to report investigations of officials related to human trafficking (US Department of State, 2015).

Table B3 in Annex B represents an overview of existing migration policy responses taken by the Eritrean Government, divided by general, preventative, protective and prosecution measures. Key governmental actors involved in targeting irregular migration are the Ministry of Foreign Affairs, Ministry of Justice, Ministry of Information Department of Immigration, Ministry of Labour and Human Welfare and Ministry of National Development (DAI Europe & EuroTrends, 2015; RMMS, 2016b; UNHCR, 2016b). An interesting side note is that all private media was shut down in Eritrea in 2001 (DAI Europe & EuroTrends, 2015).

International Organisations

International organisations in Eritrea are extremely limited and restricted in their actions to work on water, sanitation, health and rural livelihoods. Furthermore, there is a lack of information on any initiatives related to irregular migration (DAI Europe & EuroTrends, 2015). According to the report of DAI Europe and EuroTrends (2015), the International Committee of the Red Cross should be present in Eritrea, although they are not allowed to visit any prisons or detention centres. There was little information available about any current initiatives to build capacity on trafficking and smuggling. UNHCR reported that it initiated discussions on responses to trafficking and collaborated on a workshop in September 2014, aiming to address trafficking and smuggling in a multi-disciplinary setting. In addition, the UNODC recently met up with the Eritrean police; however, more information about this meeting is not available (DAI Europe & EuroTrends, 2015; RMMS, 2016b; UNHCR, 2016b).

International Civil Society Organisations

According to the Report of DAI Europe & EuroTrends (2015) no international civil society organisations are present in the country. The country website of UNHCR (2016b) could also not provide an overview of international civil society organisations.
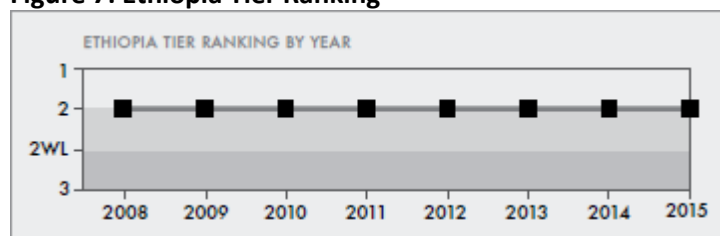
Local Civil Society Organisations

Eritrean local civil society organisations need to cooperate with the government and need to register with the Ministry of Labour and Human Welfare, who will monitor them. This led to a monopoly of three civil society organisations, namely the National Union of Eritrean Women (NUEW), the National Confederation of Eritrean Workers (NCEW) and the National Union of Eritrean Youth and Students (NUEYS) as well as to the forced shut downs of other civil society organisations. The NUEW, NCEW, NUEY and the Ministry of Information introduced anti-trafficking awareness raising campaigns using books and advertisements in newspapers. Furthermore, only a few reasonably weak semi-formal organisations managed to register recently to the Ministry (DAI Europe & EuroTrends, 2015). The country website of UNHCR (2016b) could not provide an overview of local civil society organisations that supported refugee-related initiatives.

5.3.   Ethiopia

Ethiopia misses a general migration policy. A diaspora policy is, however, in place due to the large labour migrant group in the Gulf States that sends a considerable amount of remittances, (US Department of State, 2015; DAI Europe & EuroTrends, 2015; RMMS, 2016c). The government considers registration as an important tool to fight fraud and to regulate regular migration, leading to continuous efforts to implement uniform national identification cards, based on the 'Law requiring registration of all births nationwide' (2012) (US Department of State, 2015; DAI Europe & EuroTrends, 2015). Ethiopia is placed on the Tier 2 in the 2015 TIP Report (see Figure 7), based on the significant efforts the government is making to eliminate trafficking. However, it does not yet completely fulfil the minimum requirements to do so (US Department of State, 2015).

The Ethiopian government cooperates with international organisations and NGOs in their anti-trafficking efforts (US Department of State, 2015; DAI Europe & EuroTrends, 2015). The new legislation 'Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation' was prepared in line with the UNODC project 'Strengthening Criminal Justice Responses to Trafficking in Persons and Smuggling Migrants in Ethiopia and Djibouti' (DAI Europe & EuroTrends, 2015). The Ethiopian government does not clearly define human trafficking, resulting in their focus on transnational labour trafficking as well as a disparity in migration policy responses, focusing mainly on females and children (US Department of State, 2015; DAI Europe & EuroTrends).

Figure 7: Ethiopia Tier Ranking

Source: US Department of State, 2015.

Many Ethiopians use recruitment agencies to migrate overseas as labour migrants; however, many agencies are involved in regular as well as irregular recruitment. The Ethiopian government acknowledges these activities and responded in 2013 with a temporary ban on the legal emigration of low skilled labourers. Even though the government has promised to lift the ban, knowing that it increases the irregular migration of Ethiopians who want to work abroad, it is currently still in place. Government plans are to supervise licensed employment agencies by planned and unplanned audits

and to create specific labour diplomats in Ethiopian embassies as well as to train labour migrants before their departure (US Department of State, 2015; RMMS, 2016c). To protect their citizens who are working abroad, the government drafted the Employment Exchanges Services Proclamation (No. 632/2009) to manage the licensed employment agencies; due to continuous amendments to this law it has not been implemented so far (US Department of State, 2015; DAI Europe & EuroTrends, 2015).

The Ethiopian National Trafficking Taskforce in cooperation with international organisations (IOM and ILO) introduced several actions to prevent human trafficking, such as community conversations that included residents as well as officials. In addition, national media stations support the forced child labour drama series by several NGOs (US Department of State, 2015). Furthermore, the government in cooperation with international organisations (IOM, UNHCR and UNODC) also provides anti-trafficking trainings to officials, diplomats and military staff (US Department of State, 2015; DAI Europe & EuroTrends, 2015). Even though several levels of the government received anti-trafficking training, reporting of victims and investigations of suspects are still rather weak (US Department of State, 2015).

Surprisingly, concrete migration policy responses to protect trafficked victims are found to be minimal. The government relies heavily on international organisations and NGOs to implement protection measures regarding irregular migration, without providing funds for these organisations. In cooperation with the ILO the government organized a socio-economic needs assessment of the Ethiopians that were deported from Saudi Arabia in 2013 and 2014. The government will base its reintegration projects (e.g. income generation) on this assessment; however, these projects still need to be implemented (US Department of State, 2015). It is important to note that Ethiopian returnees claim that the government is their main source of support, providing jobs and psychological support. Still, the returnees also claim to be incapable to receive monetary support or arable land, due to the low capacity and budget of the government.

Currently, the majority of trafficking victim assistance services provides food and water, medical assistance, temporary accommodation and transportations to return to the home village. However, these assistances are provisional and focus only on the border regions (US Department of State, 2015). The government also lacks standard operating procedures to support front-line workers to identify and correctly refer VoTs to care centres (US Department of State, 2015).

Government officials are regularly found to be corrupt and involved in trafficking- and smuggling-related crimes, but no reports could be found on the prosecution of officials for these offenses (US Department of State, 2015; RMMS, 2016c). The Ethiopian government mainly prosecutes suspects of trafficking by several Criminal Code Articles as stated in Table B4 in Annex B. In comparison to previous years, the governmental efforts to prosecute suspects decreased slightly. In addition, no information collection system is in place to report information of trafficking victims (US Department of State, 2015). High-tech research techniques and skills are lacking in the investigation of traffickers; although, according to article 18 of the new law this should be provided to support trafficking investigations (DAI Europe & EuroTrends, 2015).

Table B4 represents an overview of existing migration policy responses taken by the Ethiopian Government, divided by general, preventative, protective and prosecution measures. Key governmental actors involved that target irregular migration are the National Coordinating Committee on Trafficking, the Inter-Ministerial task force, which is chaired by the Ministry of Justice, a specialised investigative unit at the Federal Police Commission on Human Trafficking and Narcotics, the Ministry of Labour and Social Affairs (MOLSA), the Ministry of Women, Children and Youth

Affairs, the Administration for Refugees and Returnees Affairs (ARRA) and the National Security and Intelligence Service (DAI Europe & EuroTrends, 2015; UNHCR, 2016c).

International Organisations

The government cooperates with several international organisations to tackle irregular migration such as: IOM, UNHCR, ILO, UNODC, the United Nations Office for Project Services (UNOPS), the Joint United Nations Programme on HIV and AIDS (UNAIDS), the United Nations Population Fund (UNFPA), the United Nations Children's Emergency Fund (UNICEF), the World Food Programme (WFP) and the World Health Organization (WHO) (DAI Europe & EuroTrends, 2015; UNHCR, 2015). The international organisations mainly support the government in providing trainings to officials, prevention and awareness campaigns, several livelihood trainings and programs as well as judicial support (US Department of State, 2015; DAI Europe & EuroTrends, 2015; UNHCR, 2016c). It should be mentioned that there is a need for capacity building of the Ethiopian governmental bodies, although the Ministries are very reluctant to receive short-term consultancy. In addition, a high turnover rate has also been observed in the ministries, which does not support the capacity building efforts from several international organisations (DAI Europe & EuroTrends, 2015). In Table B5 in Annex B more specific examples can be found of where international organisations support the Ethiopian government in addressing irregular migration.

International Civil Society Organisations

Based on the UNHCR country profile (2016c) numerous INGOs have been identified to be involved in refugee-related activities, such as: Action contre la Faim - France, Africa Humanitarian Action, African Humanitarian Aid and Development Agency, Danish Refugee Council, Development Inter-Church Aid Department, GOAL, HelpAge International, International Medical Corps - USA, International Rescue Committee - USA, Jesuit Refugee Service, Lutheran World Federation - Switzerland, Norwegian Refugee Council, Opportunities in Industrialisation Centre - Ethiopia, Organisation for Sustainable Development, Oxfam - GB, Partner for Refugee Services, Partnership for Pastoralist Development Association, Pastoralist Welfare Organization, Save the Children International, World Vision International, ZOA Vluchtelingenzorg/Refugee Care – Netherlands, Adventist Development and Relief Agency, Catholic Relief Service, Center for Victims of Torture, Comitato Collaborazione Medica, Concern, Cooperazione Internationale, DIAKONIE, EEC/ Mekane Yesus, Humedica, Islamic Relief and Development, Médecins Sans Frontières - Spain, Netherlands and France, Norwegian Church Aid, Plan International and Women and Health Alliance International. Information on international civil society organisations involved in activities against human trafficking was quite limited. It could be found that the Danish Refugee Council (DRC), International Red Cross, Jesuit Refugee Service and the Norwegian Refugee Council (NRC) are the main international civil society organisations established in Ethiopia that are involved in anti-trafficking. These international civil society organisations have extensive and long-term experience in the implementation of sustainable livelihoods and self-reliance programs in Ethiopian refugee camps (DAI Europe & EuroTrends, 2015).

Local Civil Society Organisations

Local civil society organisations do not receive any governmental support in Ethiopia, making them depended on project-based funding and donations even though the government heavily relies on their assistance. In addition, the '2009 Charities and Societies Proclamation' prohibits organisations that engage in human rights promotion activities to receive more than 10 per cent of their funding

from foreign sources, hindering local NGOs to provide reliable services. The UN has urged Ethiopia to adjust this law (US Department of State, 2015; DAI Europe & EuroTrends, 2015). Numerous NGOs are involved in providing support to different migrant groups throughout Ethiopia, such as: Orthodox Church Ethiopia, Mother and Child Development Organization – Ethiopia, Mothers and Children Multisectoral Development Organization, Rehabilitation Development Organization – Ethiopia, Save the Environment, Tselemet Woreda Agriculture and Rural Development Office, Ethiopia Red Cross Society and Afar Pastoralist Development Association (US Department of State, 2015; DAI Europe & EuroTrends, 2015; UNHCR, 2016c).

5.4. Kenya

Kenyan law (2011 Citizenship and Immigration Act) considers entering or residing in Kenya as a criminal offence, with the exception of asylum seekers. Over the last years, Kenya has deported numerous irregular migrants and even sometimes refugees related to security operations. No well-established deportation and repatriation procedures are in place (RMMS, 2016d). The definitions of criminals, irregular migrants and asylum seekers are also not well known by the officials and are used interchangeable. There is a lack of knowledge on the correct laws and procedures related to refugees (RMSS, 2016d). In addition, government officials are known to be corrupt and are involved in smuggling and trafficking activities (US Department of State, 2015; RMMS, 2016d).

Kenya is ranked on the Tier 2 (Figure 8) in the TIP Report. The government is making significant efforts to eliminate human trafficking targeting the different levels, but does not yet fully comply with the minimum anti-trafficking standards. To support the intention to implement the 2000 UNTIP Protocol the government established the 'Counter-Trafficking in Persons Act 2010'. Recently, the Kenyan government is making strong efforts to implement the instructions as mandated in the Act, such as the formation of the Counter-Trafficking in Persons Advisory Committee and updating Kenya's National Plan of Action to counter human trafficking 2013-2017 (US Department of State, 2015; Ministry of Labour, Social Security and Service of Kenya, 2013). Despite the important human trafficking problem in Kenya, the government funding allocated to anti-trafficking remains inadequate. In addition, no national data collection system is installed to support the existing anti-trafficking efforts. The lack of funding and systematic data leads to fragmented and often ineffective anti-trafficking coordinating mechanisms (US Department of State, 2015; DAI Europe & EuroTrends, 2015).

Figure 8: Kenya Tier Ranking
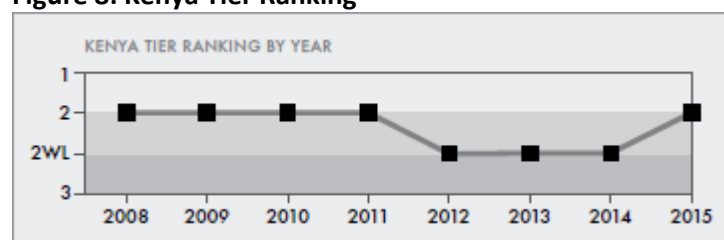
Source: US Department of State, 2015.

In 2014, Kenya reinstituted the ban on the recruitment of domestic workers for employment in the Middle East to attempt to improve overseas labour migration regulations. The Ministry of Labour (MoL) installed a new process for overseas labour agencies, in which the government needs to approve overseas labour contracts before departures. It is very likely that Kenyan irregular migration will increase as a result of this ban (US Department of State, 2015).

Increasing efforts are made by the Kenyan government to prevent human trafficking by the dissemination of awareness materials and case studies (US Department of State, 2015). Furthermore, several officials, diplomats and military staff receive anti-trafficking training, although the majority of the anti-trafficking training is provided by international organisations (IOM and UNODC) (US Department of State, 2015; DAI Europe & EuroTrends, 2015).

The Refugee Act 2006 and the associated The Refugee (Reception, Registration and Adjudication) Regulations (2009) are in place to determine the status of refugees and to provide for reception in refugee camps. However, the Security Laws (Amendment) Act 2014 amended the Refugee Act 2006, to limit the numbers of refugees and asylum seekers in the country as well as to restrict the options of the reception centres to Dadaab and Kakuma. Furthermore, as part of security responses the government targets irregular migrants, including refugees, to arrest, detain and deport them, such as during the 'Fagia Wageni' ('Do away with/get rid of the foreigners') in 2012 (RMMS, 2016d). The conditions where individuals were detained were often unsanitary and the detained faced abuse and extortion; however, it is found that overall increasingly more police harassment and abuse is taking place in Kenya against refugees and irregular migrants (RMMS, 2016d). The government established the Victim Protection Act (2014), which protects victims of irregular migration crimes with basic protection measurements such as accommodation, food, medical treatment, psychosocial care, police protection and the establishment of a fund. Unfortunately it is unclear how well known and how functional this Act is to actually protect victims (US Department of State, 2015; EC; 2015; Ministry of Labour, Social Security and Service of Kenya, 2013). The majority of initiatives are mostly focused on the protection of child trafficking victims. Examples of initiatives are a national 24/7 free hotlines to report child trafficking, labour and abuse and children referral centres. These initiatives neglect the needs of adult trafficking victims. Not only are adult victims often disregarded, the government also lacks an overall unified system of protection measurements to adult repatriated nationals. In order to identify trafficking victims and to act accordingly, the Kenyan government developed the Kenyan Immigration Border Procedure Manual (KIBPM) (US Department of State, 2015).

Kenya has several policies in place to prosecute trafficking suspects (see Table B6 in Annex B). The government established the 'Counter-Trafficking in Persons Act (2010)', which prohibits all forms of trafficking. However, according to the IOM and the Advisory Committee this Act should be revised to align with the new constitution (US Department of State, 2015; DAI Europe & EuroTrends, 2015). Furthermore, the 'Children Act 2001' prohibits the trafficking and smuggling of children (Ministry of Labour, Social Security and Service of Kenya, 2013). Nevertheless, this Act does not provide any penalties and creates a loophole for foreigners to traffic children if they act as 'guardians' (Ministry of Labour, Social Security and Service of Kenya, 2013). In addition, even though corruption is a concern throughout the Kenyan government, no prosecutions or investigations of officials have been reported (US Department of State, 2015).

Table B6 in Annex B represents an overview of existing migration policy responses taken by the Kenyan Government, divided by general, preventative, protective and prosecution measures. Key governmental actors involved in addressing irregular migration are the Department of Refugee Affairs (DRA), Kenya Comprehensive Refugee Programme (KCRP) Task Force, Kenya Refugee Partnership Team (KRPT), police, Attorney General's office, Ministry of Labour, Social Security and Services – Children's Department, Ministry of Foreign Affairs, Counter Trafficking in Persons Advisory Committee – CTIPAC, Ministry of Health, Ministry of Education, Science and Technology and the Department of Immigration (US Department of State, 2015; DAI Europe & EuroTrends, 2015; UNHCR, 2016d; Ministry of Labour, Social Security and Service of Kenya, 2013).

International Organisations

The government cooperates with several international organisations to address irregular migration such as: WFP, UNICEF, UNDP, UNOCHA, UNFPA, FAO, UNHCR, UNODC, UNAIDS, the United Nations Department of Safety and Security (UNDSS) and IOM (US Department of State, 2015; DAI Europe & EuroTrends, 2015; UNHCR, 2016d). The international organisations cooperate with each other to implement the WFP's 'General Food Distribution' using fresh food vouchers in refugee camps. Additionally, the international organisations also support the government in providing trainings to officials and managing refugee camps and refugee-related projects (DAI Europe & EuroTrends, 2015). In Table B7 in Annex B more specific examples can be found of where international organisations support the Kenyan government in addressing irregular migration.

International Civil Society Organisations

A long list of INGOs involved in refugee responses is: Action Africa Help International, CARE International, Don Bosco, Film Aid International (FAI), Francis Xavier Project, Hebrew Immigrant Aid Society USA, International Rescue Committee, Islamic Relief Worldwide (IRW), Jesuit Refugee Service (JRS), Kenyan Red Cross Society (KRCS), Lutheran World Federation (LWF), National Council of Churches of Kenya (NCCK), Norwegian Refugee Council (NRC), Peace Winds Japan (PWJ), Action Contre La Faim (ACF), Centre for Victims of Torture (CVT), Comitato Internazionale per lo Sviluppo dei Popoli – CISP, GIZ, Deutsche Gesellschaft für Internationale Zusammenarbeit, Handicap International (HI), International Service Volunteer's Association, Italy (AVSI), Friends of Waldorf Foundation, Team Korea, IsraAID, Good Neigbors International, AAR Japan, Médecins Sans Frontières (MSF), Switzerland, Terres Des Homme (TDH), Refugee Point and World Vision Kenya (DAI Europe & EuroTrends, 2015; UNHCR, 2016d). International civil society organisations that work in Kenya specifically on anti-trafficking projects are, amongst others, Human Rights Watch, the Federation of Women Lawyers (FIDA), Danish Refugee Council (DRC) and International Rescue Committee. Information on their projects is limited, but they mainly focus on urban refugees, legal assistance, awareness raising campaigns, skills training, referral services and cooperation with the government to improve access to justice, health and education (DAI Europe & EuroTrends, 2015).

Local Civil Society Organisations

Several NGOs are related to refugee projects throughout Kenya, such as LOKADO, Fafi Integrated Development Association (FAIDA), Heshima Kenya, Kituo Cha Sheria (Legal Advice Centre) Kenya, Refugee Consortium Kenya (RCK) and Relief Reconstruction and Development Organisation (RRDO) (DAI EUROPE & EUROTRENDS, 2015; UNHCR, 2015). In Kenya some local society organisations specifically support trafficking victims, such as The Cradle, The Refugee Consortium of Kenya, Awareness Against Human Trafficking (HAART), Heshima and the Center for Domestic Training and Development (CDTD). Mostly the NGOs limit their attention to children and female trafficking victims, providing trainings, shelter, legal aid, psycho-social support, etc. (DAI Europe & EuroTrends, 2015; UNHCR, 2016d). Table B8 in Annex B provides an overview of the counter-trafficking activities the local civil society organisations are involved in.

5.5. Somalia

Overall all parts of Somalia are weak regarding the establishment of regulatory frameworks concerning irregular migration (RMMS, 2016e; RMMS, 2016f; RMMS, 2016g). The US Department of

State (2015) defines Somalia as a special case as the federal government does not have control over the whole country and experiences a serious lack of knowledge, resources and capacity in addressing irregular migration, including human trafficking. According to the DAI Europe and EuroTrends (2015) there is no law prohibiting trafficking or smuggling in Somalia. However, the provisional constitution prohibits slavery (Art.14), trafficking (Art.14), forced labour (Art.14), child soldiering (Art.29(6)) and all forms of prostitution (US Department of State, 2015). Additionally, in 2014, the federal government established a child protection unit, which is supposed to combat child soldiering *inter alia* (US Department of State, 2015). In case of Somalia, even though the laws might be in place it is unsure if they are implemented accordingly due to the serious lack of financial and human resources (US Department of State, 2015; RMMS, 2015). The Commission of Refugees under the Ministry of Interior is in charge of coordinating and managing issues related to refugees. It does so in cooperation with UNHCR (DAI Europe and EuroTrends, 2015; UNHCR, 2016f). In general, the governments of Somalia, Puntland and Somaliland are highly dependent on support of other actors in dealing with matters of irregular migration (DAI Europe and EuroTrends, 2015).

Efforts of Somali authorities to address prevention, protection and prosecution related to human trafficking are minimal (US Department of State, 2015). In Puntland and Somaliland, efforts were made to increase awareness of human trafficking. On the federal level, in contrast, there were no similar measures taken, nor did the government provide relevant training to officials or support the enforcement of labour laws (US Department of State, 2015). Neither federal authorities nor the authorities of Somaliland and Puntland engage in protecting VoTs; the only exception being authorities of Somaliland supporting the Migration Response Center in Hargeisa in establishing a mobile health clinic for IDPs and street children (US Department of State, 2015). Implementation of anti-trafficking laws and the prosecution of individuals involved in the trafficking industry are not effective as the responsible Somali National Police faces constraints in terms of resources and capacity (US Department of State, 2015).

Table B9 in Annex B presents an overview of existing migration policy responses taken by the Somali Government, divided by general, preventative, protective and prosecution measures. Key governmental actors involved in targeting irregular migration are the Ministry of the Interior and Federalism, Ministry of Local Government and Rural Development, the Somali Department of Immigration, Somali National Police, Ministry of Women's Development and Family Affairs, Ministry of Labour and Social Affairs, Commission of Refugees and the Ministry of Resettlement/Rehabilitation (UNHCR, 2016f; DAI Europe and EuroTrends, 2015).

International Organisations

The government of Somalia is highly dependent on international organisations in dealing with irregular migration. Key actors involved are IOM, UNHCR and UNODC. Apart from this other International Organisations working in Somalia include FAO, ICRC, ILO, OCHA, UNDP, UNFPA, UN-Habitat, UNICEF, UNOPS, UNV, WFP and WHO (UNHCR, 2016f).

None of the Somali authorities effectively protect VoTs, which is why international organisations need to step in (US Department of State, 2015). UNODC, for instance, supports the Somali government in further including human trafficking and smuggling into the national legislation (DAI Europe and EuroTrends, 2015). IOM provided training on anti-trafficking to the police and other authorities (DAI Europe and EuroTrends, 2015). Regarding refugees and IDPs, UNHCR supports the Commission for Refugees in coordinating and managing matters of refuge (DAI Europe and

EuroTrends, 2015). Both UNHCR and IOM are involved in the coordination of the Yemen emergency response, together with the government (DAI Europe and EuroTrends, 2015; UNHCR, 2016k).

One programme facilitating return migration to Somalia is the Tripartite Agreement Governing the Voluntary Repatriation of Somali Refugees Living in Kenya, agreed on by the governments of Kenya and Somalia as well UNHCR to facilitate safe voluntary repatriation and reintegration in Somalia (DAI Europe and EuroTrends, 2015; Tripartite Agreement, 2013). IOM and UNHCR register return migrants in reception centres where they are provided with basic services and information for their onward movement (DAI Europe and EuroTrends, 2015). As capacities of the various Somali authorities are rather low, several IOs engage in capacity-building activities. To improve coordination between governments and agencies, UNFPA, UNHCR, UNICEF, WFP, IOM, ILO and different NGOs have formed the Humanitarian Country Team (DAI Europe and EuroTrends, 2015; HCT-S, 2010). UNODC provides training and technical assistance to maritime law enforcement agencies and national justice institutions (DAI Europe and EuroTrends, 2015; UNODC, 2015). In Table B10 in Annex B more specific examples can be found of where International Organisations support the Somali government in addressing irregular migration.

International civil society organisations

International NGOs operating in Somalia in the field of irregular migration are Action Africa Help International, Action in Semi-Arid Lands, Agency for Peace and Development, American Refugee Committee, Comprehensive Community-based Rehabilitation in Somaliland, Danish Refugee Council, *Gruppo per le Relazioni Transculturali*, Horn Youth Development Association, INTERSOS - Italy, Mercy Corps, Norwegian Refugee Council, Relief International, Save Somali Women and Children (Somalia NGO Consortium, 2016b; UNHCR, 2016f).

Local Civil Society Organisations

Two examples for the few local NGOs dealing with issues related to irregular migration are Kaalo Aid and Development and the Galkayo Education Center for Peace and Development. Kaalo Aid and Development is a humanitarian organisation providing assistance to IDPs, refugees and asylum seekers and aiming at improving the livelihood of the Somali Community (Kaalo NGO, 2011). The Galkayo Education Center for Peace and Development provides education for particularly vulnerable individuals including women and children. Furthermore, it provides assistance to IDPs (GECPD, 2012). The Somalia NGO Consortium coordinates activities of INGOs and local NGOs (Somalia NGO Consortium, 2016a; Somalia NGO Consortium, 2016b).

5.6. South Sudan

Under the Passports and Immigration Act of 2011 the National Aliens Committee (NAC) has been established to monitor and coordinate various aspects related to irregular migration, for instance trafficking, smuggling, the Khartoum Process, the EU-Horn of Africa Migration Route Initiative introduced in 2014. Considering that the South Sudanese border management is rather weak, allowing traffickers and smugglers to cross borders unnoticed, the government reviewed the NAC's tasks to address trafficking and smuggling more effectively (DAI Europe and EuroTrends, 2015). Other means to improve border management are sought by building capacity of law enforcement agencies through training of migration officials, development of a database on trafficking in human beings, protecting individuals vulnerable to be subjected to trafficking and providing assistance to VoTs. However, one should note that the coordination between governmental agencies and other

stakeholders with regard to trafficking and smuggling is arguably weak. Furthermore, local NGOs are very weak institutionally and in terms of dealing with refugees (DAI Europe and EuroTrends, 2015).

In South Sudan it is known that officials assist in smuggling and human trafficking. Some officials keep domestic servants and facilitate and use prostitution of children who are often victims of trafficking (US Department of State, 2015). South Sudan is placed on Tier 3 in the TIP Report (see Figure 9), based on the South Sudanese government making insignificant efforts to eliminate human trafficking and not providing adequate protection to victims (US Department of State, 2015). Furthermore, not all kinds of human trafficking are prohibited in South Sudan. Limited actions and legislation by the government focuses heavily on the issue of child soldiers since there are increasing numbers of children subjected to child soldiery. However, the army of South Sudan, the Sudan People's Liberation Army (SPLA), itself recruits child soldiers without being held accountable for this unlawful behaviour (US Department of State, 2015). Other forms of trafficking and adult victims are largely neglected.

Figure 9: South Sudan Tier Ranking
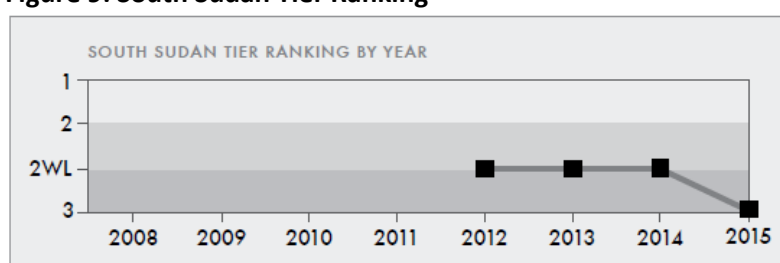
Source: US Department of State, 2015

The government established the Refugee Act of 2012 to regulate the protection of refugees within the country. In principle, the Commission for Refugee Affairs (CRA) is responsible for managing matters regarding refugees including their registration and documentation, and the provision of services such as shelter, water, sanitation, health care, educational services and protection in camps. In practice, however, UNHCR is funding and executing most of the CRA's tasks since the Commission faces severe resource and capacity limitations (DAI Europe and EuroTrends, 2015). The government of South Sudan made few efforts to prevent trafficking. The "Children: Not Soldiers" campaign introduced and developed by the Ministry of Defence in cooperation with the UN in 2014 aims at abolishing child soldiery and human rights violations against children in general. Besides that, the National Police Force provided training for 440 officers to improve investigative procedures including identification and assistance to victims of human trafficking. Since this training was rather limited in terms of information dissemination and involvement of civil society organisations, awareness of human trafficking and its consequences remained low (US Department of State, 2015). Furthermore, measures to protect the victims of human trafficking in South Sudan are non-existent. There are no efforts made by the government to protect them in general or in relation to crimes committed because of having been subjected to trafficking. An attempt by the Ministry of Gender, Child and Social Welfare to manage a shelter for children including victims of trafficking was not successful. Another shelter for child soldiers operated by agencies of the UN and NGOs was not supported by the government (US Department of State, 2015).

Enforcing criminal law, including human trafficking, is constrained by limited capacity, resources and knowledge regarding existing anti-trafficking laws. Therefore, traffickers or other individuals complicit in trafficking such as the government officials described earlier are rarely prosecuted (US Department of State, 2015).

Table B11 in Annex B presents an overview of existing migration policy responses taken by the South Sudanese government. It is divided into general, preventative, protective and prosecution measures addressing irregular migration. Key governmental actors that are involved in irregular migration are the Ministry of Internal Affairs, Immigration and Aliens Control, Ministry of Regional Cooperation, Ministry of Labour and Public Service, Ministry of Humanitarian Affairs and Disaster Development, Southern Sudan Commission for Census, Statistics and Evaluation (SSCCSE), Commissioner for Refugee Affairs, Directorate of Nationality, South Sudan AIDS Commission, Ministry of the Interior and Wildlife Conservation, The Department of Nationality, Passports and Immigration (DNPI), the police and the National Aliens Committee (US Department of State, 2015; DAI Europe and EuroTrends, 2015; UNDP, 2015; IOM, 2011b).

International organisations

Various international organisations operate in South Sudan to address issues related to refugees, trafficking and smuggling, child soldiery and border management. The involvement of these organisations is often necessary due to limited capacities and resources on part of the government. The most important international organisations to mention are IOM and UN agencies, notably UNHCR and UNICEF. Others include FAO, UNAIDS, UNOCHA, UN-Habitat, UNDP, UNFPA, UNICEF, UNMAS, UNMISS, WFP, UNOPS and UNV (DAI Europe and EuroTrends, 2015; UNHCR, 2016g). As already mentioned, UNHCR largely executes the tasks of the CRA as the Commission is unable to perform them itself due to limited capacities and resources. Consequently, UNHCR is considered the lead agency regarding issues of refuge including the management of refugee camps, protection of refugees, IDPs and other vulnerable populations, refugee community empowerment and prevention of conflicts between refugees and local communities (DAI EUROPE & EUROTRENDS, 2015). IOM supports the DNPI in addressing human trafficking and smuggling. In addition, IOM engages in return, reintegration and other counter trafficking projects, including improvement of law enforcement and border management (DAI Europe and EuroTrends, 2015). UNICEF provided financial assistance to former child soldiers and supports the UN campaign "Children: Not Soldiers" (DAI Europe and EuroTrends, 2015; UN, n.d.). In Table B12 in Annex B more specific examples can be found of where international organisations support the South Sudanese government in addressing irregular migration.

International civil society organisations

According to the UNHCR (2016g), the following INGOs are involved in efforts related to irregular migration in South Sudan: Action Africa Help International, African Humanitarian Action, *Agence d'aide à la cooperation* (ACTED), Association of Christian Resource Organisation Serving Sudan - UK, Care South Sudan, Danish Refugee Council (DRC), IBIS – Italy, Human Development Council (HDC), International Medical Corps, International Rescue Committee, Lutheran World Federation, Médecins sans Frontières (France, Belgium, the Netherlands and Spain), Relief International, Medair, Mentor, Oxfam Non-violent Peace force, Norwegian Refugee Council, Save the Children Fund, Samaritan's Purse – USA, World Vision International. It is beyond the scope of this paper to elaborate on the activities of each of these organisations. To name only some examples, the DRC, HDC and ACTED cooperate with UNHCR in empowering refugee communities and in preventing conflict between refugee and local communities (DAI Europe and EuroTrends, 2015).

Local Civil Society Organisations

According to the report of DAI Europe & EuroTrends (2015), no local South Sudanese NGOs could be determined in the area of migrant rights and trafficking. Based on the UNHCR (2016g) country

website of South Sudan only the NGO Health Link – South Sudan could be found to work on refugee situations.

5.7. Sudan

So far, the Sudanese government has failed to develop a comprehensive migration management strategy; it currently regulates the legal entry, departure and stay in the country through the 1994 Passports and Immigration Act (Babiker, 2011; IOM, 2011b). Sudan is making efforts to control irregular migration, which could be observed by the increasing numbers of refoulement cases in 2014 as well as the restricted movement of refugees in the Asylum Regulation Act (2014) (Mixed Migration Hub, 2015). The country drafted a national action plan against trafficking, smuggling and kidnapping, designating special prosecutors to observe trafficking cases and hosted a regional counter-trafficking conference (DAI Europe and EuroTrends, 2015). In addition, the government of Sudan is making noteworthy counter-trafficking efforts; however, it does not entirely comply with the minimum standards and the efforts did not increase compared to previous period, placing Sudan on Tier 2 Watch List in the TIP Report (see Figure 10) (US Department of State, 2015). In general, several positive steps were taken specifically focusing on the elimination of trafficking such as acceding to the 2000 UNTIP Protocol as well as establishing a National Council on Combating Trafficking (NCCT). In the Kassala and Gederaf states, state-level counter-trafficking laws were already implemented before the approval on a federal-state law, which might influence the implementation of the state-law in these states (DAI Europe and EuroTrends, 2015). In addition, increasingly more willingness to cooperate with international organisations to fight human trafficking is observed, especially to tackle child labour (US Department of State, 2015; DAI Europe and EuroTrends, 2015). However, the government often failed to correctly define human trafficking. Moreover, denial of government officials being involved in forms of forced labour, sex trafficking and child soldiery continues throughout the country (US Department of State, 2015).

Figure 10: Sudan Tier Ranking
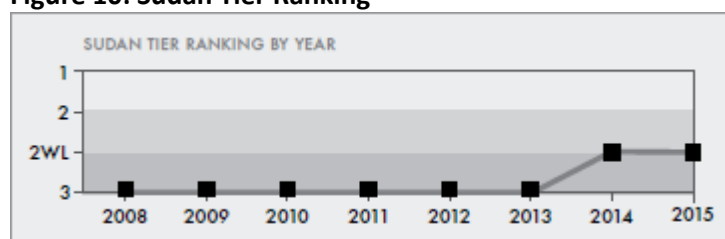
Source: US Department of State, 2015.

Preventative measures to human trafficking in Sudan remained limited and the government only recognized cross-border trafficking, but continues to deny the existence of forced labour and commercial sex including child sex tourism in Sudan (US Department of State, 2015). Despite not acknowledging the issue of child soldiery, two laws preventing the recruitment of child soldiers are in place, namely the Sudan Armed Forces Act of 2007 and the Child Act of 2008. The former established the SAF's Child Protection Unit to guarantee that the SAF does not recruit children under the age of 18. The Unit cooperates with UNICEF (UN News Centre, 2008). So far, however, no military officials have been held accountable for recruiting child soldiers (US Department of State, 2015). To complement anti-child soldiering measurements, the government cooperated with UNICEF to install schools and to develop initiatives to keep children in school, although often they lack financial resources to implement these programmes. Furthermore, anti-trafficking legislation

training was incorporated into the general training of police officers, but not into the training of government officials and diplomats (US Department of State, 2015).

The government only took limited action to protect immigrants as vulnerable individuals often due to limited capacity and resources, in order to do so it relied heavily on international organisations and NGOs. Furthermore, the Passports and Immigration Act does not protect irregular migrants from expulsion. In case the irregular migrant received a negative decision from the Minister of Interior they could not appeal (US Department of State, 2015; Babiker, 2011). According to the US Department of State (2015), the government did foresee the repatriation of abused workers from the Middle East. Also, in collaboration with an international organisation the government sustained a safe house, providing safe shelter, medical treatment as well as psychosocial support. However, this safe house was at times overcrowded and not all victims were free to leave (US Department of State, 2015). The Sudanese government attended a child protection workshop, which also focused on disarmament and demobilization. Due to the lack of human and financial resources, activities related to the disarmament, demobilization and reintegration of child soldiers remain weak (US Department of State, 2015).

The Criminal Procedures Act (1991) defines two articles related to the prohibition and prosecution of irregular migration. Article 31 describes that non-Sudanese residents living in the country illegally will be arrested as well as those who want to enter the country illegally will be refused entry (Babiker, 2011). Furthermore, Article 30 as well as Article 29 of the 1994 Passports and Immigration Act define the penalties that are related to the facilitation of an illegal entrance in the country of an individual (Babiker, 2011).

The Sudanese government took increasingly more efforts to prosecute trafficking, although the implementation of the legislation remained inadequate (US Department of State, 2015). The anti-trafficking law prescribes punishments to prosecute violators; however, this law does not prohibit child prostitution and fails to adequately define exploitation (US Department of State, 2015). No information has been made publicly available on prosecution data. However, the government took action to improve their data collection requesting regularly state reports on trafficking statistics. Furthermore, a special prosecutor to oversee trafficking cases in Kassala state, Wad Medani and Khartoum has been established. Additionally, limited training on the prosecution of anti-trafficking has been provided to government and police officers (US Department of State, 2015).

Table B13 in Annex B presents an overview of existing migration policy responses taken by the Sudanese Government, divided by general, preventative, protective and prosecution measures. Key governmental actors involved in irregular migration are the National Intelligence and Security, Ministry of Interior, the Aliens Department, Ministry of Foreign Affairs, Ministry of Investments, Ministry of Humanitarian Affairs, Criminal Intelligence Department, Police Family and Child Protection Unit, Commission on Refugees, National Council to Combat Trafficking, the Ministry of Justice, police, Humanitarian Affairs Commission, Ministry of defence, National Council of Child Welfare, Ministry of Labour and the High Council for Migration (DAI Europe and EuroTrends, 2015; UNHCR, 2016h; IOM, 2011b).

International Organisations

The Sudanese government heavily depends on the support of international organisations to execute activities related to irregular migration, particular on the support of IOM, UNHCR, UNICEF and UNDP. Other international organisations involved are FAO, ICRC, OCHA, UN-Habitat, UNHAS, UNAMID, UNFPA, UNICEF, UNIDO, UNV, WFP, WHO and the World Bank. The IOs are involved in several fields

of irregular migration, including the protection of migrants and individuals vulnerable to be subjected to human trafficking, the provision of training to government officials and police officers and issues related to refugees (UNHCR, 2016h; US Department of State, 2015; DAI Europe and EuroTrends, 2015).

UNODC and IOM are assisting the NCCT to develop a strategy and action plan on trafficking, *inter alia* through the organisation of roundtables. The strategy and action plan are supposed to involve research activities, capacity building and assistance to VoTs (DAI Europe and EuroTrends, 2015). IOM plans to open a Migrant Response and Resource Mechanism (MRRM) to facilitate safe migration (IOM, 2015). If migrants are identified as VoTs, they are referred to appropriate accommodations such as the IOM's safe houses or other services provided by NGOs and UN agencies (DAI Europe and EuroTrends, 2015). Furthermore, IOM negotiates possibilities to open a rehabilitation centre for migrants and VOTs in Khartoum with the government, which would be in line with the new Combating of Human Trafficking Act (DAI Europe and EuroTrends, 2015; IOM, 2015).

Several international organisations engage in training activities. For instance, IOM in cooperation with the NCCT developed trainings for government and border officials focusing on international trafficking, smuggling and migration legislation and the Sudanese 2014 Trafficking Act (DAI Europe and EuroTrends, 2015; IOM, 2015). UNHCR facilitated officials' training on the Asylum Regulation Act of 2014 and the Human Trafficking Act of 2014. In addition, UNHCR, UNFPA and the NGO SEEMA trained government and police on protecting refugees *inter alia* (DAI Europe and EuroTrends, 2015).

Furthermore, international organisations promote projects targeted at assisting refugees and IDPs in Sudan. UNHCR and UNDP aim at creating durable solutions and self-reliance of refugees and IDPs through the Transitional Solutions Initiative (UNDP & UNHCR, 2013). The initiative, which seemed to be successful, was however suspended by the Sudanese government for obscure reasons (DAI Europe and EuroTrends, 2015). UNDP and UNHCR among others also engaged in facilitating the co-existence of different refugee, IDP and local communities (DAI Europe and EuroTrends, 2015; UNDP Sudan, 2013). In Table 14 in Annex B more specific examples can be found of where international organisations support the Sudanese government in addressing irregular migration.

International civil society organisations

Few INGOs operate in Sudan as most were expelled in 2009. Most of the remaining ones engage in humanitarian relief activities (DAI Europe and EuroTrends, 2015). Examples for such INGOs are Africa Humanitarian Action, Al Fanar Psychosocial Rehabilitation Centre, Cooperazione Internationale, Danish Refugee Council, Global Health Foundation, HelpAge International, Human Appeal International, Labena Organization for Women's Development, Organization for Voluntary Humanitarian Assistance Programme, People Legal Aid Centre, Save the Children Sweden, Sudan Organization for Development, Sudanese Red Crescent Society, Triangle Génération Humanitaire, Windle Trust International, World Vision Germany and World Vision International (UNHCR, 2016h).

Local civil society organisations

Examples for local NGOs are the Almanar Voluntary Organization and the El Sugya Charity Organisation (UNHCR, 2016h). The former is the leading voluntary organisation for women in Sudan focusing on the protection and economic development of women, including refugees and IDPs. Examples for their numerous activities are awareness raising, information sharing and training and the formation of women cooperatives. The NGO is supported by UN agencies and the EU (Almanar Group, 2015). The El Sugya Charity Organisation's mission is to make sure that Sudanese

communities have access to "clean and adequate drinking water" (El Sugya, 2013, n.d.). As water is a necessity of life this is relevant to irregular migration in several regards: First, having access to drinking water is important for IDP and refugee communities living in Sudan. Second, not having access to drinking water might be a cause of irregular migration.

6. Regional Programmes and Frameworks Addressing Irregular Migration

It is common to address irregular migration on the regional level as it covers various policy fields (Düvell, 2011; Klavert, 2011). It is considered difficult to establish regional cooperation between the HoA countries due to mistrust between countries (Ethiopia, Eritrea and Sudan), security issues (Al-Shabaab and pirates), lack of cooperation and communication between governments and the unwillingness of governments to tackle the trafficking problem (DAI Europe & EuroTrends, 2015; US Department of State, 2015; Horwood, 2015). Gradually regional cooperation becomes more prominent as more and more HoA countries join regional institutions such as the African Union and the Common Market for East and Southern Africa (COMESA) (UNHCR and The World Bank Group, 2015). Five of the countries considered in this report are members of COMESA, the only ones not having joined so far being South Sudan and Somalia (COMESA, n.d.).

The African Union (AU), the successor of the Organisation of African Unity (OAU), can be defined as a regional organisation (Van Langenhove, 2011) uniting the African continent with almost all countries being members of the AU (African Union, n.d.). With the Abuja Treaty, the OAU established the African Economic Community in 1991 (Organisation of African Unity, 1991). The Treaty includes a separate Chapter on the Free Movement of Persons, Right of Residence and Establishment and recommends the conclusion of a related Protocol as these rights are considered an important part of regional integration (Klavert, 2011).

Until today, the AU's most important frameworks on migration are the Migration Policy Framework for Africa and the Common African Position on Migration and Development, both signed in 2006 (Executive Council, 2006a; Executive Council 2006b; Klavert, 2011).The AU's Migration Policy Framework for Africa covers issues related to all forms of migration issues including issues directly or indirectly related to irregular migration (e.g. labour migration, border management, forced displacement, human rights) and stresses the need for a comprehensive framework for the continent to deal with these issues (Executive Council, 2006a). The Framework is not legally binding, giving Member States and regional economic communities a certain freedom to implement the framework considering their own priorities and available resources if possible with the technical assistance and support from IOs (Executive Council, 2006a).

The Common African Position on Migration and Development contains eleven agreements of which some directly or indirectly address irregular migration: The Position empathizes the need to tackle irregular migration including child trafficking to guarantee peace, security and stability throughout the African continent and that therefore it is recommended to establish bilateral, multilateral, regional and continental legal frameworks to address these issues. Furthermore, transparent and comprehensive labour migration policies should encourage legal movements and support for the benefit of sending and receiving countries. In general, it is necessary to protect and guarantee the human rights of all migrants. The AU, its Member States and the EU are responsible for the implementation of the Protocol (Executive Council, 2006b).

In 2009, the AU Commission established the Initiative Against Trafficking (COMMIT) which has been implemented in cooperation with IOM, UNODC, UNICEF, UNHCR, ILO, UNECA, and the EU and US Delegations to the AU (African Union, 2009a; Klavert, 2011). The Initiative covered prevention, protection and prosecution of human trafficking. In addition, in 2009, the AU agreed upon a Minimum Integration Programme identifying the free movement of persons as a priority for regional integration (African Union, 2009b). In relation to the Abuja Treaty it aimed at introducing the "the complete free movement of persons in the regions and their partial free movement between the regions [by 2012]" (African Union, 2009b; Klavert, 2011, p.1).

The proper implementation of the Abuja Treaty, related protocols, programmes and policy frameworks could help to address irregular migration on the HoA considering that all HoA countries are members of te AU. However, as Klavert (2011) argues, most of these "still need to be operationalized" (p.1), which is particularly difficult as most agreements are not legally binding. They form, however, the only opportunity for all Member States of the AU to agree on migration issues (Klavert, 2011).

In 2013, COMESA in cooperation with IOM launched a regional consultative process (RCP) on migration called MIDCOM. It provides a platform "for informal and non-binding dialogue on issues and opportunities related to migration management" (IOM, 2015b). It aims at improving migration management in the region to harmonize migration policies eventually. The RCP focuses *inter alia* on irregular migration, forced and labour migration (IOM, 2015b).

Another organization that establishes regional migration initiatives is the Intergovernmental Authority on Development (IGAD) under its Economic Cooperation and Social Development Division (IGAD, n.d.). Examples of initiatives that IGAD introduced are a Regional Migration Policy Framework, Migration Action Plan and the facilitation of the RCP. Initially IGAD included Djibouti, Ethiopia, Kenya, Somalia, Sudan, Uganda and Eritrea; however, Eritrea disagreed with the intervention in Somalia and suspended its membership in 2007, underlining how difficult regional cooperation can be in the HoA (DAI Europe & EuroTrends, 2015).

The Regional Committee on Mixed Migration for the Horn of Africa and Yemen strives to improve regional cooperation on mixed migration by providing a discussion platform for governments. It recommended the establishment of a regional research centre on mixed migration - the Regional Mixed Migration Secretariat (RMMS) founded by UNHCR, IOM, DRC, Intersos and the Yemen Mixed Migration Task Force. The RMMS is an independent agency which supports evidence-based policy making by improving the management of mixed migration flows in the HoA and the Yemen region as well as protecting and assisting people involved in these flows (IOM, 2015b; DRC, 2014; RMMS, 2014c). So far the RMMS worked on the generation of data, information and analysis on mixed migration, the organisation of mixed migration roundtables to encourage dialogue between various stakeholders, capacity and knowledge building activities and increasing public awareness (DRC, 2014). It does so in coordination with the Inter Agency Standing Committee's Mixed Migration Task Force, other Mixed Migration Task Forces in the region as well as IOM and UNHCR (RMMS, 2014c).

The East African Police Chiefs Cooperation Organisation (EAPCO), founded to reduce transnational and organized crime within the region, proposed to create a regional centre specialized in training, research and analysis in eliminating smuggling in the HoA. Even though Eritrea is an EAPCO member, it would be excluded from this initiative as it refused all cooperation on security matters during the Khartoum conference (DAI Europe & EuroTrends, 2015).

It was also observed that initiatives and agreements were established between governments in the HoA, with or without the support of international organizations. A specific example is the cooperation between the Ethiopian and Sudanese governments resulting in a Memorandum of Understanding to cooperate against illegal migration and trafficking. Furthermore, the UNODC supported some regional-specific agreements and initiatives, such as the 'Indian Ocean Forum on Maritime Crime' and the 'Strengthening criminal justice responses to trafficking in persons and smuggling of migrants in Ethiopia and Djibouti' (DAI Europe & EuroTrends, 2015).

Table C1 in Annex C presents a non-exhaustive overview of regional frameworks and projects related to irregular migration including initiatives to counter human trafficking.

7. International and Inter-regional Frameworks Regarding Irregular Migration

Governing irregular migration has received little attention on a global level so far, which is why there is no international framework regarding irregular migration. Irregular migration is therefore mostly addressed on the national or regional level. While initially irregular migration was mainly associated with security concerns, human rights concerns are gradually gaining significance (Düvell, 2011). Düvell (2011) identifies five IOs, which are particularly important in "declaring irregular migration a policy concern of global relevance and pushing it onto the policy agenda" (p.91), namely IOM, the UN and its agencies, the Intergovernmental Consultations on Migration, Asylum and Refugees in Europe, North America and Australia (IGC), ICMPD and ILO. Activities these IOs engage in are for instance return programmes, border and migration management, facilitating regular labour migration to prevent irregular labour migration, and technical assistance to relevant authorities (Düvell, 2011).

The ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers from 1975 covers some aspects of irregular labour migration including exchanges of information between states, taking measures against irregular movement and employment and the prosecution of traffickers and smugglers. However, only 23 countries, among which Kenya, have ratified the Convention (ILO, 1975).

Most international frameworks focus on human trafficking as a specific form of irregular migration. The key international agreement is the protocol to 'Prevent, Suppress and Punish Trafficking in Persons especially Women and Children' (2000 UNTIP Protocol). Currently, 169 countries are part of the 2000 UNTIP Protocol, including Djibouti, Ethiopia, Kenya, Eritrea and Sudan. South Sudan and Somalia are not yet part of the 2000 UNTIP Protocol (US Department of State, 2015; UNODC, 2016). The 2000 UNTIP Protocol supplements the 'UN Convention Against Transnational Organised Crime and its protocols on trafficking in persons and migrant smuggling' (Palermo Protocol). In order to implement the 2000 UNTIP Protocol the 'United Nations Global Initiative to Fight Human Trafficking' (UN.GIFT) was established in 2007 (UN.GIFT, 2010). The UN.GIFT supports countries to establish and implement the UN Global Plan of Action to Combat Trafficking in Persons, through the prevention of future trafficking victims, protection of victims and by prosecuting traffickers, while respecting the fundamental human rights of all individuals (US Department of State, 2015; UN.GIFT, 2010).

Several other agreements are based on the UNTIP Protocol such as the Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children and the Khartoum Process*. In

cooperation with IOM the African Union (AU) launched the AU Commission Initiative against Trafficking Campaign (AU.COMMIT) that is responsible for the implementation of the Ouagadougou Action Plan. The AU.COMMIT was also established in 2010 in the IGAD region (US Department of State, 2015; The Africa-EU partnership, n.d. ; The Africa-EU partnership, 2010). There are a few other UN and ILO Conventions focussing on human rights and labour migration, which include paragraphs on irregular migration. It is beyond the scope of this report to discuss all of them

The Khartoum process as a form of inter-regionalism[5] is a joint cooperation between the European Union (EU) and African Union (AU) aiming to tackle human trafficking and smuggling in and from the HoA towards Europe. It is a high level, inter-continental political process that aims to harmonize existing AU and EU-led components in these areas. It should be noted, however, that as long as migration drivers in the HoA persist and legal migration channels to Europe for asylum seekers and economic migrants are limited, the Khartoum process is not likely to significantly reduce irregular migration to Europe (Grinstead, 2016).

Table D1 in Annex D presents a non-exhaustive list of international frameworks that are directly related to irregular migration and human trafficking.

8. Conclusion and Recommendations

This report provides an overview of the current trends and policies regarding irregular migration in the East and Horn of Africa based on a review of the existing literature. A particular focus lies on human trafficking and smuggling. Specifically, the mixed migration context of seven countries in the East and Horn of Africa is examined: Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan and Sudan. These countries are origin, transit and destination countries for migrants, asylum seekers and refugees to different extents. Movement in the region is by nature mainly irregular as there are very limited options for regular migration. As such mixed migration in the East and Horn of Africa has increased and become more complex in recent years. At the same time, migrants face significant protection issues, such as abuse and exploitation by smugglers and traffickers.

The policy responses to irregular migration and anti-trafficking vary largely by country. Djibouti, Ethiopia and Kenya are currently performing slightly better than the other countries, but overall policies and legislation are often poorly implemented due to a lack of resources and capacities. Cooperation on the regional level has also seen progress, but remains difficult due to mistrust between the different governments and security issues.

It is important to point out that while a large number of sources were consulted for this report, evidence on most of the migration movements in and out of the East and Horn of Africa region remains limited. Policy evaluations are also largely lacking. As such a lot of questions remain open and further research is required to broaden the understanding of irregular migration in the region. Based on the findings of this report, several recommendations for future investigations can be made:

- Considering the overall volume of migration from the region, it is surprising that migration of Djiboutian is rather limited even though socio-economic conditions are not significantly

---

[5] Van Langenhove (2011) defines inter-regionalism as "processes and structures of interaction between two or more actors that do not belong to the same region and that are states, regional organizations or NGOs that claim or are seen to speak for a region" (p.93).

better than in neighbouring countries and there is a constant visual reminder of the opportunities for migration due to the high volume of flows of irregular migrants transiting through the country. It would therefore be of interest to investigate further why Djiboutians are not more inclined to migrate.

- While the routes migrants take can be identified, not much is known about how migrants make their destination choices. Few studies have investigated this so far and most of those that have were done in the early 2000s (Kuschminder et al., 2015). A recent exception is a forthcoming study by Kuschminder et al., which examines how irregular migrants in Athens and Istanbul decide to stay in a country of transit, pursue onward migration or return to their country of origin. The focus in this case is not on African migrants though. In order to develop effective policies regarding irregular migration in and from the East and Horn of Africa it is, however, important to understand how migrants from the region make their decisions and under what circumstances they adapt them.

- Smuggling and trafficking are as such separate 'businesses', but in many cases smugglers are not only facilitators of migratory movements anymore. They are instead associated with criminal acts such as exploitation or the facilitation of human trafficking. Not much is known about these linkages, which would be important to understand to address the practices and the interactions between them effectively.

- Directly connected to that is the issue of differentiation between smugglers and traffickers in policies. While the lines are blurry, the implications for migrants are substantially different. Many of the policies in countries of the East and Horn of Africa show a lack of understanding of the differences between the two phenomena. In order to combat them, this is, however, necessary as their basis is different. While trafficking is a human rights violation, smuggling is a violation of national immigration law of sovereign states and is in the strict sense demand-driven as migrants seek the services of smugglers when they cannot make the journey on their own. Effective policies should take the differences and their implications for the affected individuals into account.

- In general, many of the countries in the region have developed policies addressing protection, prevention and prosecution regarding irregular migration, smuggling and trafficking. However, implementation is another issue. While many countries do for example have anti-trafficking laws, they are seldom effectively implemented and enforced. One of the main challenges in this regard is the lack of cooperation between different government authorities. It is not clear why they do not make more efforts to increase their cooperation and with that their efficiency.

- Looking at anti-trafficking efforts in the region, it becomes clear that especially Ethiopia and Kenya are increasingly showing a positive trend. From a regional perspective it would be interesting to see whether this will have positive spill-over effects on the other countries or whether those countries, in particular Eritrea, will hinder the positive trend in anti-trafficking efforts. While there are efforts to establish and work with regional initiatives and dialogues, the potential role of regional institutions and cooperation in the issue of trafficking and irregular migration more generally does not seem to be well understood at this stage.

- One of the main issues in all countries in the region in addressing irregular migration, smuggling and trafficking seems to be the lack of resources and capacity at the institutional level. While international organisations are engaging with the national actors to address these problems, a main concern are high staff turnover rates, which lead to a loss of capacity that has been built by trainings and similar initiatives. A main challenge therefore is to understand how capacity building can be implemented more effectively and sustainable.

References

4mi (2016). *4mi Project Website*. Retrieved March 2016 from http://4mi.regionalmms.org/4mi.html

African Union (n.d.). *Member States.* Retrieved May 2016 from http://www.au.int/en/countryprofiles

African Union (2009a). *AU.COMMIT Campaign on Combating Human Trafficking 2009-2012.* Retrieved May 2016 from http://sa.au.int/en/content/au-commit-campaign-combating-human-trafficking-2009-2012

African Union (2009b). *Minimum Integration Programme.* African Union: Addis Ababa. Retrieved May 2016 from http://www1.uneca.org/Portals/ctrci/6th/MinimumIntegrationProgrammeEng.pdf

African Union (2014). Khartoum Declaration on AU-Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants. Khartoum on 16th October 2014, African Union.

Almanar Group (2015). *About Almanar.* Retrieved March 2016 from http://www.almanargroup.org/index.php/about-almanar

Altai Consulting and United Nations High Commissioner for Refugees (UNHCR) (2013). *Mixed Migration: Libya at the Crossroads. Mapping of Migration Routes and Drivers of Migration in Post-revolution Libya*. Tripoli: Altai Consulting and UNHCR. Retrieved March 2016 from http://www.altaiconsulting.com/mixedmigrationlibya/Altai_Consulting-UNHCR-Mixed_Migration_Libya.pdf

Amnesty International. (2013). *Amnesty International Report 2013. The State of the World's Human Rights*. London: Amnesty International. Retrieved March 2016 from http://files.amnesty.org/air13/AmnestyInternational_AnnualReport2013_complete_en.pdf

Babiker, M.A. (2011). Irregular Migration in Sudan: A Legal Perspective. CARIM Analytic and Synthetic Notes 2011/64. Retrieved March 2016 from http://cadmus.eui.eu/bitstream/handle/1814/18976/CARIM_ASN_2011_64.pdf?sequence=1

Castles, S., H. de Haas and M.J. Miller (2014). *The Age of Migration* - (5th edition). Basingstoke: Palgrave Macmillan.

Central Intelligence Agency (CIA) (2016a). *The World Factbook: Djibouti.* Retrieved March 2016 from https://www.cia.gov/library/publications/the-world-factbook/geos/dj.html

Central Intelligence Agency (CIA) (2016b). *The World Factbook: Eritrea.* Retrieved March 2016 from https://www.cia.gov/library/publications/resources/the-world-factbook/geos/er.html

Central Intelligence Agency (CIA) (2016c). *The World Factbook: Ethiopia.* Retrieved March 2016 from https://www.cia.gov/library/publications/resources/the-world-factbook/geos/et.html

Central Intelligence Agency (CIA) (2016d). *The World Factbook: Kenya.* Retrieved March 2016 from https://www.cia.gov/library/publications/resources/the-world-factbook/geos/ke.html

Central Intelligence Agency (CIA) (2016e). *The World Factbook: Somalia.* Retrieved March 2016 from https://www.cia.gov/library/publications/resources/the-world-factbook/geos/so.html

Central Intelligence Agency (CIA) (2016f). *The World Factbook: South Sudan.* Retrieved March 2016 from https://www.cia.gov/library/publications/resources/the-world-factbook/geos/od.html

Central Intelligence Agency (CIA) (2016g). *The World Factbook: Sudan.* Retrieved March 2016 from https://www.cia.gov/library/publications/resources/the-world-factbook/geos/su.html

Common Market for East and Southern Africa (COMESA) (n.d.). *Members.* Retrieved March 2016 from
http://about.comesa.int/index.php?option=com_content&view=article&id=123&Itemid=121

DAI Europe and EuroTrends (2015). *Context assessment to prepare the project "Addressing mixed migration flows in Eastern Africa"*. Brussels: European Commission.

Danish Refugee Council (DRC) (2014). *Annual Report 2014. Horn of Africa and Yemen.* Nairobi: Danish Refugee Council. Retrieved March 2016 from https://drc.dk/media/1351177/drc-hoay-2014-annual-report.pdf

Danish Refugee Council (DRC) and Regional Mixed Migration Secretariat (RMMS) (2015). *Regional Mixed Migration in the Horn of Africa and Yemen in 2015: End of year trend summary and analysis*. Retrieved March 2016 from http://www.regionalmms.org/fileadmin/content/monthly%20summaries/AnnualReport2015.pdf

de Haas, H. (2008). The Myth of Invasion: The Inconvenient Realities of African Migration to Europe. *Third World Quarterly*, 1305–1322.

de Haas, H. (2011). *Irregular Migration from West Africa to the Maghreb and the European Union: An Overview of Recent Trends*. Geneva: IOM. Retrieved March 2016 from http://www.unhcr.org/49e479ca0.pdf

Düvell, F. (2011). Irregular Migration. In: A. Betts (Ed), *Global Migration Governance* (pp.78-108). Oxford University Press.

El Sugya (2013). *About Us.* Retrieved March 2016 from http://elsugya.org/new/our-mission.html

European Commission (EC) (2011). *COMMUNICATION FROM THE COMMISSION TO THE EUROPEANPARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS. The Global Approach to Migration and Mobility*. Retrieved March 2016 from http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0743&from=EN

European Commission (EC) (2015). *The European Union's cooperation with Africa on migration*. Retrieved March 2016 from http://europa.eu/rapid/press-release_MEMO-15-4832_en.htm

European Commission (EC) (2016). *Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children*. Retrieved March 2016 from https://ec.europa.eu/anti-trafficking/eu-policy/ouagadougou-action-plan-combat-trafficking-human-beings-especially-women-and-children_en

Eurostat (2016). *Decisions on applications and resettlement (migr_asydec)*. Retrieved March 2016 from http://ec.europa.eu/eurostat/web/asylum-and-managed-migration/data/database

Executive Council (2006a). *Migration Policy Framework for Africa.* Ninth Ordinary Session 25 – 29 June 2006, Banjul, the Gambia. EX.CL/276 (IX). African Union: Addis Ababa. Retrieved May 2016 from http://www.unhcr.org/4d5258ab9.html

Executive Council (2006b). *African Common Position on Migration and Development.* Ninth Ordinary Session 25 – 29 June 2006, Banjul, the Gambia. EX.CL/277 (IX). African Union: Addis Ababa. Retrieved May 2016 from http://www.un.org/en/africa/osaa/pdf/au/cap_migrationanddev_2006.pdf

Federal Republic of Somalia (2012). *Provisional Constitution.* Mogadishu: Federal Republic of Somalia. Retrieved March 2016 from http://unpos.unmissions.org/LinkClick.aspx?fileticket=RkJTOSpoMME=

FRONTEX (2013). *Annual Risk Analysis 2013*. Warsaw: European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. Retrieved March 2016 from http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2013.pdf

Galkayo Education Center for Peace and Development (GECPD) (2012). *What we do.* Retrieved March 2016 from http://gecpdsomalia.org/profile.html

Gastrow, P. (2011). *Termites at Work: Transnational Organised Crime and State Erosion in Kenya*. New York: International Peace Institute. Retrieved March 2016 from https://www.ipinst.org/images/pdfs/ipi_epub-kenya-toc.pdf

Global Initiative against Transnational Organized Crime. (2014). *Smuggled Futures: The dangerous path of the migrant from Africa to Europe*. Geneva: Global Initiative against Transnational Organized Crime. Retrieved March 2016 from http://www.globalinitiative.net/download/global-initiative/Global%20Initiative%20-%20Migration%20from%20Africa%20to%20Europe%20-%20May%202014.pdf

Government of the Republic of Kenya, Government of the Federal Republic of Somalia and United Nations High Commissioner for Refugees (2013). *Tripartite Agreement Governing the Voluntary Repatriation of Somali Refugees Living in Kenya.* Retrieved March 2016 from http://www.refworld.org/pdfid/5285e0294.pdf

Grinstead, N. (2016). The Khartoum process: Shifting the burden. Clingendael, Netherlands Institute of International Relations. Retrieved March 2016 from http://www.clingendael.nl/publication/khartoum-process-shifting-burden

Hamood, S. (2006). *African Transit Migration Through Libya to Europe: The Human Cost*. Cairo: The American University. Retrieved March 2016 from http://www.migreurop.org/IMG/pdf/hamood-libya.pdf

Havoscope (2016). *Black Market Crime in Kenya*. Retrieved March 2016 from http://www.havocscope.com/tag/kenya/

Horwood, C. (2009). *In Pursuit of the Southern Dream: Victims of Necessity Assessment of the irregular movement of men from East Africa and the Horn to South Africa*. Geneva: International Organization for Migration. Retrieved March 2016 from http://publications.iom.int/system/files/pdf/iomresearchassessment.pdf

Horwood, C. (2015). *Irregular Migration Flows in the Horn of Africa: Challenges and implications for source, transit and destination countries*. Occasional Paper Series, No. 18|2015. Australian Government Department of Immigration and Border Protection. Retrieved March 2016 from https://www.border.gov.au/ReportsandPublications/Documents/research/horn-of-africa.pdf

Human Rights Watch. (2013). *World Report 2013*. New York: Human Rights Watch. Retrieved March 2016 from https://www.hrw.org/sites/default/files/wr2013_web.pdf

Human Rights Watch (2014). *"I wanted to Lie Down and Die" - Trafficking and Torture of Eritreans in Sudan and Egypt.* New York: Human Rights Watch. Retrieved March 2016 from https://www.hrw.org/report/2014/02/11/i-wanted-lie-down-and-die/trafficking-and-torture-eritreans-sudan-and-egypt

Humanitarian Country Team Somalia (HCT-S) (2010). *Terms of reference.* Retrieved March, 2016 from http://somaliangoconsortium.org/docs/key/25/2014/1402565657.pdf

Humphris, R. (2013). Refugees and the Rashaida: human smuggling and trafficking from Eritrea to Sudan and Egypt. New Issues in Refugee Research, Research Paper No. 254. Geneva: UNHCR. Retrieved March 2016 from http://www.unhcr.org/51407fc69.pdf

Immigration and Refugee Board of Canada. (2013). Eritrea: Identification documents, including national identity cards and birth certificates; requirements and procedures for obtaining and renewing identity documents, both within the country and abroad (2009-August 2013). Retrieved March 2016 from http://www.refworld.org/docid/524970044.html

Intergovernmental Authority on Development (IGAD) (n.d.). *Migration.* Retrieved March 2016 from http://igad.int/index.php?option=com_content&view=category&layout=blog&id=63&Itemid=159

Internal Displacement Monitoring Centre (IDMC) (2016a). *Eritrea IDP Figures Analysis*. Retrieved March 2016 from http://www.internal-displacement.org/sub-saharan-africa/eritrea/figures-analysis

Internal Displacement Monitoring Centre (IDMC) (2016b). *Ethiopia IDP Figures Analysis*. Retrieved March 2016 from http://www.internal-displacement.org/sub-saharan-africa/ethiopia/figures-analysis

Internal Displacement Monitoring Centre (IDMC) (2016c). *Kenya IDP Figures Analysis*. Retrieved March 2016 from http://www.internal-displacement.org/sub-saharan-africa/kenya/figures-analysis

International Centre for Migration Policy Development (ICMPD) (2008). *The East Africa Migration Routes Report*. Vienna: ICMPD. Retrieved March 2016 from http://www.icmpd.org/fileadmin/ICMPD-Website/MTM/FINAL_EAMRI_Country_Reports_-_Ethiopia__Kenya__Libya_-_ICMPD_2008_-_for_print.pdf

International Centre for Migration Policy Development (ICMPD) (2010). *A Comprehensive Survey of Migration Flows and Institutional Capabilities in Libya*. Vienna: International Centre for Migration Policy Development. Retrieved March 2016 from http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD_General/Publications/2010/Libya_Survey_Report_electronic_version_edited.pdf

International Labour Organisation (ILO) (1975). *Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers. C143. Geneva,* 60th ILC session (24 Jun 1975). Retrieved April 2016 from http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312288

International Labour Organization (ILO) (2011). *Trafficking in persons overseas for labour purposes. The case of Ethiopian domestic workers*. Addis Ababa: International Labour Organization. Retrieved March 2016 from http://www.ilo.org/global/docs/WCMS_234406/lang--en/index.htm

International Organization for Migration (IOM) (2011a). *Glossary on Migration*. 2nd Edition. Geneva: International Organization for Migration.

International Organization for Migration (IOM) (2011b). *Migration in Sudan – A Country Profile*. Khartoum: International Organization for Migration. Retrieved March 2016 from https://publications.iom.int/system/files/pdf/mpsudan_18nov2013_final.pdf

International Organization for Migration (IOM) (2013). Health Vulnerabilities Study of Mixed Migration Flows from the East and Horn Of Africa and The Great Lakes Region to Southern Africa. Geneva: International Organization for Migration. Retrieved March 2016 from https://www.iom.int/sites/default/files/situation_reports/file/IOM-South-Sudan-Humanitarian-Update-59-27-November-2015.pdf

International Organization for Migration (IOM) (2015a). *Delivering more for migrants. IOM Sudan Annual Report 2015.* Khartoum: IOM. Retrieved March 2016 from https://www.iom.int/sites/default/files/country/docs/sudan/IOM-Sudan-Annual-Report-2015.pdf

International Organisation for Migration (IOM) (2015b). *COMESA RCP MIDCOM.* Retrieved March 2016 from https://www.iom.int/common-market-eastern-and-southern-africa-comesa-rcp-midcom

International Organization for Migration (IOM) Sudan Mission (2015c). *Counter-Trafficking in Persons and Smuggling in Migrants*. Retrieved March 2016 from https://sudan.iom.int/counter-trafficking-persons-smuggling-migrants

International Organization for Migration (IOM) (2015d). *IOM South Sudan Humanitarian Update #59*. Retrieved March 2016 from http://reliefweb.int/sites/reliefweb.int/files/resources/Migration%20Health%20Study%20FINAL%20web.pdf

International Organization for Migration (IOM) (2015e). *Migration in Kenya – A Country Profile 2015*. Retrieved March 2016 from https://publications.iom.int/system/files/pdf/migration_profile_kenya.pdf

International Organization for Migration (IOM) (2015f). *IGAD-RCP*. Retrieved March 2016 from https://www.iom.int/igad-rcp

International Organization for Migration (IOM) (2015g). *Regional Committee on Mixed Migration for Horn of Africa, Yemen, Meets in Djibouti*. Retrieved March 2016 from https://www.iom.int/news/regional-committee-mixed-migration-horn-africa-yemen-meets-djibouti

International Organization for Migration (IOM) (2016). *Somalia.* Retrieved March 2016 from http://ronairobi.iom.int/somalia

IRIN (2013). *Horn migrants use new, more dangerous, routes through Malawi*. IRIN News January 21. Retrieved March 2016 from http://www.irinnews.org/report/97289/horn-migrants-use-new-more-dangerous-routes-through-malawi

Jordan, B., & Düvell, F. (2002). *Irregular Migration. Dilemmas of Transnational Mobility*. Cheltenham: Edward Elgar.

Kaalo NGO (2011). *Who we are.* Retrieved March 2016 from http://kaalo-ngo.org/who-we-are/about-us/

Klavert, H. (2011). African Union frameworks for migration: current issues and questions for the future. *ECDPM Discussion Paper No.108.* Retrieved May 2016 from http://ecdpm.org/wp-content/uploads/2013/11/DP-108-African-Union-Frameworks-Migration-Issues-Questions-Future-2011.pdf

Kolmannskog, V. and T. Afif (2014). *Disaster-Related Displacement from the Horn of Africa Report No.15*. Bonn: United Nations University Institute for Environment and Human Security (UNU-EHS). Retrieved March 2016 from http://www.nrc.no/arch/_img/9189961.pdf

Koser, K. and M. McAuliffe (2013). *Establishing an Evidence-Base for Future Policy Development on Irregular Migration to Australia* (Bd. 01|2013). Australian Government Department of Immigration and Citizenship. Retrieved March 2016 from http://www.immi.gov.au/media/research/irregular-migration-research/_doc/evidence-base-for-future-policy.pdf

Kuschminder, K. J. de Bresser and M. Siegel (2015). *Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices.* Maastricht: Wetenschappelijk Onderzoek- en Documentatiecentrum and Maastricht Graduate School of Governance. Retrieved March 2016 from http://www.merit.unu.edu/publications/uploads/1436958842.pdf

Kuschminder, K. and M. Siegel (2014). Migration & Development: A World in Motion – Ethiopia Country Report. Maastricht: Maastricht Graduate School of Governance. Retrieved March 2016 from http://migration.unu.edu/publications/reports/migration-development-a-world-in-motion-ethiopia-country-report.html

Life & Peace Institute (2015). *Human Trafficking and Smuggling in the Horn of Africa: Patterns, Dynamics, and Criminal Networks*. Retrieved March 2016 from http://life-peace.org/wp-content/uploads/2015/10/Human-Trafficking-and-Smuggling-in-the-Horn-of-Africa.pdf

Lutterbeck, D. (2013). Across the Desert, Across the Sea: Migrant Smuggling into and from Libya. In: P. Seeberg and Z. Eyadat (Eds.), *Migration, Security, and Citizenship in the Middle East* (pp. 137-165). Palgrave Macmillan.

Médicins Sans Frontières (MSF) (2008). *No Choice: Somali and Ethiopian Refugees, Asylum Seekers and Migrants Crossing the Gulf of Aden*. Geneva: Médicins Sans Frontières.

Ministry of Labour, Social Security and Service of Kenya (2013). *The National Plan of Action for Combating Human Trafficking: Strategic Framework 2013-2017*. Retrieved March 2016 from http://www.labour.go.ke/downloads/26%20May%202015%20NPA%20Human%20Trafficking%202013-2017%20final.pdf

Mixed Migration Hub (2015). *Conditions and Risks of Mixed Migration in North East Africa*. North Africa Mixed Migration Task Force. Retrieved March 2016 from http://reliefweb.int/report/world/conditions-and-risks-mixed-migration-north-east-africa-study-2-november-2015

Organisation of African Unity (OAU) (1991). *Treaty Establishing the African Economic Community.* Organisation of African Unity: Abuja. Retrieved May 2016 from http://www.wipo.int/edocs/lexdocs/treaties/en/aec/trt_aec.pdf

Regional Durable Solutions Secretariat (ReDSS) (2015). *ReDSS Solutions Statement: Somalia*. Nairobi: Danish Refugee Council and ReDSS. Retrieved March 2016 from http://www.regionaldss.org/sites/default/files/2015_2105_ReDSSstatementSomalia_0.pdf

Regional Mixed Migration Secretariat (RMMS) (2013a). *Migrant Smuggling in the Horn of Africa and Yemen: The Political Economy and Protection Risks*. Mixed Migration Research Series – Explaining People on the Move Study 1. Nairobi: Regional Mixed Migration Secretariat. Retrieved March 2016 from http://regionalmms.org/fileadmin/content/monthly%20summaries/series_booklet_Leo.pdf

Regional Mixed Migration Secretariat (RMMS) (2013b). *Responses to mixed migration in the Horn of Africa & Yemen: policies and assistance responses in a fast changing context*. Mixed Migration Research Series – Explaining People on the Move Study 3. Nairobi: Regional Mixed Migration Secretariat. Retrieved March 2016 from http://www.regionalmms.org/fileadmin/content/rmms_publications/series_three_booklet.pdf

Regional Mixed Migration Secretariat (RMMS) (2014a). *Blinded by Hope – Knowledge, Attitudes and Practices of Ethiopian Migrants*. Mixed Migration Research Series – Explaining People on the Move Study 6. Nairobi: Regional Mixed Migration Secretariat. Retrieved March 2016 from http://www.regionalmms.org/fileadmin/content/rmms_publications/Blinded_by_Hope.pdf

Regional Mixed Migration Secretariat (RMMS) (2014b). *Going West – Contemporary Mixed Migration Trends from the Horn of Africa to Libya & Europe*. Mixed Migration Research Series – Explaining People on the Move Study 5. Nairobi: Regional Mixed Migration Secretariat. Retrieved March 2016 from http://www.regionalmms.org/fileadmin/content/rmms_publications/Going_West_migration_trends_Libya___Europe_final.pdf

Regional Mixed Migration Secretariat (RMMS) (2014c). *About RMMS.* Retrieved March 2016 from http://www.regionalmms.org/index37ab.html?id=59

Regional Mixed Migration Secretariat (RMMS) (2015a). *A Certain Catalyst: an overview of the (mixed) migration and development debate with special focus on the Horn of Africa region*. Mixed Migration Research Series – Explaining People on the Move Study 9. Nairobi: Regional Mixed Migration Secretariat. Retrieved March 2016 from http://regionalmms.org/fileadmin/content/rmms_publications/A_Certain_Catalyst_S9_Nov_2015.pdf

Regional Mixed Migration Secretariat (RMMS) (2015b). *Behind bars: the detention of migrants in and from the East & Horn of Africa*. Mixed Migration Research Series – Explaining People on the Move Study 8. Nairobi: Regional Mixed Migration Secretariat. Retrieved March 2016 from http://www.regionalmms.org/fileadmin/content/rmms_publications/Behind_Bars_the_detention_of_migrants_in_and_from_the_East___Horn_of_Africa_2.pdf

Regional Mixed Migration Secretariat (RMMS) (2016a). *Country/ Area Profiles: Djibouti*. Retrieved March 2016 from http://www.regionalmms.org/index6e03.html?id=13

Regional Mixed Migration Secretariat (RMMS) (2016b). *Country/ Area Profiles: Eritrea.* Retrieved March 2016 from http://www.regionalmms.org/index87f1.html?id=14

Regional Mixed Migration Secretariat (RMMS) (2016c). *Country/ Area Profiles: Ethiopia*. Retrieved March 2016 from http://www.regionalmms.org/index7429.html?id=15

Regional Mixed Migration Secretariat (RMMS) (2016d). *Country/ Area Profiles: Kenya*. Retrieved March 2016 from http://www.regionalmms.org/index2728.html?id=16

Regional Mixed Migration Secretariat (RMMS) (2016e). *Country/ Area Profiles: Puntland.* Retrieved March 2016 from http://www.regionalmms.org/index190a.html?id=17

Regional Mixed Migration Secretariat (RMMS) (2016f). *Country/ Area Profiles: Somalia – South Central*. Retrieved March 2016 from http://www.regionalmms.org/indexa9bc.html?id=19

Regional Mixed Migration Secretariat (RMMS) (2016g). *Country/ Area Profiles: Somaliland*. Retrieved March 2016 from http://www.regionalmms.org/indexe371.html?id=18

Regional Mixed Migration Secretariat (RMMS) (2016h). *Country/ Area Profiles: Yemen.* Retrieved March 2016 from http://www.regionalmms.org/indexe5cc.html?id=20

Small Arms Survey (2012). *Eastern Africa Police Chiefs Cooperation Organization (EAPCCO)*. Retrieved March 2016 from http://www.smallarmssurvey.org/tools/ro-poa/profiles-of-regional-organizations/africa/eapcco.html

Somalia NGO Consortium (2016a). *About us.* Retrieved March 2016 from http://somaliangoconsortium.org/about/

Somalia NGO Consortium (2016b). *Members.* Retrieved March 2016 from http://somaliangoconsortium.org/about/members

The Africa-EU Partnership (2016). *Migration and Mobility*. Retrieved March 2016 from http://www.africa-eu-partnership.org/en/areas-cooperation/migration-mobility-and-employment/migration-and-mobility

Triandafyllidou, A. (2010). *Irregular Migration in Europe: Myths and Realities.* London : Ashgate.

Tripartite Agreement (2013). *Governing the Voluntary Repatriation of Somali Refugees Living in Kenya.* November 10, 2013. Retrieved March 2016 from http://www.refworld.org/pdfid/5285e0294.pdf

Trueman, T. (2012). *Djibouti: destitution and fear for refugees from Ethiopia*. Oromia Support Group Report 48. London: Oromo Relief Association UK. Retrieved March 2016 from http://www.oromoliberationfront.org/News/2012/OSG_Report_48_Djibouti_May_2012.pdf

United Nations (UN) (n.d.). Children: Not Soldiers. Retrieved March 2016 from https://childrenandarmedconflict.un.org/children-not-soldiers/

United Nations, Department of Economic and Social Affairs, Population Division (UN DESA) (2014). *World Urbanization Prospects: The 2014 Revision*. Retrieved March 2016 from http://esa.un.org/unpd/wup/

United Nations, Department of Economic and Social Affairs, Population Division (UN DESA) (2015). *World Population Prospects: The 2015 Revision*. Retrieved March 2016 from http://esa.un.org/unpd/wpp/Download/Standard/Population/

United Nations, Department of Economic and Social Affairs, Population Division (UN DESA) and United Nations Children's Emergency Fund (UNICEF) (2014). *Migration Profiles – Sudan*. Retrieved March 2016 from http://esa.un.org/miggmgprofiles/indicators/files/Sudan.pdf

United Nations Development Programme (UNDP) Sudan. (2013). *Darfur Community Recovery for Coexistence.* Retrieved March 2016 from http://www.sd.undp.org/content/sudan/en/home/operations/projects/crisis_prevention_and_recovery/Darfur_Community_Recovery_for_Coexistence.html

United Nations Development Programme (UNDP) (2015). *Human Development Report 2015.* New York: UNDP. Retrieved March 2016 from http://hdr.undp.org/sites/default/files/2015_human_development_report.pdf

United Nations Development Programme (UNDP) (2016). *About Somalia.* New York: UNDP. Retrieved March 2016 from http://www.so.undp.org/content/somalia/en/home/countryinfo.html

United Nations Development Programme (UNDP) and United Nations High Commissioner for Refugees (UNHCR) (2013). *UNDP | UNHCR Transitional Solutions Initiative (TSI) Joint Programme*. Retrieved March 2016 from http://hdr.undp.org/sites/default/files/2015_human_development_report.pdf

United Nations General Assembly (2015). *Report of the Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth*. Human Rights Council 29th Session, A/HRC/29/41. Retrieved March 2016 from https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/129/07/PDF/G1512907.pdf?OpenElement

United Nations High Commissioner for Refugees (UNHCR) (2013a). *New procedures set for Somali refugees to return home voluntarily from Kenya.* Retrieved March 2016 from http://www.unhcr.org/528102b49.html

United Nations High Commissioner for Refugees (UNHCR) (2013b). *Smuggling and Trafficking from the East of Africa : Executive Summary*. Retrieved March 2016 from http://www.refworld.org/docid/51d175314.html

United Nations High Commissioner for Refugees (UNHCR) (2014a). *Ethiopia overtakes Kenya as Africa's biggest refugee-hosting country*. News Stories, 19 August 2014. Retrieved March 2016 from http://www.unhcr.org/53f31ebd9.html

United Nations High Commissioner for Refugees (UNHCR) (2014b). *Sharp increase in number of Eritrean refugees and asylum-seekers in Europe, Ethiopia and Sudan*. Briefing Notes, 14 November 2014. Retrieved March 2016 from http://www.unhcr.org/5465fea1381.html

United Nations High Commissioner for Refugees (UNHCR) (2014c). *Smuggling and Trafficking from the East and Horn of Africa.* Geneva: UNHCR. Retrieved March 2016 from http://www.refworld.org/pdfid/51d175314.pdf

United Nations High Commissioner for Refugees (UNHCR) (2014d). *GLOBAL INITIATIVE ON PROTECTION AT SEA.* Retrieved March 2016 from http://www.unhcr.org/5375db0d9.html

United Nations High Commissioner for Refugees (UNHCR) (2014e). *Live, Learn & Play Safe, Regional Initiative 2014-2016.* Retrieved March 2016 from http://www.refworld.org/pdfid/53bbc6314.pdf

United Nations High Commissioner for Refugees (UNHCR) (2015a). *Global Appeal 2015 – Sudan.* Retrieved March 2016 from http://www.unhcr.org/5461e60111.html

United Nations High Commissioner for Refugees (UNHCR) (2015b). *Integrated Action Plan for Sustainable Return and Reintegration of Somali Refugees from Kenya to Somalia.* Retrieved March 2016 from http://unhcr.org/561e54069.pdf

United Nations High Commissioner for Refugees (UNHCR) (2015c). *Refugees in the Horn of Africa: Somali Displacement Crisis*. Retrieved March 2016 from http://data.unhcr.org/horn-of-africa/settlement.php?id=17&country=110&region=12#

United Nations High Commissioner for Refugees (UNHCR) (2016a). *2015 UNHCR country operations profile – Djibouti*. Retrieved March 2016 from http://www.unhcr.org/pages/49e483836.html

United Nations High Commissioner for Refugees (UNHCR) (2016b). *2015 UNHCR country operations profile – Eritrea*. Retrieved March 2016 from http://www.unhcr.org/pages/49e45a846.html

United Nations High Commissioner for Refugees (UNHCR) (2016c). *2015 UNHCR country operations profile – Ethiopia*. Retrieved March 2016 from http://www.unhcr.org/pages/49e4838e6.html

United Nations High Commissioner for Refugees (UNHCR) (2016d). *2015 UNHCR country operations profile – Kenya*. Retrieved March 2016 from http://www.unhcr.org/pages/49e483a16.html

United Nations High Commissioner for Refugees (UNHCR) (2016e). *2015 UNHCR country operations profile – 2015 UNHCR subregional operations profile - East and Horn of Africa*. Retrieved March 2016 from http://www.unhcr.org/pages/49e45a846.html

United Nations High Commissioner for Refugees (UNHCR) (2016f). *2015 UNHCR country operations profile – Somalia*. Retrieved March 2016 from http://www.unhcr.org/pages/49e483ad6.html

United Nations High Commissioner for Refugees (UNHCR) (2016g). *2015 UNHCR country operations profile – South Sudan*. Retrieved March 2016 from http://www.unhcr.org/pages/4e43cb466.html

United Nations High Commissioner for Refugees (UNHCR) (2016h). *2015 UNHCR country operations profile – Sudan*. Retrieved March 2016 from http://www.unhcr.org/pages/49e483b76.html

United Nations High Commissioner for Refugees (UNHCR) (2016i). *Regional Refugee and Migrant Response Plan: Yemen*. Retrieved March 2016 from http://data.unhcr.org/yemen/regional.php

United Nations High Commissioner for Refugees (UNHCR) (2016j). *UNHCR Dadaab, Kenya – Camp Population Statistics*. Retrieved March 2016 from http://data.unhcr.org/horn-of-africa/download.php?id=1837

United Nations High Commissioner for Refugees (UNHCR) (2016k). *Yemen Situation.* Geneva: UNHCR. Retrieved March 2016 from http://reporting.unhcr.org/sites/default/files/UNHCR%20Yemen%20Situation%202016%20Su pplementary%20Appeal%20Feb%202016.pdf

United Nations High Commissioner for Refugees (UNHCR) and The World Bank Group (2015). *Forced Displacement and Mixed Migration in the Horn of Africa.* REPORT NO: ACS14361. Washington: The World Bank. Retrieved March 2016 from http://pubdocs.worldbank.org/pubdocs/publicdoc/2015/7/892801436371029880/forced-displacement-horn-of-africa-Report.pdf

United Nations (UN) News Centre. (2008). *Sudanese Government and UNICEF sign agreement to protect children.* Retrieved March, 2016 from http://www.un.org/apps/news/story.asp?NewsID=29404#.Vv5Gh_5f3cs

United Nations Office on Drugs and Crime (UNODC) (2006). *Organized crime and irregular migration from Africa to Europe*. Retrieved March 2016 from http://www.unodc.org/pdf/research/Migration_Africa.pdf

United Nations Office on Drugs and Crime (UNODC) (2010). *Smuggling of migrants into, through and from North Africa A thematic review and annotated bibliography of recent publications*. Vienna: United Nations Office on Drugs and Crime. Retrieved March 2016 from https://www.unodc.org/documents/human-trafficking/Migrant_smuggling_in_North_Africa_June_2010_ebook_E_09-87293.pdf

United Nations Office on Drugs and Crime (UNODC) (2011). *Smuggling of Migrants - A Global Review and Annotated Bibliography of Recent Publications*. New York: United Nations. Retrieved March 2016 from http://www.uncjin.org/documents/human-trafficking/Migrant-Smuggling/Smuggling_of_Migrants_A_Global_Review.pdf

United Nations Office on Drugs and Crime (UNODC) (2015). *Global Maritime Crime Programme Annual Report 2015.* New York: United Nations. Retrieved March 2016 from https://www.unodc.org/documents/easternafrica//MCP/15-07385_AR_ebook_Small.pdf

United Nations Office on Drugs and Crime (UNODC) (2016). *Signatories to the United Nations Convention against Transnational Crime and its Protocols.* Retrieved March 2016 from https://www.unodc.org/unodc/en/treaties/CTOC/signatures.html

United Nations Office on Drugs and Crime (UNODC) & UN.GIFT (2007). First Regional Anti-Human Trafficking Conference in Eastern Africa: Vulnerabilities of Conflict and Post-Conflict Countries, Kampala, 19-22 June. Retrieved March 2016 from http://www.ungift.org/docs/ungift/pdf/world/uganda_regional_report.pdf

United Nations Security Council (2012). Report of the Monitoring Group on Somalia and Eritrea Pursuant to Security Council resolution 2002, S/2012/545. New York: United Nations Security Council. Retrieved March 2016 from http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Somalia%20S%202012%20545.pdf

US Department of State (2015). *2015 Trafficking in Persons Report*. Washington, DC: US Department of State:. Retrieved March 2016 from http://www.state.gov/j/tip/rls/tiprpt/2015/index.htm

van Langenhove, L. (2011). *Building Regions. The Regionalization of the World Order.* Farnham-Burlington: Ashgate.

van Reisen, van, M., M. Estefanos and C. Rijken (2012). *Human Trafficking in the Sinai: Refugees between Life and Death*. Tilburg University/EEPA.

van Reisen, van, M., M. Estefanos and C. Rijken (2013). *The Human Trafficking Cycle: Sinai and Beyond*. Oisterwijk: Wolf Legal Publishers.

World Bank (2015). *Migration and Remittances Factbook 2016*. Washington, DC: World Bank. Retrieved March 2016 from http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTDECPROSPECTS/0,,contentMDK:21352016~pagePK:64165401~piPK:64165026~theSitePK:476883,00.html

World Bank (2016). *World Development Indicators*. Retrieved March 2016 from http://data.worldbank.org/

References to Consult Regularly

In general, data on the irregular migration flows in the East and Horn of Africa is limited and few sources provide information at more than one point in time. The Regional Mixed Migration Secretariat publishes on the most recent trends in the region quarterly and also has an expansive, growing library of own research and other publications on topics of interest. It can be accessed at http://www.regionalmms.org/ .

The 4mi project managed by the Regional Mixed Migration Secretariat aims at monitoring mixed migration flows in the region. Through a network of 30 monitors in main migration hubs along the main migration routes, the project currently tracks people from Djibouti, Eritrea, Ethiopia and Somalia moving along these routes. While the project is still growing, it promises to provide updated data on migratory trends. It can be accessed at http://4mi.regionalmms.org/ .

In addition, the respective country operation profiles by UNHCR provide a good overview of recent events and trends in forced migration.

Annex A: Country Context

A1: Development Indicators

Table A1: Development Indicators for Countries in the East and Horn of Africa (2013)

	Djibouti	Eritrea	Ethiopia	Kenya	Somalia	South Sudan	Sudan
Surface Area, *sq. km*[a]	23,200	117,600	1,104,300	580,367	637,657	644,329	1,861,484
Population (2015), *millions*[b]	0.89	5.23	99.39	46.05	10.79	12.34	40.23
Urban Population (2015), *% of total*[c]	77.3	22.6	19.5	25.6	39.6	18.8	33.8
Human Development Index (2014)[d] Country Rank, *out of 188*	0.470 168	0.391 186	0.442 174	0.548 145	n.d.	0.467 169	0.479 167
Life Expectancy at Birth (2014)[d]	62.0	63.7	64.1	61.6	55.4	55.7	63.5
Unemployment (2012-2014), *est. % of labour force*[a]	60.0	8.6	17.5	40.0	n.d.	n.d.	13.6
Multidimensional Poverty Headcount (2010), *%*[d]	29.3	n.d.	87.3	47.8	81.2	91.1	57.8
GDP per capita (2014), *USD*[e, 2]	1,813.6	544.5	573.6	1,385.3	542.6	1,115.1	1,875.8
Foreign Direct Investment (net inflows, 2014), *current USD millions*[e]	153.0	46.5	1,200.0	944.3	105.5	-700.0	1,251.3
Official Development Assistance (net inflows, 2013), *millions USD*[e]	153.0	83.7	3,826.3	3,236.3	991.9	1,447.5	1,163.1
Personal Remittances Received (2014), *millions USD*[e, 3]	35.6	n.d.	624.4	1,440.8	n.d.	n.d.	506.6

Sources: [a] CIA, 2016a-; [b] UN DESA, 2015; [c] UN DESA, 2014; [d] UNDP, 2015; [e] World Bank, 2016.
Notes: n.d. – no data available; [1] Data on Ethiopia from 2012, Data on Eritrea and Kenya from 2013, Data on Djibouti and Sudan from 2014; [2] Data on Eritrea is from 2011; [3] Data on Djibouti is from 2013, Data on Ethiopia is from 2012

Looking at the size of the countries, Sudan has the largest surface area (1,861,484km^2), followed by Ethiopia (1,104,300km^2), while Djibouti the smallest (23,200km^2). Djibouti is also the smallest of the seven countries in terms of population size (0.88 million) and Ethiopia has by far the largest population size (99.39 million), followed by Kenya (46.05 million) and Sudan (40.23 million). In Djibouti, 77.3 per cent of the total population is living in urban areas. In comparison, the country with the second largest urban population in the region is Somalia with only 39.6 per cent of the total population living in urban areas. In South Sudan, the urban population is smallest (18.8 per cent).

According to the UNDP Development Report (2015) all countries have a low rate of human development with Eritrea being the least and Kenya the most developed. There is no data available for Somalia (UNDP, 2015). Life expectancy at birth in the seven countries ranges from 55.4 years in Somalia to 64.1 years in Ethiopia. Data regarding the share of the population living in multidimensional poverty is not available for Eritrea. The headcount ratios of people in multidimensional poverty in the remaining countries are particularly high in South Sudan (91.1 per cent), Ethiopia (87.3 per cent) and Somalia (81.2 per cent). It is the lowest in Djibouti, where it is still almost one third of the population that lives in poverty. Estimated unemployment rates range from 8.6 per cent in Ethiopia to 60.0 per cent in Djibouti.

GDP per capita differs considerable among the seven countries with Eritrea, Ethiopia and Somalia having a particular low GDP per capita (USD 544.4, USD 573.6 and USD 542.6 respectively). In comparison, the GDP per capita of Sudan and Djibouti is more than USD 1,000 higher (USD 1,875.8 and USD 1,813.6 respectively). Kenya (USD 1,385.3) and South Sudan (USD 1,115.1) lie approximately in the middle. In comparison, by far the largest amount of Foreign Direct Investment (FDI) flow into Sudan (USD 1,251.3 million) and Ethiopia (USD 1,200 million), while the FDI for Sudan

is even negative (USD -700 million), indicating that divestment is greater than investment. Ethiopia receives most official development aid (USD 3,826.3 million), followed by Kenya (USD 3,236.3 million), while Eritrea (USD 83.7 million) and Djibouti (USD 153.0 million) receive least. Looking at personal remittances received by the countries, Kenya received most (USD 1,440.8 million), followed by Ethiopia (USD 624.4 million), Sudan (USD 506.6 million) and Djibouti (USD 35.6 million). There is no data available for the other three countries (World Bank, 2016). One should note that in the case of Kenya, the inflow of personal remittances is more than three times higher than FDI, indicating the importance of remittances for the Kenyan economy.

.

A2: Migration Context

Table A2: Migration Statistics for Countries in the East and Horn of Africa

	Djibouti	Eritrea	Ethiopia	Kenya	Somalia	South Sudan	Sudan
Emigration							
Stock of emigrants in thousands (2013)	14.9	387.4	749.1	475.5	1,920.9	759.1	1,508.3
Stock of emigrants as percentage of total population (2013)	1.7	7.8	0.8	1.1	18.7	6.6	3.9
Main destination countries of emigrants (2013)	France, Ethiopia, Libya, Kenya, Canada, the Arab Republic of Egypt, Algeria, Sweden, Australia, Italy	Sudan, Saudi Arabia, the United States, Ethiopia, the United Kingdom, the United Arab Emirates, Sweden, Italy, Norway, Germany	the United States, Saudi Arabia, Israel, Sudan, Italy, South Africa, Canada, Kenya, the United Kingdom, Sweden	the United Kingdom, the United States, Tanzania, Uganda, Canada, South Africa, Australia, Germany, South Sudan, Switzerland	Kenya, Ethiopia, the Republic of Yemen, Libya, Djibouti, the United States, the United Kingdom, Sweden, the Arab Republic of Egypt, Saudi Arabia	Chad, Ethiopia, Uganda, Sudan, Saudi Arabia, the United States, the United Arab Emirates, Australia, Kenya, Canada	Saudi Arabia, South Sudan, the United Arab Emirates, Chad, Qatar, Kuwait, Kenya, Ethiopia, the Republic of Yemen, Uganda
Tertiary-educated as a percentage of total emigrants in OECD countries (2011)	31.1	21.3	23.7	42.7	13.8	15.1	31.7
Number of refugees (June 2015)	921	383,869	702,467	7,474	1,105,618	744,102	640,919
Immigration							
Stock of immigrants in thousands (2013)	123.5	15.8	774.8	892.7	24.6	629.6	446.7
Stock of immigrants as percentage of total population (2013)	14.3	0.3	0.8	2.0	0.2	5.5	1.2
Main origin countries of immigrants (2013)	Somalia, Ethiopia, the Republic of Yemen	Somalia, the Democratic Republic of Congo, Uganda, South Sudan, Mozambique, Burundi, Malawi, Tanzania, Rwanda, France	Somalia, South Sudan, Eritrea, Sudan, Djibouti, Uganda, Rwanda, the Republic of Yemen, the Democratic Republic of Congo, Burundi	Somalia, Tanzania, Uganda, Sudan, India, Ethiopia, South Sudan, the United Kingdom, Cameroon, the Democratic Republic of Congo	Ethiopia, Eritrea, the Republic of Yemen, Bangladesh, the Democratic Republic of Congo, South Sudan, Uganda	Sudan, Uganda, the Democratic Republic of Congo, Ethiopia, Kenya, Chad, the Arab Republic of Egypt, Central African Republic, Nigeria,	Eritrea, South Sudan, Chad, Ethiopia, Nigeria, Central African Republic, the Arab Republic of Egypt, Kenya, Libya, India

							Eritrea
Number of refugees (June2015)	14,787	2,944	88,149	552,272	3,582	265,887	356,191

Source: UNHCR, 2016a,b,c,d, f,g,h; World Bank, 2015.

Annex B: National Policy Responses Regarding Irregular Migration

Djibouti

Table B1: Djibouti's Migration Policy Response Overview Regarding Irregular Migration

Policy	Content
Ordinance No.77-053/PR/AE	- Primary law on refugees - *Article 1*: the law complies with international conventions that Djibouti is a party to: • Convention Relating to the Status of Refugees • Protocol Relating to the Status of Refugees • OAU Convention Governing Specific Aspects of Refugee Problems in Africa • United Nations Convention against Transnational Organised Crime • Protocol against the Smuggling of Migrants by Land, Sea and Air • Protocol to Prevent Suppress and Punish Trafficking in Persons
National Action Plan against Trafficking in Persons	- Was updated and extended through 2020 - If implemented, it would contribute greatly to the minimum standards to reduce human trafficking
National Legislation (Immigration) Act No. 201/AN/07/5éme	- Sets the conditions for entry and residence in the Republic of Djibouti
National Legislation (Asylum) Ordinance No.77-053/PR/AE	- Primary law on refugees - *Article 1*: the law complies with international conventions that Djibouti is a party to - *Article 4*: refugees can be expelled if they pose a threat to national security - *Article 7:* with regard to engaging in professional activities, those with a refugee status are treated the same as other foreigners in Djibouti
Program to grant residency status to undocumented Ethiopian migrants	- Implementation of residency status for undocumented Ethiopian migrants (vulnerable to trafficking in Djibouti) - No formal legal alternatives were offered to foreign trafficked victims who may face hardships or retribution
Articles 3 & 4, Act No.201/AN/07/5éme	- Prohibits irregular migration: - Identified by: • Lack of a valid travel document • Failure to display sufficient resources to live
Law 210/AN/07/5ème L on Combating Trafficking in Human Beings (adopted in 2007)	- Prohibits forced labour and sex trafficking - No adequate distinction between human trafficking and alien smuggling - Penalties: 2-5 years imprisonment and fine (sufficiently stringent, but not corresponding to other serious crimes) - Penalties are doubled in case victim disappeared or dies - Applies to any person who may be a victim of trafficking including cases of forced labour and sex trafficking - *Part IV of the Act (Article 7)* provides penalties for any person engaged in, or an accomplice to a person engaged in, trafficking in human beings
Law 111/AN/11/6ème L, regarding the Fight Against Terrorism and Other Serious Crimes (2011)	- Increased penalties to 10 years imprisonment for human trafficking crimes - Adequately defines the crime in line with international law
Article 369 CP	- Prohibits endangering another person *(This criminal code provision provides alternative means for prosecution and supplements the law on trafficking)*
Article 514 CP	- Prohibits exploiting the ignorance or vulnerabilities of a person

	(This criminal code provision provides alternative means for prosecution and supplements the law on trafficking)
Article 404 CP	- Prohibits inhuman working or housing conditions *(This criminal code provision provides alternative means for prosecution and supplements the law on trafficking)*
Article 228 CP	- Prohibits failing to inform the responsible administrative or judicial bodies while knowing hardships are imposed on a person *(This criminal code provision provides alternative means for prosecution and supplements the law on trafficking)*

Sources: DAI Europe & EuroTrends, 2015; RMMS, 2016a; US Department of State, 2015.

Table B2: Overview Main International Organisations Cooperating with the Djibouti Government in Targeting Irregular Migration

International organisation	Brief description
IOM	- Organizing mixed migration trainings for national institutions - Legislative training - UN Conventions and Protocols workshop - Publishing awareness-raising materials
OHCHR	- Assessing possible cooperation in different fields (e.g. judicial)
UNHCR	- Supporting Djibouti with refugee camps
UNODC	- Supporting regional anti-trafficking meetings - Regional anti-trafficking workshops - Legislative assistance

Sources: DAI Europe & EuroTrends, 2015; US Department of State, 2015.

Eritrea

Table B3: Eritrea's Migration Policy Response Overview Regarding Irregular Migration

Policy	Content
GENERAL	
In general tangible efforts related to irregular migration were minimal	
PREVENTION	
Proclamation of National Service 11/199	- Prohibits the recruitment of children younger than 18 years of age into the armed forces - Penalties: sufficiently stringent - Children under 18 allegedly continued to be sent to Sawa for completion of their final year of education
PROTECTION	
Tangible efforts to protect victims of irregular migration were minimal overall	
PROSECUTION	
Eritrean Transitional Criminal Code	- *Article 605:* Prohibits trafficking in women and young persons for sexual exploitation - Penalties: max. 5 years imprisonment (sufficiently stringent, but not corresponding to other serious crimes)
New Criminal Code	- Includes *Articles 315 and 316* on trafficking - Poorly drafted - Does not reflect international definitions or terminology - No plan on smuggling
Article 565	- Prohibits enslavement - Penalties: 2-20 years imprisonment (sufficiently stringent)

Labour Proclamation 118 (2001)	- Prohibits forced labour - *Article 3, sub-paragraph 17 of the 2001 Labour Proclamation* specifically excludes national and military service or other civic obligations from the definition of forced labour
Proclamation on Immigration (1992)	- Criminalises transporters who transport people without valid documents - Criminalises individuals travelling without valid documents

Sources: DAI Europe & EuroTrends, 2015; RMMS, 2016b; US Department of State, 2015.

Ethiopia

Table B4: Ethiopia's Migration Policy Response Overview Regarding Irregular Migration

Policy	Content
GENERAL	

Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation (2015)	- New law on human trafficking and smuggling of migrants
	- Recently adopted
	- Includes:
	  • Provisions for both trafficking and smuggling
	  • New provisions to assist victims (previously weak in Ethiopia)
	- Penalties:
	  • 15-20 years (*Articles 3 and 5*)
	  • Fines
	  • Under aggravating circumstances possibly death sentence (*Article 6*)
	- Assistance to an irregular migrant 'to stay' in the territory is punishable (*Article 8*)
	- Failing to confess criminal acts can be punishable (*Article 12*)
	  • Penalties: Max. 10 years imprisonment
	- Immunity to criminal liability in case victims of smuggling sustained harm due to the commission of crime (*Article 30*)
	- Provision for the use of appropriate special investigative techniques (*Article 18*)

National Plan of Action to Combat Trafficking in Persons	- 5 year plan - Recently approved by the government - Drafted in cooperation with IOM
Refugee Proclamation No. 409 of 2004	
PREVENTION	
Ban on the Legal Emigration of Low Skilled Labourers (2013)	- Temporary ban for overseas low-skilled workers - Currently still in place until draft amendments are made to the 'Employment exchange proclamation'
Ratification Proclamation for the Convention on Forced or Compulsory Labour. Proclamation No. 336/2003	
2012 Law Requiring Registration of All Births Nationwide	- Continuous efforts to implement a uniform national identity card
PROTECTION	
Tangible efforts to protect irregular migrants were minimal overall	
PROSECUTION	

Criminal Code	- *Article 635*: Trafficking in Women and Minors
	  • Prohibits sex trafficking
	  • Penalties: max. 5 years imprisonment (sufficiently stringent, but not

	corresponding to other serious crimes) - *Article 596*: Enslavement • Prohibits slavery • Penalties: 5-20 years imprisonment (sufficiently stringent) - *Article 59*: Trafficking in Women and Children • Prohibits labour trafficking of women and children • Penalties: 5-20 years imprisonment (sufficiently stringent)
Article 598, Unlawful Sending of Ethiopians to Work Abroad	- Regularly used to prosecute transnational labour trafficking cases
Article 571, Endangering the Life of Another	- Regularly used to prosecute transnational labour trafficking cases

Sources: DAI Europe & EuroTrends, 2015; RMMS, 2016c; US Department of State, 2015.

Table B5: Overview Main International Organisations Cooperating with the Ethiopian Government in Targeting Irregular Migration

International organisation	Brief description
ILO	- Reintegration projects (e.g. ILO-MOLSA) - Capacity building of government institutions to support legal migration - Prevention activities - Establishment of migrant support centres in Ethiopia (will be in place once the current ban is lifted) - Establishment of information centres or migrant resource centres to be linked with the Bureaus of Labour and Social Affairs (will be in place once the current ban is lifted)
IOM	- Prevention and awareness raising activities - Community conversations - Developed 'Community Conversation' manual - Developed 'Training of Trainers on Anti-Trafficking Investigation' manual - Supporting regional multi-national cooperation and policy dialogue between Yemen, Ethiopia and Djibouti to protect trafficked children travelling through the Gulf of Aden - Financed Migrant Resource Centres - Providing legal training
UNHCR	- Developed regional project to protect unaccompanied children - Training of law enforcement to identify victims of trafficking and non-refoulement - Development programs including refugees and host communities - Training on cooperative development - Training on business management - Provided grants to improve livelihoods - Livelihood training (in cooperation with ILO) - Agricultural project - Self-reliance activities
UNODC	- Reform of legislative system - Trafficking legislation training - Supporting several regional anti-trafficking initiatives - Creating anti-trafficking legal training manuals - Livelihood training (in cooperation with UNHCR)

Source: DAI Europe & EuroTrends, 2015.

Kenya

Table B6: Kenya's Migration Policy Response Overview Regarding Irregular Migration

Policy	Content
GENERAL	

2011 Citizenship and Immigration Act	- Entering or residing unlawfully in the country is a criminal offence
	- Penalty:
	  • Fine
	  • Max. 3 years imprisonment
	  • Combination of fine and imprisonment
	- Does not apply to newly arrived asylum seekers

Kenya Citizens and Foreign Nationals Management Service Act (2011)	- Establishment of the Kenya Citizens and Foreign Nationals Management Service - Responsible for the administration of the laws relating to registration of citizens, immigration and refugees
The Refugee Act 2006 and the associated The Refugee (Reception, Registration and Adjudication) Regulations, 2009	- Status determination of refugees - Adopts the definition from the 1951 Convention with the addition of sex as a ground for persecution - Established the Department of Refugee Affairs (DRA)

Security Laws (Amendment) Act 2014	- Amended the 2006 Refugee Act in two ways:
	  • Limit the number of refugees and asylum seekers in the country to 150,000
	  • Enforced an encampment policy, limiting refugees to the country's two sprawling, remote camps in Dadaab and Kakuma
	- Civil society organisations contested this new law

Counter-trafficking in Persons Act (2010)	- Intention: Implement Kenya's obligation under 2000 UNTIP Protocol
	- Covers:
	  • Offence of trafficking in persons and related offences
	  • Modalities of trials of offenders
	  • System on victim assistance
	  • Establishment of an Advisory Committee to implement 2000 UNTIP Protocol

National Plan of Action to Counter Human Trafficking (2013-2017)	- Developed to comprehensively address issues regarding human trafficking - Put in place measures to combat human trafficking
Constitution	- *Articles 2(5)* and *(6)* provide that any treaty or convention ratified by Kenya shall be part of the Law - *Chapter 4*: The Bill of Rights contains fundamental human rights and freedoms

The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities (IDP Act)	- Comprehensive approach to addressing internal displacement caused by:
	  • conflict
	  • other forms of violence
	  • natural disasters
	  • development projects
	- Irrespective of the location and tribal affiliation of IDPs

PREVENTION	
Ban on the Recruitment of Domestic Workers for Employment in the Middle East (Reinstituted in 2014)	- The government revoked all of the accredited certificates issued to private employment recruitment agencies
PROTECTION	
Victim Protection Act (September 2014)	- Provides support to trafficking victims - Including:

	• Accommodation • Food • Medical treatment • Psycho-social care • Police protection • Establishment of a fund

Witness Protection (Amendment) Act (2010)	- Establishment of witness protection program
	- Protect and assist crime witnesses from criminals when cooperating with law enforcement authorities
	- Including (depending on severity of crime):
	  • Court procedural protections
	  • Police protection
	  • Change identity
	  • Relocation

PROSECUTION	

Counter- Trafficking in Persons Act of 2010 (in force September 2012)	- *Section 1* prohibits all forms of trafficking
	- *Section 3(5)* prescribes penalty of min. 15 years imprisonment (sufficiently stringent)
	- Punishes perpetrators of human trafficking and smuggling
	- Offences punishable under the Act:
	  • Promotion of trafficking
	  • Acquisition of travel documents by fraud or misrepresentation
	  • Facilitation of entry into or exit from Kenya
	  • Interference with documents and travel effects
	  • Trafficking in persons for organised crime

Sexual Offenses Act of 2006	- *Sections 14, 15,* and *17* prohibit the facilitation of:
	  • Child sex tourism
	  • Child prostitution
	  • Forced prostitution
	- Penalties: 6-20 years imprisonment (sufficiently stringent)

Penal Code	- Legislation is the principal Act of Parliament establishing a code of criminal fraud - Does not directly relate to the offence of trafficking in persons - Has extensive list of criminal activities related to trafficking
The Children Act 2001	- Prohibits trafficking in children - Prohibits labour of persons under the age of 18 - Prohibits use of children in hazardous situations - Fails to prescribe penalties

Sources: DAI Europe & EuroTrends, 2015; Ministry of Labour, Social Security and Service of Kenya, 2013; RMMS, 2016d; US Department of State, 2015.

Table B7: Overview Main International Organisations Cooperating with the Kenyan Government in Targeting Irregular Migration

International organisation	Brief description
FAO	- Implement project to strengthen linkages between refugees and host communities - Implement project to improve income, food, security and nutrition in refugee camps - Facilitate voucher exchange between refugees and host groups - Promote trade and business opportunities - Address HIV, GBV and nutrition
IOM	- Supporting implementation of several anti-trafficking initiatives

	- Providing anti-trafficking training
UNHCR	- Cooperates with government to manage and administrate refugee affairs - Refugee Status Determination (RSD) - UNHCR fills gaps where the Kenyan government lacks capacity - Voluntary repatriation of Somali refugees living in Kenya - Implementing a pilot return project - Manage reception facilities for asylum seekers
UNICEF	- Income from vouchers will be utilized to improve food security and nutrition - Mother to Mother Approach
UNODC	- Providing anti-trafficking training
WFP	- Project to support fresh food voucher component in refugee camps

Sources: DAI Europe & EuroTrends, 2015; UNHCR, 2016d.

Table B8: Overview main Local civil society organisations cooperating with the Kenyan government in targeting human trafficking

Local civil society organisation	Brief description
Awareness Against Human Trafficking (HAART)	- Human trafficking awareness campaigns - Provides victim assistance (psycho-social support)
CDTD	- Provides and runs shelters for trafficked girls and young women
Heshima	- Focuses on female victims among asylum seekers and refugees: • Providing protection - Proving support

The Cradle	- Child protection foundation
	- Focuses on anti-trafficking, providing:
	  • Protection
	  • Legal aid
	  • Psycho-social services
	- Current chair of the Counter Trafficking in Persons Advisory Committee (CTIPAC)
	- Provides anti-trafficking training

The Refugee Consortium of Kenya	- Provides protection to human trafficking victims - Provides anti-trafficking training

Source: DAI Europe & EuroTrends, 2015.

Somalia

Table B9: Somalia's Migration Policy Response Overview Regarding Irregular Migration

Policy	Content
GENERAL	
The Immigration Law No.6	- Regulates and manages migration affairs in Somalia

The Transitional Federal Charter of the Somali Republic Article 71	- Guarantees security and freedom of movement of:
	  • People
	  • Goods
	  • Services

National legislation (asylum) (Somaliland)	- *Article 35(1)*: states that individuals entering or residing in Somaliland legally may request political asylum if conditions are fulfilled
Somaliland Immigration Law - Law No. 72	- Main law governing migration
Constitution Puntland	- *Article 19*: describes that any foreigner requesting political asylum may be granted when fulfilling conditions

	- Party to Convention relating to the Status of Refugees and its Protocol
PREVENTION	
Code of Conduct Prohibiting Recruitment of Children (2014)	- The FGS (Federal Government of Somalia) expressed its commitment to eliminating the use of child soldiers among the ranks of the SNA (Somali National Army)
Action Plan on the Recruitment and Use of Child Soldiers (2012)	- The SNA made limited but incremental progress to implement this action plan
PROTECTION	
Tangible efforts to protect irregular migrants were minimal overall	
PROS*ECUTION*	

Pre-1991 Penal Code (applicable at the federal and regional levels)	- Outlaws forced labour and other forms of irregular migration
	- *Article 455*: prohibits and penalizes slavery
	  • Penalty: 5-20 years imprisonment
	- *Article 464*: prohibits forced labour
	  • Penalty: 6 months-5 years imprisonment
	- *Article 457:* prohibits the transferring, disposing, taking possession, or holding of a person
	  • Penalty: 3-12 years imprisonment
	- *Article 408(1):* prohibits compelled prostitution of a person through violence or threats
	  • Penalty: 2-6 years imprisonment
	- *Article 405*: prohibits all forms of prostitution

Article 14	- Prohibits slavery, servitude, trafficking, and forced labour
Article 29(6)	- Prohibits the use of children in armed conflict
Labour Law, Article 32, Number 31/2004	- Prohibits the employment of illegal residents of Somaliland without a working permit
Provisions under Islamic law (in Puntland)	- Criminalize the murder of smuggled or trafficked persons - Penalty: 1-5 years imprisonment - No unified police force in place to enforce law - No authoritative legal system in place to prosecute traffickers

Sources: DAI Europe & EuroTrends, 2015; Federal Republic of Somalia, 2012; RMMS, 2016e,g; US Department of State, 2015.

Table B10: Overview Main International Organisations Cooperating with the Somali Government in Targeting Irregular Migration

International organisation	Brief description
IOM	- Anti-trafficking training to police and other authorities - Support to return migrants - Part of the Humanitarian Country Team to improve coordination between (governmental) agencies - Supports the Yemen emergency response
UNHCR	- Part of the Humanitarian Country Team to improve coordination between (governmental) agencies - Support to the Commission of Refugees - Supports the Yemen emergency response - Party to the Tripartite Agreement Governing the Voluntary Repatriation of Somali Refugees Living in Kenya - Support to return migrants
UNODC	- Maritime crime programme - Improves national justice institutions - Supports the government to improve national counter-trafficking legislation

Sources: DAI Europe & EuroTrends, 2015; Federal Republic of Somalia, 2012; HCT-S, 2010; IOM, n.d.; Tripartite Agreement, 2013; UNHCR, 2016k; UNODC, 2015.

South Sudan

Table B11: South Sudan's Migration Policy Response Overview Regarding Irregular Migration

Policy	Content
GENERAL	
Refugee Act of 2012	- Regulates refugee issues within the country - Commission for Refugee Affairs has no capacity to execute its mandate

Passports and Immigration Act (2011)	- Regulates monitoring and coordinating migration initiatives:
	  • Khartoum process
	  • EU-HoA initiative
	- Created National Aliens Committee

PREVENTION	

Action Plan to Eliminate the Recruitment and Use of Child Soldiers by 2016	- Action Plan to end child soldiering:
	  • Signed in 2009
	  • Recommitted in 2012
	  • Recommitted in 2014, although the government continued to recruit sometimes by force

National Action Plan against Trafficking	- Action Plan to demobilize child soldiers and to prevent future recruitment:
	  • Drafted
	  • Initial steps taken to implement

PROTECTION	
Directorate for Child Protection	- Active directorate, headed by a brigadier general - Responsible for investigating allegations of child soldiering
PROSECUTION	

South Sudan's Penal Code Act of 2008	- *Article 282:* prohibits the sale of a person across international borders:
	  • Penalty: Max. 7 years imprisonment (sufficiently stringent)
	- *Articles 278* and *279*: prohibit abduction and transfer of control over a person for the purpose of unlawful compulsory labour
	  • Penalty: Max. 7 years imprisonment; Max. 2 years imprisonment, for compulsory labour without aggravating circumstances (not sufficiently stringent)
	- *Article 276:* prohibits buying or selling a child for the purpose of prostitution
	  • Penalty: Max. 14 years imprisonment (sufficiently stringent)
	- *Article 254:*
	  • Prohibits procuring a child for the purpose of prostitution; Penalty: Max. 10 year imprisonment
	  • Prohibits procuring an adult for the purposes of prostitution; Penalty: Max. 2 years imprisonment
	- *Article 258:* prescribes punishments for parents or guardians who cause or allow their child to be involved in the sex trade
	  • Penalty: Max 10 years imprisonment

South Sudan's Child Act of 2008	- Prohibits the recruitment and use of children for military or paramilitary activities • Penalty: Max. 10 years imprisonment

Sources: DAI Europe & EuroTrends, 2015; US Department of State, 2015.

Table B12: Overview Main International Organisations Cooperating with the South Sudanese Government in Targeting Irregular Migration

International organisation	Brief description
IOM	- Supports DNPI efforts to counter trafficking and smuggling, border management and law enforcement - Engages in return and reintegration projects
UNHCR	- Leads agency in matters related to refuge, in cooperation with the CRA - Capacity building of the CRA
UNICEF	- Addresses child soldiery by supporting former child soldiers financially and supporting the UN campaign "Children, not Soldiers"

Sources: DAI Europe & EuroTrends, 2015; UN, n.d.

Sudan

Table B13: Sudan's Migration Policy Response Overview Regarding Irregular Migration

Policy	Content
GENERAL	

1994 Passports and Immigration Act	- Legal regulation departure, entry and stay in the country
	- *Article 14:* describes that an non-Sudanese citizen may not reside in the country unless in possession of a valid residence permit
	- *Article 16:* refers to the 'procedures for the control of aliens'; however, detailed regulations are lacking
	- *Article 29:* prescribes punishments for acts that facilitates irregular migration into the country
	- Penalty:
	  • Max. 2 years imprisonment
	  • Fine
	  • Both a fine and imprisonment

2000 Regulation of Employment of Non-Sudanese Act	- Regulates the employment of foreign nationals - *Article 6:* non-Sudanese residents cannot work without a work permit • Exemptions: diplomats, individuals in diplomat missions or International Organisations, businessmen and professionals
Combating of Human Trafficking Act (2014)	- New federal law - Definition of trafficking under *Article 7* is currently not in compliance with international law - *Article 25* includes a provision on victim protection requiring the National Committee, the Public Prosecutor or the competent court to take measures to secure provision of protection - Does not provide immunity from prosecution for offences committed as a result of one's being a victim of trafficking - Does not include any rights to temporary residency - Fails to address smuggling

2015-2017 Joint UN Counter-Trafficking Strategy	- Related to trafficking victims:
	  • Enhancing security
	  • Mitigating risks
	  • Strengthening protection responses
	  • Building national capacity
	  • Identifying solutions and alternatives
	  • Enhancing cooperation

PREVENTION	
The Sudan Armed Forces Act	- Prohibits members of the armed forces from:

(2007)	- Recruiting children younger than 18 years - Enslaving civilians - Coercing civilians into prostitution - The government has never used this statute to hold military officials accountable
1997 Labour Law	- *Article 14* (Employment of Sudanese abroad): every Sudanese citizen willing to work abroad needs to receive the permission from the Minister of Labour
1990 Regulation of the Employment of Sudanese Abroad	- Describes the right of the labour migrants to migrate abroad is organized by the Ministry of Labour - Ministry of Labour has the authority over the overseas labour contracts
PROTECTION	
Law of 1955 Regarding Domestic Servants	- Provided legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution - Outlined a process for employing and registering domestic workers and provided limited labour rights and protections - Offers little protection to domestic workers

Asylum Regulation Act (2014)	- Refers to 'urban refugees'
	- Provides the rights:
	  • To own immovable property (*Article 12(2)*)
	  • To work (*Article 18*) (subject to permissions)
	- Makes naturalisation possible
	- Still restricts freedom of movement

PROSECUTION	

Criminal Procedures Act, 1991	- *Article 31:* refers to the detention of non-Sudanese residents that live in the country illegally as well as the refusal of individuals that want to enter Sudan illegally
	- *Article 30:* describes the punishments related to the facilitation of illegal entrance in the country of an individual
	- Penalty:
	  • Max. 6 months imprisonment
	  • Fine
	  • Both fine and imprisonment

The Anti-Trafficking Law (March 2014)	- Prohibits acts of trafficking
	  • Penalty: 3-10 years imprisonment (sufficiently stringent)
	- In case of aggravated trafficking
	  • Penalty: 5-20 years imprisonment (sufficiently stringent)
	- In case trafficking victim dies
	  • Penalty: capital punishment (sufficiently stringent)

Child Act of 2008	- Prohibits forced child labour, child prostitution, sex trafficking, and the recruitment of children under the age of 18 years into armed forces or groups - Also includes provisions for the rehabilitation and reintegration of child victims - Fails to prescribe punishments

Sources: Babiker, 2011; DAI Europe & EuroTrends, 2015; IOM, 2011b; Mixed Migration Hub, 2015; US Department of State, 2015.

Table B14: Overview Main International Organisations Cooperating with the Sudanese Government in Targeting Irregular Migration

International organisation	Brief description

IOM	- Assists NCCT to develop anti-trafficking strategy/ action plan
	- Develops Migrant Response and Resource Mechanism (MRRM)
	- Negotiates rehabilitation centre for migrants
	- Provides training for government and police officials
UNDP	- Creates durable solutions for refugees and IDPs
	- Increases self-reliability of migrant communities (TSI)
	- Facilitates co-existence of migrant and local communities
UNHCR	- Creates durable solutions for refugees and IDPs
	- Increases self-reliability of migrant communities (TSI)
	- Facilitates co-existence of migrant and local communities
UNODC	- Assists NCCT to develop anti-trafficking strategy/ action plan

Sources: DAI Europe & EuroTrends, 2015; IOM, 2015; UNDP, 2013; UNDP & UNHCR, 2013; UNDP Sudan, 2013.

Annex C: Regional Initiatives Regarding Irregular Migration

Table C1: Regional agreements and initiatives regarding irregular migration

Framework	Content
Abuja Treaty, 1991 OAU/AU	- Established the African Economic Community - Includes a separate Chapter on the Free Movement of Persons, Right of Residence and Establishment - Recommends the conclusion of a related Protocol;
Migration Policy Framework for Africa, 2006 AU	- Covers issues related to all forms of migration issues (e.g. labour migration, irregular migration, border management, forced displacement, human rights) - Stresses the need for a comprehensive framework for the continent to deal with migration issues - Not legally binding
Common African Position on Migration and Development, 2006 AU	- 11 agreements directly or indirectly related to irregular migration with a particular emphasis on trafficking in children - Recommends bilateral, multilateral, regional and continental legal frameworks to address migration issues effectively - AU, its Member States and the EU are responsible for the implementation
African UNION Commission Initiative Against Trafficking (AU.COMMIT), 2009 AU Commission	- Covers prevention, protection and prosecution of human trafficking - Implemented in cooperation with IOM, UNODC, UNICEF, UNHCR, ILO, UNECA, and the EU and US Delegations to the AU
Minimum Integration Programme, 2009 AU	- Identifies the free movement of persons as a priority for regional integration - Introduction of free movement of persons in and between the regions

COMESA RCP- MIDCOM
COMESA
	- Platform for informal and non-binding dialogue on issues and opportunities related to migration
	- Focus:
	  • Migration, trade and development
	  • Irregular migration
	  • Migration profiles
	  • Migration and health
	  • Capacity building in migration management
	  • Forced migration;
	  • Labour migration;

	• (Regional) migration policies
IGAD's Regional Migration Policy Framework	- Provide a framework for the development of migration policy at the national level - Eritrea suspended IGAD's membership since 2007
IGAD's Migration Action Plan	- The Action Plan identifies strategies to be implemented by the Member States - Sets out concrete objectives to be implemented by the Member States - Eritrea suspended IGAD's membership since 2007
IGAD Regional Consultative Processes (IGAD-RCP) (2008)	- Facilitates regional dialogue and cooperation in migration management amongst IGAD Member States

The East African Community Treaty (2000)	- Enhance cooperation between partner states in:
	  • - Handling cross border crimes
	  • - Provision of mutual assistance in criminal matters
	  • - Information exchange on national mechanisms for combating criminal activities
	- Including: Republics of Burundi, Kenya, Rwanda, the United Republic of Tanzania, and the Republic of Uganda

Regional Committee on Mixed Migration for Horn of Africa, Yemen	- Aims to improve multi-lateral collaboration to propose and endorse recommendations that will serve as a roadmap for influencing policies affecting migrants, refugees, and asylum seekers in the region - Including: Djibouti, Ethiopia, Kenya, Somalia, Somaliland, Puntland, Sudan, and Yemen
Voluntary Return Programs	- Agreement between Djibouti and Ethiopia - In cooperation with IOM
Memorandum of Understanding (2013)	- Between Ethiopian and Sudan governments - Cooperate against illegal migration and trafficking
Memorandum of Understanding (2014)	- Between Ethiopian and Yemeni governments - Cooperate against illegal migration of women and children
Joint border administration	- Ethiopia established with Kenya, Djibouti, Sudan, South Sudan and Somalia
Joint border operations	- South Sudan - Established with Uganda - Negotiating with Ethiopia
East African Police Chiefs Cooperation organisation (EAPCO)	- Established to tackle transnational and organized crime - Including: Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Uganda
UNODC Indian Ocean Forum on Maritime Crime	- Aims to provide a regional network for Indian Ocean States to promote cooperation and responses to maritime crime at the strategic and operational level - Including: Djibouti, Ethiopia, Uganda, Yemen, Kenya and Somalia (Puntland)
UNODC's 'Strengthening criminal justice responses to trafficking in persons and smuggling of migrants in Ethiopia and Djibouti'	- Developing the new legislation on trafficking in Ethiopia and Djibouti - Strengthening legislation and cooperation to combat smuggling and trafficking - Including bilateral agreements between the two countries on investigation and victim assistance
Strategy and Regional Plan of	- Developed by the UNHCR Working Group on smuggling and trafficking of human beings along the East and Horn

Action on Smuggling and Trafficking from the East and Horn of Africa developed in 2012
UNHCR
	of Africa to the Middle East, North Africa and Europe established in 2011
	- The four key aspects of the Strategy include:
	    1. identifying solutions and promoting alternatives to smuggling
	    2. enhancing cooperation and capacities between states to ensure protection
	    3. strengthening partnerships to respond to the problem
	    4.raising awareness and strengthening communication of effects

Global Initiative on Protection at Sea UNHCR	- The 2-year project aims at supporting states in responding to irregular mixed migration flows by sea to protect individuals - Partners: states, IOs, private actors, civil society partners

HORN OF AFRICA INITIATIVE ON HUMAN TRAFFICKING AND SMUGGLING OF MIGRANTS
AU Commission
	- Launched by the Khartoum Declaration on 16 October 2014
	- Countries participating are Djibouti, Egypt, Eritrea, Ethiopia, Libya, Sudan, South Sudan and Tunisia
	- Aims at addressing the whole cycle of human trafficking, including for instance:
	    1. Ratifying and implementing relevant international and regional instruments
	    2. Decreasing the vulnerability of individuals to be subjected to human trafficking (e.g. poverty, unemployment, marginalisation, adequate treatment of refugees and asylum seekers)
	    3. Mainstreaming prevention mechanisms
	    4. Capacity building regarding prosecution of traffickers as well as protection, identification and assistance to victims
	    5. Support cooperation among relevant stakeholders

First Regional Anti-Human Trafficking Conference in Eastern Africa, 2007 UNODC ROEA EAPCCO	- Framed under the Global Initiative to Fight Trafficking in Persons - Addressed the need to develop a regional strategy to address human trafficking - Outcomes: formulation of recommendations to counter human trafficking for various stakeholders, including states, civil society, IOs, ROs, private sector, academia, media and civil society

Live, Learn & Play Safe, Regional Initiative 2014-2016
UNHCR
	- Regional initiative to protect unaccompanied and separated children who are particularly vulnerable to abuse and human trafficking
	- Implemented by UNHCR country offices in Egypt, Ethiopia, Sudan and Yemen
	- Common objectives:
	    1. Protection children against smuggling
	    2. Providing alternative care for children
	    3. Facilitating family reunification
	    4. Providing livelihood and development opportunities
	    5. Ensuring regional cooperation and coordination

Sources: African Union, 2014; DAI Europe & EuroTrends, 2015;IOM, 2015a,b,f,g; Klavert, 2011; Ministry of Labour, Social Security and Service of Kenya, 2013; Small Arms Survey. 2012; UNHCR, 2013b, 2014d,e; UNODC & UN.GIFT, 2007; US Department of State, 2015.

Annex D: International Programmes and Frameworks Regarding Irregular Migration

Table D1: International programmes and frameworks regarding irregular migration

Framework	Content
Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000 UNTIP Protocol) UN UNODC OHCHR	- Promote global fight on human trafficking - Supplements Palermo Protocol - 169 parties - Including: Djibouti, Ethiopia, Kenya and recently Eritrea and Sudan
UN Convention Against Transnational Organised Crime (Palermo Protocol) UN	- Global fight against organized crime - 186 parties - Including: Djibouti, Ethiopia, Kenya and recently Eritrea and Sudan
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime UN	- Global fight against migrant smuggling - 142 parties - Including: Djibouti, Ethiopia and Kenya
Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (C143, 1975) ILO	- Protect irregular migrants - Take measures against irregular movement and employment - Prosecute traffickers and smugglers - Encourage information sharing between states - Ratified by only 23 states including Kenya

African Union regional conference on human trafficking and smuggling in the Horn of Africa (Khartoum Process)
EU-AU
	- Addresses all routes of migration from HoA (mainly but not limited towards EU)
	- Address human trafficking and migrant smuggling
	  • Establish dialogue on migration and mobility
	  • Enhancing current cooperation
	- Identify and implement concrete projects

Ouagadougou Action Plan to	- Prevent and combat human trafficking between EU and AU, by developing:

Combat Trafficking in Human Beings, Especially Women and Children EU-AU	• Cooperation • Best practices • Mechanisms - Protect victims - Prosecute traffickers - Within a holistic human rights approach
The EU-Horn of Africa Migration Route Initiative EU-AU	- International initiative between EU and AU in 2014 - Aims to combat trafficking and smuggling of migrants between HoA and EU
Global Approach to Migration and Mobility (GAMM) EU-AU	- Organising and facilitating legal migration and mobility - Preventing and reducing irregular migration and trafficking in human beings - Promoting international protection and enhancing the external dimension of asylum policy - Maximising the development impact of migration and mobility
Africa-EU Migration, Mobility and Employment (MME) Partnership EU-AU	- Ensure sustainable development through better management and joint cooperation on MME issues - Drives the implementation of relevant international agreements and declarations

Sources: DAI Europe & EuroTrends, 2015; EC, 2011, 2015, 2016; The Africa-EU Partnership, 2016; UNODC, 2016; US Department of State, 2015.