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HUMAN TRAFFICKING IN THE HORN OF AFRICA

Human trafficking in the Horn of Africa

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The Horn of Africa serves as a critical hub for mixed migration and is a source, transit and destination area for asylum seekers and socio-economic migrants from throughout the region, as well as middle-east. There is also evidence that region is a source, destination, and transit country for men, women and children who are victims of trafficking.

The Rome Declaration - adopted in November 2014, establi-

shed the main focus for the groundwork of the "Khartoum Process" in tackling human trafficking and people smuggling. Key priorities of the Dialogue among others were set as follows:

- Establish national strategies to strengthen horizontal coordination among all services involved, including ensuring protection to refugees and asylum seekers and assistance to migrants in vulnerable situations,
- Improving the identification and prosecution of criminal networks,
- Improving or, where appropriate, establishing criminal law frameworks and fostering – where applicable – the ratification and the proper implementation of the Protocols against Smuggling of Migrants and Human Trafficking,

supplementing the UN Convention against Transnational Organised Crime (Palermo Convention),

- Promoting a victim-centred approach.

From 2016, the European Commission's Department for International Cooperation has developed a set of initiatives in the framework of the EU-Horn of Africa Migration Route Initiative or "Khartoum Process". Two particular projects – namely "Addressing Mixed Migration Flows in East Africa" (AMMI) and the "Better Migration Management" (BMM) – were mandated by the European Commission and aimed at strengthening the public response against smuggling of migrants and trafficking in human beings of East African countries (i.e. Djibouti, Ethiopia, Eritrea, Kenya, South



Sudan, Sudan and Somalia), including through the capacitation of regional cooperation and strengthening the evidence-based policies and operational management.

Ensure the local and regional ownership in addressing institutional gaps and challenges

The initial step in the process of strengthening country and regional cooperation among the law enforcement system was based in ensuring an appropriate assessment and technical appraisal of gaps and challenges affecting the public response to smuggling of migrants and trafficking in Human beings. In country's analyses were produced as part of the AMMI project and provided an updated overview of migrant smuggling and human trafficking trends and dynamics with an emphasis to the modus operandi of criminal networks involved in facilitating irregular migration. The reports were strengthened through national

consultative sessions involving law enforcement agencies in targeted countries, fostering the identification of areas of improvement and capacity-building needs and highlighting the capacity gaps and challenges faced by governments in the region in responding to these phenomena, informing the identification of capacity-building needs in the areas of data collection, analysis and information sharing. Particular challenges remained in:

- Qualifying the situations where blurring lines existed between smuggling of migrants, trafficking in human beings and the need to reform legislation and policies to prevent criminalising irregular migrants or victims of trafficking;
- The gaps in the implementation of existing frameworks, limited stakeholder capacity, and a lack of formal mechanisms for collecting, analysing, and sharing information on migrant smuggling and human trafficking within government institutions, between go-

vernment and non-governmental institutions and across border;

- Lack or no coordination among key services, including with regards to mutual legal agreement between countries in the region;

- Misconception or confusion regarding the status or category of certain group of people (asylum seekers, refugees, internally displaced person, migrants) and the need to educate and familiarise law enforcement officials and the judiciary on the details of the Counter-Trafficking in Persons;

- Restrictive immigration policies; criminalisation of undocumented or irregular migrants, social stigma against certain groups of population or type of practises (being engaged in prostitution activities, undocumented migrants...).

The AMMI's project, in particular, supported the establishment of a peer-to-peer network of Senior Officers from police and the judiciary sector from partner's countries of the Khartoum Process, including through the mentoring of anti-trafficking Police Officers from the Directorate of International Cooperation of the French Ministry of Interior and Italian Carabinieri Officers from the COESPU together with international protection experts. This network jointly developed a training curriculum based on best practices from police technics and international protection that was then implemented across the region in critical areas where trafficking in human beings was at stake.

Are protection outcomes in criminal investigation against trafficking possible?

Concretely, the role of the network of experts promoted the identification, immediate protection and rehabilitation of victims as equal



priorities in the investigative and prosecution process. In addition to address technical gaps in police technics, this approach ensured that first responders, the judiciary and those ensuring protection, care and reinsertion of victims were well aware of the impact and specific assistance ne-

the needs of the victims, gender specific and best interest assessment of children needs and entitlement of victims with regards to consideration related to their psychosocial conditions. Key aspects of training component included:

- Interviewing technics highlighting the common ground and the dif-

- Criminal investigation – identification of culprits
- Financial investigation
- Data collection and management (intelligence)
- Crime scene management
- Documents fraud (forgery and look alike)



eded. In particular for victims or migrants exposed to trafficking to benefit from protection against traffickers and be able to testify. A training package was designed by the police experts from the Horn of Africa – under the supervision of French Police and Italian Carabinieri experts - and integrated several module sessions promoting the comprehensive provisions for protection assistance, including an individual and timely assessment of

ferences between protection and police objectives and methods

- Border management and control, inclusive of protection risk,
- Victim management, including child safeguards and gender approach,
- Information management, analysis and sharing,
- Coordination and referral pathways with civil society organisations, service providers and referral of victims of trafficking

Way forward and recommendations

This year marks the anniversary of the adoption of the Palermo Protocol and it is an opportunity to take stock of the achievements made in the fight against human trafficking, identify the challenges faced by stakeholders to continue the combat against human trafficking and look further at persuasive strategies that reduce effectively this crime. From our perspective,





to increase the prosecution of criminals and further dismantle organised criminal organisations, one of the focuses should remain in the increase of the identification and protection of victims through the promotion of new approaches in investigating and cooperating across borders. Cross border migration should be regarded in similarity to other form of displacement as common trends lead the most vulnerable to be trafficked. In addition, the Sustainable Development Goals set for 2030 to end human trafficking must be seized to reinforce the international alliance and make it more robust to address collectively this unbearable crime with a preventive and security strategy agreed in a comprehensive cooperation framework. The Global Compacts on Migration and for Refugees give the ground for a more protection centred approach to address

mixed migration flows and underscoring trafficking issues. Although, despite investment made by the international community and countries in the Horn of Africa, gaps and priorities remain in:

- Establish clear mechanisms and frameworks for collecting and sharing information across government departments, ministries, and agencies, as well as between local and national authorities, so that information on human trafficking can be easily analysed;

- Establish clear mechanisms and frameworks for collecting and sharing information between government authorities and NGOs, humanitarian organizations, and civil society organizations;
- Further develop and maintain capacity building programs to increase the effectiveness of identification of presumed victims and victims of human trafficking focusing on a victim-centred approach, gender specific and child sensitive procedures;





- Increase efforts to prosecute, convict, and punish trafficking offenders by strengthening the penal chain, and training everyone along the chain to understand each other's roles and responsibilities.
- Enhance coordination and cooperation across States members of the Horn of Africa on the anti-trafficking policies and foster inter-agency cooperation to support policy coherence and regional approach;
- Develop standardized and harmonized operating procedures at national and regional level to reinforce coordination and cooperation mechanisms;
- Increase transnational cooperation, especially in information sharing, joint investigation and agreed minimum standards for the protection and as-

- sistance to victims of trafficking;
- Strengthen victim testimony processes and support victims access to national legal support for longer-term integration including durable solutions framework for victims;
- Foster national referral mechanism (NRM) and transnational referral mechanism (TRM) referral pathways for additional coherence, coordination and cooperation at national and regional level;
- Tailor identification and referral pathways to work more effectively with presumed victims and victims to prevent re victimisation in the criminal justice and asylum systems;
- Invest in future knowledge building at regional level on the rationalisation and harmonisation of legislation, procedu-

res and administrative processes across the Horn of Africa.

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