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2019 TRAFFICKING IN PERSONS REPORT: ETHIOPIA

ETHIOPIA: TIER 2

The Government of Ethiopia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Ethiopia remained on Tier 2. These efforts included assisting in the interception of more than 10,000 individuals vulnerable to trafficking and convicting an increased number of traffickers. The government also improved oversight of overseas recruitment agencies and amplified awareness across the country on trafficking and trafficking-related crimes through its community dialogue program. However, the government did not meet the minimum standards in several key areas. The government did not sufficiently address internal trafficking, including child sex trafficking, and lacked standard procedures for front-line responders to proactively identify trafficking victims among vulnerable migrants. The government did not provide sufficient victim services to male victims, and for the third consecutive year, Ethiopian officials did not report allocating funds for the implementation of its national action plan.

PRIORITIZED RECOMMENDATIONS

Increase efforts to investigate and prosecute traffickers for sex trafficking and internal trafficking offenses. • Develop standardized procedures for the proactive identification and referral of internal and transnational trafficking victims. • Finalize and operationalize the national referral mechanism's standard operating procedures and promulgate it to all regions. • Increase trainings for law enforcement and judicial officials on the anti-trafficking proclamation and how to differentiate between trafficking and smuggling. • Extend protective services to male victims of trafficking and provide in-kind or monetary support to ensure adequate care for all victims, where feasible. • Fully implement the overseas employment proclamation, by continuing to strengthen oversight of overseas recruitment agencies, assigning and training labor attachés, and investigating and prosecuting illicit recruiters. • Improve screening procedures in the distribution of national identification cards and passports to prevent their fraudulent issuance to children. • Incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to all migrant workers. • Ensure awareness campaigns reach all parts of the country, including rural Ethiopia. • Allocate funding toward implementation of the national action plan.

PROSECUTION

The government maintained its anti-trafficking law enforcement efforts; however, it continued to focus on transnational labor trafficking versus internal sex trafficking and forced labor cases. The 2015 anti-trafficking proclamation, No.909/2015, criminalized sex trafficking and labor trafficking, and prescribed penalties of 15 to 25 years' imprisonment and a fine of 150,000 to 300,000 Ethiopian birr (\$5,350 to \$10,700) for offenses involving an adult male victim, and 25 years to life imprisonment and a fine of 200,000 to 500,000 Ethiopian birr (\$7,130 to \$17,830) for those involving an adult female victim or a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Employment Exchange Services Proclamation No.923/2016, which governed the work of licensed labor recruitment agencies, contained various penalties for an employment agency's failure to comply with its provisions, and provided that furnishing falsified evidence or documents, or advertisements used to recruit or deploy a worker entailed criminal liability; however, it did not specify what portion of the Criminal Code applied.

For calendar year 2018, federal and regional justice officials investigated 535 ongoing cases and convicted 1,028 traffickers under the 2015 anti-trafficking proclamation, of whom it sentenced 240 to prison time; however, some of these cases likely involved smuggling and other crimes often conflated with trafficking. In 2017, the government convicted 182 traffickers. It did not report any law enforcement efforts against traffickers who exploited Ethiopian nationals in-country. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking offenses. Financial and capacity constraints continued to impede data collection by regional police, and poor communication and coordination between the regions and the federal government also hindered effective law enforcement efforts. The government continued to partner with international organizations to conduct trainings—funded by foreign donors—for regional and federal government personnel mostly on the 2015 anti-trafficking proclamation.

PROTECTION

The government maintained modest efforts to protect trafficking victims. The government sustained close partnerships with international organizations and NGOs to identify and provide services to victims. Although it did not allocate funding to these entities, it provided some in-kind support, including land, facilities, staff, and other logistical support on an ad hoc basis. In 2018, federal and regional governments intercepted more than 10,100 adults and children across Ethiopia, the vast majority of whom were intending to depart for work in Gulf States and other African countries, on par with the roughly 10,600 persons it diverted the previous year; the government provided an unknown number of these potential victims with shelter, healthcare, psychological support, and rehabilitative skills trainings for alternative employment. However, the government remained without standardized procedures for the proactive identification and referral of internal and transnational trafficking victims during the reporting year. It is therefore likely that some victims among these populations were not provided proper care. The government continued to jointly operate two migration response centers in Afar and Metema with an international organization, and provided rent-free usage of the government facilities. The government maintained operation of child protection units in Addis Ababa and several major cities, which aimed to intercept and care for child trafficking victims identified as being en route from rural to urban areas. Police and civil service transport workers—trained to recognize internal child trafficking victims—referred the majority of intercepted children to local shelters. Officials provided shelter, food, education, medical assistance, and familial reunification where feasible. An NGO focused on transnational trafficking cases continued to provide comprehensive reintegration services, familial reunification, medical care, mental health counseling, legal counsel, food and housing, and vocational training for women and children. There continued to be a dearth of care available for male trafficking victims, although in 2018 an NGO opened two rehabilitation centers for vulnerable men and unaccompanied children. During the year, the government collaborated with an international organization to repatriate and provide assistance for more than 2,600 Ethiopians from Saudi Arabia, a small fraction of the overall returnees from this Gulf state. Since the government lacked funding to repatriate all of its nationals, it assisted with victim identification services in respective countries and sometimes negotiated discounted air fares for returnees. Some Ethiopian diplomatic missions in the Gulf states had shelters for victims on respective mission compounds where they could stay temporarily, and the missions engaged with host government authorities on behalf of victims.

The 2015 anti-trafficking proclamation established a fund to support victim protection and rehabilitation efforts funded through fines imposed on, and the sale of confiscated property from traffickers. These funds were augmented by voluntary contributions from foreign donors and other government agencies; however, similar to the previous year, the government did not report efforts to begin financial allocations to and administration of the fund. The national referral mechanism, which remained unimplemented and only unofficially finalized, designated the anti-trafficking task force as the lead coordinator for identifying and referring trafficking victims to services. An international organization and other government entities played vital roles in implementation of the referral process. The mechanism incorporates special identification and screening tactics for child trafficking victims, in addition to the profiling of potential trafficking victims among voluntary returnees and deportees at the Bole International Airport. During the reporting period, the anti-trafficking task force, in partnership with an international organization, developed and promulgated to key government ministries a special screening form intended to assist in the accurate identification of trafficking victims. Although the overarching victim referral mechanism has been unofficially in effect since 2016, civil society reported it remained nascent and

unimplemented. Similarly, implementation of the national mechanism for referring repatriated trafficking victims to social services also remained limited due to weak interagency coordination and a dearth of resources. During the reporting year, however, the government developed standard operating procedures for victim identification and referral. In addition to the national referral mechanism, regional governments worked with local and federal police to refer victims to shelters and other protective services. However, the government continued to lack standardized proactive screening procedures to detect potential trafficking victims among vulnerable populations, particularly migrant laborers and returnees, and refer them for protective services.

While officials reported encouraging victims in some cases to assist in the investigation and prosecution of their traffickers, the number of victims who took an active role in these processes was unknown and it was unclear whether the government provided them legal assistance or other support to facilitate their doing so. With technical assistance from an international organization, the government established a specialized witness protection unit within the Attorney General's office and co-chaired a two-day regional witness protection meeting to strengthen cooperation and partnership between the Ethiopian officials and their regional counterparts. According to some Supreme Court officials, children were able to testify against traffickers via video. The anti-trafficking law allowed foreign national victims to receive temporary resident permits or repatriation assistance on an as-needed basis. The government did not report information on whether any victims received deportation relief during the reporting period. The 2015 anti-trafficking proclamation extended protections to trafficking victims as outlined under the Witness and Whistleblowers Protection Proclamation (No.699/2010), which included protection from prosecution for crimes committed as a result of being subjected to trafficking. There were no reports that any trafficking victims had been summarily deported without proper screening; or detained, fined, jailed, or otherwise penalized for unlawful acts traffickers compelled them to commit in 2018. However, the government housed some victims at police stations while they were waiting to provide testimony in their respective trafficking cases. Given ad hoc implementation of formal identification and referral procedures, some trafficking victims may have remained unidentified within the law enforcement system.

PREVENTION

The government increased efforts to prevent trafficking. The anti-trafficking task force met every six months during the year and appointed a new Secretary who was active in speaking to the media about the overarching problem of trafficking in Ethiopia. The task force organized itself into three subgroups: prevention, protection, and prosecution. However, the second National Human Rights Action Plan 2016-2020, which parliament approved in 2016 and included various activities to curb trafficking, also included a media campaign and increased efforts in urban centers to assist women and child victims. However, the plan remained without funding dedicated to its implementation for the third consecutive year. The Attorney General's Office, in conjunction with an international organization and academic institution, continued to publicize a trafficking manual, screened an anti-trafficking movie in various districts in Amhara, and conducted a training for task force members on best practices in public awareness raising. Local and regional state governments, in collaboration with an international organization, continued to host and facilitate hundreds of "community dialogue" sessions—that aimed to raise awareness of trafficking, trafficking-related crimes, and the risks of irregular migration at the grassroots level throughout the country. The effort reached hundreds of thousands of Ethiopians. These dialogues empowered communities to actively engage in reporting suspected traffickers and brokers, and also disseminated information pertaining to government actions on the restoration of legal path for migration to Gulf states. Assisted by government cooperation and in-kind support, an international organization provided training for community dialogue facilitators in Amhara, Oromia, Tigray, and other regional states and established 1,890 community dialogue groups on how to alert law enforcement personnel to potential traffickers and broader trafficking networks. An unspecified number of investigations commenced from this effort during the reporting period. Moreover, officials around the country produced public service announcements and interviews on television and radio to elevate the public's awareness of the dangers of trafficking. This initiative reached the general public, as well as religious and traditional leaders, elders, and media personnel. However, the aforementioned awareness campaigns did not always penetrate all parts of rural Ethiopia, where there remained a baseline lack of awareness of the dangers of irregular migration and human trafficking.

Despite being amended in 2016, the government did not fully implement the employment proclamation during the current reporting period. The revised overseas employment proclamation required greater oversight of private employment agencies, placement of labor attachés in Ethiopian embassies abroad to assist victims employed there, and establishment of an independent agency to identify and train migrant workers. Two additional components of the proclamation stipulated rules for licensing and advertising for overseas employment, in addition to penalties for employment agencies that contravened the revised employment proclamation (e.g., false advertisement, passport confiscation, and rights violations). The revised proclamation required employment agencies to deposit one million Ethiopian birr (\$35,660) in a bank as insurance, which would be used to assist and repatriate trafficking victims. During the reporting period, the government applied these stringent application requirements and determined 135 private employment agencies were in compliance and merited licensing. In 2018, the government employed 616 labor inspectors who carried out approximately 38,000 labor inspections at formal work sites; however, it did not report numbers of license or agency suspensions or labor law violations as a result of these inspections. This was in part due to limited understanding of trafficking crimes. The government fully funded the labor inspectorate by allotting 5.8 million Ethiopian birr (\$206,850) for its mandate. During the reporting year, the government signed a bilateral agreement with Saudi Arabia and continued negotiations with the United Arab Emirates, Kuwait, and Oman on similar employment treaties; Ethiopia had such agreements in place with Qatar and Jordan. These agreements required signatories to commit to ethical recruitment, legal remedies against those who violate the law, and equal protection of Ethiopian workers, to include equal wages for equal work, reasonable working hours, and leave time. Also during the year, the government began pre-departure orientations for migrant laborers, most of whom aimed to reach destinations in the Arabian Gulf, to brief them on their rights and the dangers of trafficking. Ethiopian officials continued efforts to implement a 2012 law requiring registration of all births nationwide; however, the lack of a uniform national identity card continued to impede implementation of the law and allowed for the continued issuance of district-level identity cards, which were subject to fraud. The government reported efforts to reduce the demand for commercial sex acts and forced labor during the reporting period. A foreign donor and facilitator provided Ethiopian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Ethiopia, and traffickers exploit victims from Ethiopia abroad. Scarce economic opportunities and dire poverty coupled with familial encouragement compels thousands of Ethiopians, including a substantial percentage of individuals under age 30 and unmarried, to transit, primarily via Djibouti or Somalia, to Yemen and onward to Saudi Arabia and Europe. Illegal border crossings into Kenya have increased, with victims destined for South Africa to connect to onward flights to Ecuador with a final destination of the United States or Canada. The least common route is through Sudan and Libya with the hope of crossing the Mediterranean and ultimately reaching Europe. Reports suggest that along the above three routes, irregular Ethiopian migrants who began their journeys voluntarily are subsequently vulnerable to sexual exploitation or forced labor in transit countries and in their intended destinations. An international organization reported an uptick in the number of minors traveling along the eastern migration route towards Yemen, hoping to reach Saudi Arabia. Approximately 100,000 Ethiopians perennially travel illegally to Saudi Arabia for work; this route is treacherous due to the sea journey, and civil war and overall lawlessness in Yemen. Typically in past years, young men and women migrate northwest via Sudan aiming for Europe, while young women tend to travel through Eritrea or Djibouti to secure domestic work in Saudi Arabia. The Ethiopian government lifted its October 2013 ban on domestic worker employment in the Gulf states in September 2018 for countries where bilateral labor agreements exist, namely, Qatar, Saudi Arabia, and Jordan. The ban has contributed to irregular migration and trafficking. Saudi Arabia remains the primary destination for irregular migrants, representing 80-90 percent of Ethiopian labor migration; reportedly, more than 200,000 Ethiopians reside there. From March to November 2017, Saudi Arabia offered an amnesty period, declaring that all irregular migrants can voluntarily leave the country; an international organization reported more than 100,000 migrants returned to Ethiopia during this timeframe, of which nearly 65,000 were deportees and more than 70 percent male. Per an NGO, increasing numbers of women and girls are going to the Middle East for domestic work. Many Ethiopian women working in domestic service in the Middle East face severe abuses, including physical and sexual assault, denial of salary, sleep deprivation, passport confiscation, and confinement. Ethiopian women who migrate for work or flee abusive employers in the Middle East are also vulnerable to sex trafficking.

Ethiopian men and boys migrate to the Gulf states and other African nations, where traffickers subject some to forced labor.

Internal trafficking to larger cities for domestic work exists, but the true extent of the problem is difficult to assess. Local NGOs assess that the number of internal trafficking victims exceeds that of external trafficking, particularly children exploited in commercial sex and domestic servitude. Following protracted conflict in the Oromia region in late 2016, Djibouti reported a sharp increase in ethnic Oromo asylum-seekers entering the country. Past accounts document ethnic Tigrayans move from the Amhara region into Tigray to escape ethnically-based unrest in Amhara. Internally displaced persons—a population vulnerable to trafficking—grew rapidly during the reporting period to nearly three million people due to internal conflict and drought. Families continue to play a major role in financing irregular migration, and may force or coerce their children to go abroad or to urban areas in Ethiopia for employment. An international organization assesses that most traffickers are small local operators, often from the victims' own communities, but that well-structured, hierarchical, organized crime groups are also responsible for irregular migrants becoming highly susceptible to trafficking. Labor recruiters often target young people from Ethiopia's vast rural areas with false promises of a better life. Girls from Ethiopia's impoverished rural areas are exploited in domestic servitude and commercial sex within the country, while boys are subjected to forced labor in traditional weaving, construction, agriculture, and street vending. There are reports that some young girls are exploited in commercial sex in brothels concentrated in Addis Ababa's central market. Ethiopian girls have previously been exploited in domestic servitude and commercial sex in neighboring African countries, particularly Djibouti and Sudan. Ethiopian boys are sometimes subjected to forced labor in Djibouti as shop assistants, domestic workers, and street beggars, in addition to forced criminality.