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US DEPARTMENT OF STATE

2020 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. Officials investigated and convicted more transnational traffickers and, for the first time in 20 years, reported holding accountable traffickers who exploited victims in forced labor or sex trafficking within the country. Officials reported identifying a large number of potential victims of transnational trafficking as well as a number of victims exploited within Ethiopia, providing services to many of them. Additionally, the government signed bilateral agreements with the United Arab Emirates, Kuwait, and Oman to strengthen labor agreements, and the Anti-Trafficking and Smuggling Task Force continued its sensitization campaign in rural communities. However, the government did not meet the minimum standards in several key areas. Officials did not report taking actions to address non-transnational forms of trafficking within Ethiopia commensurate with the scale of the issue, and ineffective coordination between the regions and the federal government continued to hinder overall law enforcement efforts. Authorities did not report fully disseminating or implementing the government's standard operating procedures (SOPs) for identifying victims of transnational and internal trafficking and did not provide or refer to services all potential victims.

PRIORITIZED RECOMMENDATIONS:

Using Proclamation 1178/2020, increase efforts to investigate and prosecute traffickers who exploit victims within Ethiopia in sex trafficking or domestic servitude, as well as illicit labor recruiters who facilitate the transport of Ethiopians to the Middle East for exploitative labor. • Disseminate and implement the national referral mechanism's SOPs to officials nationwide for the proactive identification of vulnerable groups, including Ethiopian migrant workers, unaccompanied children, and North Korean workers. • Increase training for law enforcement and judicial officials to improve their ability 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, deploying 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 in pre-departure training provided to all migrant workers. • Ensure awareness campaigns reach all parts of the country, including rural Ethiopia. • Increase efforts through the Attorney General's Office to accurately report the government's anti-trafficking statistics, including authorities' efforts to hold accountable non-transnational traffickers. • Research the extent of human trafficking within

Ethiopia in coordination with civil society and NGOs, as well as international organizations, and produce a publicly available annual report.

PROSECUTION

The government increased overall anti-trafficking law enforcement efforts, although it continued to disproportionately 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 (\$4,720 to \$9,430) for offenses involving an adult male victim, and 25 years' to life imprisonment and a fine of 200,000 to 500,000 Ethiopian birr (\$6,290 to \$15,720) 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. In February 2020, Parliament approved Proclamation 1178/2020—A Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and the Smuggling of Persons. Experts reported the proclamation mandated funding for the government's anti-trafficking activities and addressed organizational and coordination challenges between government agencies. The government had not formally adopted the proclamation by the end of the reporting period.

For the first time in 20 years, the Attorney General's Office provided two separate prosecution datasets encompassing transnational and internal forms of the crime. In terms of transnational law enforcement efforts, authorities investigated 699 potential trafficking cases, prosecuted 30 suspects, and convicted 1,042 traffickers during the reporting period, compared with investigating 535 cases and convicting 1,028 transnational traffickers under the 2015 anti-trafficking proclamation in the previous reporting period. However, officials' propensity to conflate trafficking and smuggling made it likely some of the 2018 and 2019 cases involved clients seeking to illegally cross international borders via irregular migration (human smuggling) and other crimes not involving exploitation through forced labor or sex trafficking. Regarding efforts to hold accountable traffickers who exploited victims within Ethiopia, the Attorney General's Office reported authorities investigated 2,119 cases involving sexual exploitation, convicting 558 of those traffickers. Additionally, officials investigated and convicted 153 traffickers who exploited victims in forced labor within the country. Corruption, especially the solicitation of bribes, including police and judicial corruption, remained a problem; however, there were no specific allegations of official complicity in trafficking during the reporting period, and the government did not report investigating, prosecuting, or convicting public officials for human trafficking offenses.

Experts noted the government established the Migration and Human Trafficking Crime Team—consisting of 35 investigators and six prosecutors—during the reporting period to address both smuggling and trafficking in persons crimes; officials did not report any actions the unit took in 2019. Financial and capacity constraints continued to impede data collection by regional police, and ineffective coordination between the regions and the federal government hindered law enforcement efforts. The government continued to partner with international organizations to conduct trainings—

funded by foreign donors—for regional and federal government officials primarily on the 2015 anti-trafficking proclamation.

PROTECTION

The government increased efforts to identify and refer transnational trafficking victims to care; however, officials' efforts to proactively identify victims of internal forms of exploitation within the country, such as sex trafficking or domestic servitude, remained inadequate in relation to the scale of the issue. Authorities reported identifying 27,877 potential victims of transnational trafficking (14,770 men and 13,107 women) in 2019, compared with intercepting 10,100 potential adult and child victims in 2018; the majority of those identified were intending to depart Ethiopia for overseas work, and it was unclear if traffickers had exploited them through sex trafficking or forced labor. Additionally, media reported officials identified 62 potential child victims in January 2020 during the course of law enforcement activities. In terms of non-transnational trafficking, the Attorney General's Office stated four one-stop justice and protection centers in Addis Ababa provided some services to 2,119 sex trafficking victims (2,043 female and 76 male) and 153 victims of labor exploitation identified during the course of law enforcement investigations. The government did not report widely disseminating or implementing its SOPs for the proactive identification of internal and transnational trafficking victims during the reporting year. Officials at Bole International Airport and at land border crossings coordinated with an international organization to screen Ethiopians returning from abroad. Observers noted the time allotted for interviews was insufficient to screen potential victims, but the volume of returnees created challenges to expanding the available time.

The government developed a national referral mechanism in partnership with a donor and international organization. Experts described the national referral mechanism as effective with robust victim protection measures; however, it did not report disseminating or using the referral mechanism during the reporting period. Regional governments collaborated with local and federal police to refer an unknown number of victims to shelters and other protective services.

Officials continued to jointly operate two migration response centers in Afar and Metema with an international organization and provided rent-free usage of 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 en route from rural to urban areas. Police and civil service transport workers—trained to recognize internal child trafficking victims—referred an unknown number of intercepted children to local shelters. Officials provided shelter, food, education, medical assistance, and familial reunification where feasible. There continued to be a dearth of care available for male trafficking victims.

Officials stated the government provided repatriation assistance and job training to 7,545 of the aforementioned 27,877 potential victims, compared with repatriating more than 2,600 from Saudi Arabia in 2018. Additionally, media reported the government repatriated 400 Ethiopians who may have been trafficking victims from Saudi Arabia in October 2019. Since the government lacked funding to repatriate all of its nationals, it assisted with victim identification services in respective countries and sometimes negotiated discounted fares for returnees. Some Ethiopian diplomatic missions in Gulf states provided temporary shelter for victims on respective mission compounds, 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. Foreign donors and international organizations augmented these funds; however, similar to the previous year, the government did not report efforts to begin financial allocations to administer the fund.

While officials reported encouraging victims in some cases to assist in the investigation and prosecution of their traffickers, authorities did not report the number of victims who took an active role in these processes, and it was unclear whether the government provided them legal assistance or other support to facilitate their doing so. The government did not report whether the specialized witness protection unit—established in the previous reporting period—took any actions in 2019. Supreme Court officials stated in the past that children were able to testify against traffickers via video. In 2019, officials signed an MOU with NGOs to improve coordination between law enforcement agencies and service providers. The government intended the MOU to ensure service providers delivered appropriate care to victims throughout the course of legal proceedings.

Proclamation No.909/2015 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 direct result of unlawful acts traffickers compelled them to commit. There were no reports the government summarily deported any trafficking victims without proper screening or detained, fined, jailed, or otherwise penalized victims for unlawful acts traffickers compelled them to commit in 2019. However, in past years there were reports the government housed some victims at police stations while they were waiting to provide testimony in their respective trafficking cases, and, given ad hoc implementation of formal identification and referral procedures, authorities may have detained or deported some unidentified trafficking victims.

PREVENTION

The government maintained efforts to prevent trafficking. The Anti-Trafficking and Smuggling Task Force met at least once during the reporting period and continued to collaborate with NGOs, international organizations, and donors. The task force organized itself into four subgroups: prevention, protection, prosecution, and partnerships. Officials did not have a current anti-trafficking national action plan. The task force—led by the Attorney General’s Office and the Ministry of Labor and Social Affairs (MOLSA)—continued to raise awareness of trafficking risks in rural communities. Officials did not report whether previously established “community dialogue” sessions continued during the reporting period.

Despite the government amending the employment proclamation in 2016, it did not fully implement the 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 the establishment of an independent agency to identify and train migrant workers. MOLSA trained approximately 13 labor officers during the reporting period to serve abroad as foreign service officers and represent Ethiopians working in Qatar, Saudi Arabia, and United Arab Emirates, and the Ministry of Foreign

Affairs provided facilities for the training. Further, MOLSA provided training for regional labor officers to educate rural communities on the risks posed by illicit labor recruiters.

Two additional components of Proclamation 923/2016 stipulated rules for licensing and advertising for overseas employment, as well as 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 (\$31,450) in a bank as insurance, which officials would use to assist and repatriate trafficking victims. During the reporting period, the government did not report applying these application requirements to any employment agencies.

Authorities did not report fully implementing the bilateral agreement with Saudi Arabia finalized during the previous reporting period, although the government did train officials to protect workers' rights abroad. During the reporting year, the government signed bilateral agreements with Kuwait, Oman, and the United Arab Emirates on employment treaties; Ethiopia also had existing agreements in place with Jordan, Qatar, and Saudi Arabia. These agreements required signatories to commit to ethical recruitment, legal remedies against those who violated the law, and equal protection of Ethiopian workers, to include equal wages for equal work, reasonable working hours, and leave time. Ethiopian officials maintained 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 continuous issuance of district-level identity cards, which were subject to fraud. A foreign donor provided Ethiopian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government did not report efforts to reduce the demand for commercial sex acts.

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. Observers reported *manamasas*—trusted community members who share information about the advantages of working abroad—play a key role in facilitating internal and transnational trafficking by exaggerating the advantages of working abroad. Scarce economic opportunities and dire poverty, coupled with familial encouragement, compel thousands of Ethiopians, including a substantial percentage of unmarried individuals under age 30, to transit, primarily via Djibouti or Somalia, to Yemen and onward to Saudi Arabia and Europe. Illegal border crossings into Kenya continue to increase, 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 in order to cross the Mediterranean and ultimately reach Europe. Reports suggest traffickers exploit irregular Ethiopian migrants, who began their journeys voluntarily, in commercial sex or forced labor in transit countries and in their intended destinations. Government officials and international organizations estimate traffickers exploit 70 percent of the approximately five million Ethiopians transported to Saudi Arabia in forced labor. Generally, young men and women migrate northwest via Sudan towards Europe, while young women tend to travel through Eritrea or Djibouti to secure domestic work in Saudi Arabia. Saudi Arabia remains the primary destination for irregular migrants, representing 80-90 percent of Ethiopian labor migration; observers report approximately 400,000-500,000 Ethiopians reside there without valid travel documentation, which increases their vulnerability to traffickers exploiting them in forced labor or sex trafficking. Some families in

Lebanon, Saudi Arabia, and other Middle Eastern countries exploit Ethiopian women working in domestic service and subject them to physical and emotional abuse. The *kafala* sponsorship system—common in Bahrain, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, and the United Arab Emirates—binds domestic workers to one employer and prevents their freedom of movement. 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 Gulf states and other African nations, where traffickers exploit some in forced labor.

Within the country, traffickers predominantly exploit victims in forced labor in domestic service and sex trafficking in urban centers; experts report a lack of research hinders a more complete understanding of the extent of the crime as well as the government's response. Labor recruiters frequently target young people from Ethiopia's vast rural areas with false promises of a better life. Local NGOs assess the number of internal trafficking victims exceeds that of external trafficking, particularly children exploited in commercial sex and domestic servitude. Internally displaced persons—a population vulnerable to trafficking in part due to a lack of access to justice and economic opportunity—number approximately 1.7 million because of internal conflict and drought. North Koreans working in Ethiopia may have been forced to work by the North Korean government.

Families continue to play a major role in financing irregular migration, and they may force or coerce their children to go abroad or to urban areas in Ethiopia for employment. An international organization assesses most traffickers are small local operators, often from the victims' own communities, but well-structured, hierarchical, organized crime groups also facilitate irregular migration and likely exploit some smuggling clients. Some families and brothel owners exploit girls from Ethiopia's impoverished rural areas in domestic servitude and commercial sex within the country, while some businesspeople exploit boys in forced labor in traditional weaving, construction, agriculture, and street vending. There are reports brothel owners exploit some young girls in commercial sex in Addis Ababa's central market. Some families and pimps exploit Ethiopian girls in domestic servitude and commercial sex in neighboring African countries, particularly Djibouti and Sudan. Some business owners, families, and criminal elements exploit Ethiopian boys in forced labor in Djibouti as shop assistants, domestic workers, and street beggars, in addition to forcing children to take part in criminal activities.