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Trafficking in Persons Report 2018 - Country Narratives - Ethiopia

ETHIOPIA: Tier 2

The Government of Ethiopia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Ethiopia remained on Tier 2. The government demonstrated increasing efforts by assisting in the interception of more than 10,000 individuals vulnerable to trafficking and convicting more than 180 traffickers. The government improved oversight of recruitment agencies; more strenuously penalized illegal recruitment activity; and increased its efforts to raise awareness on trafficking and trafficking-related crimes through its community conversations project and media campaigns. 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. Protective provisions for male victims remained inadequate, and for the second consecutive year, Ethiopian officials did not allocate funding for the implementation of its national action plan.

RECOMMENDATIONS FOR ETHIOPIA

Increase efforts to prosecute and convict traffickers for both sex trafficking and internal trafficking offenses; continue to implement and train law enforcement and judicial officials on the anti-trafficking proclamation; develop standardized procedures for the proactive identification and referral of internal trafficking victims; fully implement the 2016 national referral mechanism and promulgate it to all critical regions; extend protective services to male victims of trafficking; fully implement the overseas employment proclamation, by continuing to strengthen oversight of overseas recruitment agencies, assigning and training labor attaches, and investigating and prosecuting illicit recruiters; expand trafficking training for labor officials who validate employment contracts or regulate employment agencies; 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 rural Ethiopia; and, allocate funding toward full 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, with negligible efforts to investigate or prosecute sex trafficking or internal forced labor cases. The 2015 anti-trafficking Proclamation, No.909/2015, criminalized labor trafficking and sex trafficking, prescribing penalties of 15 to 25 years imprisonment and a fine of 150,000 to 300,000 Ethiopian birr (\$5,515 to \$11,030), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. For aggravated offenses, the law increased penalties to 25 years to life imprisonment, along with a fine of 200,000 to 500,000 Ethiopian birr (\$7,350 to \$18,380). Aggravated offenses included any exploitation that was committed against a child, woman, or anyone impaired; resulted in physical or psychological harm; committed using drugs or weaponry; or, carried out by a government official, civil servant, or family member. 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 in order to recruit or deploy a worker entails criminal liability; however, it did not specify what portion of the Criminal Code will apply.

For calendar year 2017, federal and regional justice officials convicted 182 traffickers under the 2015 anti-trafficking proclamation, and 82 verdicts remained pending at the close of the reporting period; this is compared to 640 convictions in 2016 and 69 convictions in 2015, in which some cases in previous years likely involved smuggling and other crimes often conflated with trafficking. 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 compilation 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 and fund trainings for regional and federal government personnel on the 2015 anti-trafficking proclamation, victim-centered investigations, and detecting trafficking crimes. The government spent 1 million Ethiopian birr (\$36,760) to train 110 labor inspectors and funded the purchase of 500,000 Ethiopian birr (\$18,380) worth of monitoring equipment for their inspections.

PROTECTION

The government modestly increased its efforts to protect trafficking victims. The government continued to partner 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 services on an ad hoc basis. The 2009 charities and societies proclamation, which prohibits organizations receiving more than 10 percent of their funding from

foreign sources from engaging in activities that promote human rights, restricted some NGOs’ ability to provide protective services to trafficking victims. The government remained without a formal mechanism to proactively identify potential trafficking victims. In 2017, federal and regional governments intercepted 10,655 persons in the border areas of Ethiopia, the vast majority of whom were intending to depart for work in Gulf states and other African countries, and many were minors—populations most vulnerable to trafficking. The government supported 167 children at risk of, or exploited in, sex trafficking in Amhara. 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 facilities. The government maintained operation of child protection units in Addis Ababa and several major cities; staff was trained in assisting vulnerable children, including potential trafficking victims. Police and civil service transport workers—trained to recognize child trafficking victims—referred the majority of intercepted children to local shelters. In 2017, one NGO cooperated with the local police to identify traffickers, and intercepted, rehabilitated, and provided psycho-social support for more than 1,000 internal child trafficking victims. Another NGO—focused on transnational cases—maintained provisions of comprehensive re-integration 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. During the year, the government, in collaboration with an international organization, repatriated more than 10,000 Ethiopian migrants from Saudi Arabia. In addition, an international organization helped repatriate and provided post-arrival assistance for more than 2,690 Ethiopians from the Gulf states. 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 and Sudan had shelters for trafficking victims on respective mission compounds where they could stay temporarily, and the missions engaged with host government authorities on the individual’s behalf.

The 2015 anti-trafficking proclamation established a fund to support victim protection and rehabilitation efforts; however, the government did not report efforts to begin financial allocations to and administration of the fund. Implementation of the national mechanism for referring repatriated trafficking victims to social services remained limited for the second consecutive year. Under the national referral mechanism, the anti-trafficking task force is the lead coordinator for referring trafficking victims to services, but an international organization and other government entities play vital roles. The mechanism incorporates special identification and screening tactics for child trafficking victims, in addition to the profiling of voluntary returnees and deportees at the Bole International Airport. During the reporting period, the anti-trafficking task force, in partnership with an international organization, promulgated the referral mechanism in two critical regions: Tigray and Southern Nations, Nationalities, and People’s Region (SNNPR). In addition to the national referral mechanism, regional governments work 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.

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. The 2015 anti-trafficking proclamation extends to trafficking victims protections 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. However, Ethiopian law did not provide alternatives to the deportation of foreign victims to countries where they may face hardship or retribution. There were no reports any trafficking victims were deported without proper screening or detained, fined, jailed, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking in 2017; however, the government housed at police stations some victims who were waiting to provide testimony in their respective trafficking cases.

PREVENTION

The government increased efforts to prevent trafficking. In 2016, parliament approved a second National Human Rights Action Plan spanning 2016-2020, which included various activities to curb trafficking, including a media campaign and increased efforts in urban centers to assist women and child victims; however, for the second consecutive year, the government did not allocate funding dedicated to the action plan's implementation. The anti-trafficking task force increased its activity by meeting monthly and organizing itself into four subgroups focused on awareness raising and monitoring, reintegration, research and evaluation, and prosecution. The Attorney General's Office, in conjunction with an international organization and academic institution, published 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. The SNNPR government trained 1,500 employees on generating awareness in their communities and instituted a new program to inform residents on how to collect and protect their new passports. Local and regional state governments, in collaboration with an international organization, continued to host and facilitate hundreds of "community conversations" sessions throughout the country, reaching hundreds of thousands of Ethiopians in attempts to raise awareness of trafficking. Officials in the Amhara region produced television and radio public service announcements and interviews to elevate the public's awareness of the dangers of trafficking, which, in addition to the general public, strategically reached religious and traditional leaders, elders, and media personnel. However, the aforementioned awareness campaigns did not reach all parts of rural Ethiopia, and there remained a serious lack of awareness of the dangers of irregular migration and human trafficking.

The revised employment exchange proclamation came into effect in the previous reporting period—paving the way for greater oversight of private employment agencies, placement of labor attachés in Ethiopian embassies abroad, and establishment of an independent agency to identify and train migrant workers; however, the revised proclamation was still not fully implemented during the current reporting period. Two new 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). In January 2018, the government ceased its 2013 ban on the recruitment of low-skilled domestic workers to the Middle East; since the lifting of the ban, labor officials received 300 applications for private employment agencies to commence operations in Ethiopia. The revised proclamation required employment agencies to deposit 1 million Ethiopian birr (\$36,760) in a bank as insurance, which would be used to assist and repatriate trafficking victims. The government applied stringent application requirements and determined only 20 agencies were in compliance and merited licensing. In 2017, the government employed 2,560 labor inspectors who carried out approximately 55,000 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. For the second consecutive year, the government remained in negotiation with Saudi Arabia and the United Arab Emirates on bilateral employment agreements; Ethiopia had such agreements in place with Qatar, Kuwait, and Jordan. These agreements require 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. Memoranda remained in place with neighboring African countries—particularly Djibouti, and on an ad hoc basis with Kenya and Sudan—and aimed to address joint border management to include repatriation assistance for trafficking victims; however, these did not explicitly address workers' rights.

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 is subject to fraud. The government did not report efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period. Together with clothing designers, the government developed a certification program to label clothing as child labor-free so buyers can support businesses that do not use child labor. 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, Ethiopia is a source and, to a lesser extent, destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Scarce economic opportunities and dire poverty coupled with familial encouragement compels thousands of Ethiopians, including a substantial percentage of minors, to transit, primarily via Djibouti or Somalia, to Yemen and onward to Saudi Arabia; increasingly to cross the border illegally into Kenya, destined for South Africa for flights to Ecuador with a final destination of the United States or Canada; or, least commonly of the three routes, to travel through Sudan and Libya with the hope of crossing the Mediterranean and ultimately reaching Europe. Reports suggest that along these 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. Typically, young men and women migrate west 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 January 2018; 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, over 500,000 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. Many Ethiopian women working in domestic service in the Middle East are subjected to 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 some are subjected to forced labor.

An international organization reported the severe drought in 2015-2016 increased instances of internal trafficking. Furthermore, ongoing displacement among Ethiopia's regions created vulnerability to trafficking. For example, following protracted conflict in the Oromia region in late 2016, Djibouti reported a sharp increase in ethnic Oromo asylum-seekers entering the country. Current 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—numbered more than one million in 544 displacement sites across nine regions.

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 target young people from Ethiopia's vast rural areas with 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. Addis Ababa's central market is the site of numerous brothels, where some young girls are exploited in commercial sex. Ethiopian girls are exploited in domestic servitude and commercial sex in neighboring African countries, particularly Djibouti and Sudan. Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, and street beggars, in addition to forced criminality. Child sex tourism continues to be a problem in major hubs, including Addis Ababa, Bahir Dar, Hawassa, and Bishoftu.

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