

Report of the Eastern and Horn of Africa Conference on Human Trafficking and Forced Labour

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LIST OF ABBREVIATIONS

ACHPR	African Commission on Human and People's Rights
AFRUCA	Africans Unite against Child Abuse
ANPPCAN	African Network for the Prevention and Protection against Child Abuse and Neglect
AU	African Union
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
COTU	Central Organisation of Trade Unions
CWSK	Child Welfare Society of Kenya
EAC	East African Community
ECOWAS	Economic Community of West African States
ECPAT	End Child Prostitution and Tourism
EWLA	Ethiopia Women Lawyers Association
FKE	Federation of Kenya Employers
FSC	Forum on Street Children
HIV/Aids	Human Immuno Deficiency Virus - Acquired Immune Deficiency Syndrome
ICRC	International Committee of the Red Cross
IGAD	Inter-governmental Authority on Development
ILO/IPEC	International Labour Organisation's International Programme on the Elimination of Child Labour
INGO	International Non-Governmental Organization
IOM	International Organisation for Migration
MOLRD	Ministry of Labour and Human Resource Development
NGO	Non Governmental Organisation
NUEW	National Union of Eritrean Women
PDV	Peace Development Volunteers
SRRWA	Special Rapporteur on the Rights of Women in Africa
UK	United Kingdom
UN	United Nations
UNA	United Nations Agencies
UNICEF – ESARO	United Nations Children's Fund - East and Southern Africa Regional Office
UNODC	United Nations Office for Drugs and Crime
WFCL	Worst forms of Child Labour

ACKNOWLEDGEMENT

The conference on human trafficking and forced labour in the Eastern and Horn of Africa was a culmination of collaborative efforts and pooling of resources between ANPPCAN and Anti-Slavery International. These efforts are a demonstration of deep concern and commitment to reducing the violations of human rights in Africa and the world. The reality of exploitation of people through human trafficking and forced labour was exposed and action by governments and civil society greatly challenged.

This report is an exhibit of the proceedings and recommendations of the conference. It is also a mark of the efforts that a team cutting across three continents pooled to capture the vital details of the conference. Credit goes to Asim Turkawi of Anti-Slavery International, Virginia Baumann of Free the Slaves, Bernard Morara, Peter K. Munene and Kennedy Bikuri of ANPPCAN Head Office, Stephan N. Boncoeur of ANPPCAN Mauritius, Celia Turkett of ANPPCAN Liberia and Richard Ogada of United States International University. Their collectively efforts and dedication to ensure the report was finalized without missing out on details is specially noted.

Appreciation and note goes to the mentors of this process. Dr. Philista Onyango, Regional Director and Wambui Njuguna, Director of Programmes of ANPPCAN together with the Mary Cunneen, Executive Director, Anti-Slavery International must be commended for their guidance and adherence to details. Without their input, this effort would be labeled a mutilation of the conference proceedings and recommendations.

We highly value the contribution of Michelle Midigo in linking the efforts into one web.

The conference would not have been organised without the support of Free the Slaves. We salute them for the contribution.

To all delegates, this report belongs to you and others who have put in resources or implemented interventions to reduce to the minimum, exploitation of people through trafficking and forced labour.

The flaws and shortcomings in the report stop entirely on the team that put the report together.

EXECUTIVE SUMMARY

Human trafficking and forced labour have increasingly become issues of global concern. In some quarters, human trafficking has been quoted to be a lucrative business rivaling drugs and weapons trade. The 2004 Amnesty International report estimates that 700,000 people are trafficked every year for commercial sex purposes. The United State Department of State Office to Monitor and Combat Trafficking in Persons reports that every year, between 600,000 and 800,000 persons, mostly women and children, are trafficked across borders worldwide.¹

While this is being addressed in other parts of the world, there is almost total silence in the Eastern and Horn of Africa region. This silence must be broken and appropriate action taken to offer hope to the victims of human trafficking and forced labour and remedy the situation. Similarly, while the problem of human trafficking and forced labour is well documented in some regions, notably, West Africa, the South East Asia and Eastern Europe, very little information exists in the East and the Horn of Africa. It is, therefore, necessary that different groups, especially civil society organisations, governments and other actors, be exposed to the problem and a systematic documentation of the nature and extent of the problem started.

As a way of enhancing capacities of all actors involved in addressing human trafficking and forced labour, opportunities must be created for experience sharing, learning and networking between organizations in the Eastern and the Horn of Africa on one hand and the more experienced ones from West Africa on the other.

To address the factors that contribute to human trafficking and forced labour in the region which include extreme poverty, early marriages and high numbers of girls missing education, there is need for concerted efforts between the different groups, both within and outside Africa. The conference on human trafficking and forced labour was thus organized to address these and other concerns guided by the following objectives;

- To provide a forum for networking for organizations and other stakeholders working to combat human trafficking and forced labour in the Eastern and the Horn of Africa region.
- To provide an opportunity to share experiences and create linkages with organizations already working on human trafficking in the West African Region.
- To facilitate the identification of areas of work on human trafficking and forced labour in Eastern and the Horn of Africa region for future actions.
- To provide an opportunity for capacity building in advocacy and research for non-governmental organisations working on human trafficking and forced labour in the Eastern and the Horn of Africa region.

The conference was organised by ANPPCAN and Anti-Slavery International. ANPPCAN and Anti-Slavery International have a wealth of experience in addressing violations of human rights. In their work, a deep appreciation for networking and collaboration exists. This has occasioned meaningful collaboration, networking and coalition building with other organisations in different parts of the world chiefly to address violations of human rights. For example, Anti-Slavery International and other international partners have spent considerable time and resources in building successful networks of non-governmental organisations in West Africa to address slavery and slave-like situations. Some of the partners that Anti-Slavery International has worked with in West Africa such as Wao-Afrique based in Togo were invited to share their experiences in the conference.

¹ U.S. Department of State Office to Monitor and Combat Trafficking in Persons: 2004 Trafficking in Persons Report, 2004

On its part, ANPPCAN, a pan-African organization that works to promote and protect the rights of children implements a child labour programme in which many cases of child trafficking from the rural areas to urban centres in Kenya in the guise of child domestic service have been encountered.

Interventions initiated by ANPPCAN to address violations of child rights and now child trafficking are greatly informed by research findings. At the time of the conference, ANPPCAN Head Office was in the process of conducting an in-depth study on human trafficking in three countries in the Eastern and the Horn of Africa. The conference, thus, provided an opportunity for ANPPCAN to identify key issues to enrich the research as well as meet and share experiences with other organisations and other actors in the target countries.

Participation in the Eastern and the Horn of Africa Conference on Human Trafficking and Forced Labour was drawn from both national and international organizations. They included government departments, the African Union (AU), African Commission on Human and Peoples' Rights (ACHPR), United Nations Agencies (UNA) and civil society organisations (CSOs) that are involved in issues of human trafficking and forced labour. An effort was made to involve many organizations with varied experiences on human trafficking and forced labour in the East and the Horn of Africa while borrowing heavily from those in West Africa.

EMERGING ISSUES IN THE EAST AND HORN OF AFRICA

Many issues emerged from the Conference deliberations. Some of the issues identified in the Conference are discussed below.

Raising visibility of human trafficking and forced labour

- Though human trafficking and forced labour has started to become visible among the civil society organisations, acknowledgement of the problem by governments is, however, not forthcoming.
- As the fight against trafficking gains priority in national and international agenda, helping a few trafficked victims is fast turning into a need for systems as well as designing of long-term interventions, which will yield better impact.
- Trafficking and forced labour have not attained necessary priority among governments in Eastern and the Horn of Africa due to a host of other competing issues such as the HIV/Aids pandemic and armed conflicts.
- Many of the groups working to stop human trafficking and forced labour at the community level lack a direct linkage and influence with regional and inter-governmental bodies and networks.

Obligations of governments and inter-governmental bodies

- There is a wealth of governments obligation in relation to trafficking and forced labour that are based on ratified charters, protocols, conventions and the Special Rapporteur. However, these can only be useful if translated into national laws and policies.
- There is some disconnect between programmes run by international organizations and those run by organizations working with communities at grassroots level. This has greatly undermined resource flow and hampered the formulation of strategies to address the vice.
- Civil society organizations can assist in monitoring and helping governments in implementing existing human rights charters, protocols and conventions. They can also prepare shadow reports, conduct training for relevant government departments, lobby for and participate in the formulation of laws and policies and create inter-agency and international networks. Accruing experiences and perspectives can then be communicated to governments and other organizations such as the East African Community (EAC), the African Union, the Economic Community of West African States (ECOWAS) and others.

Interventions to rehabilitate and reintegrate victims of human trafficking and forced labour

1. *Helping Victims*

- Rehabilitation programmes for victims of human trafficking and forced labour are not clear on the kind of shelters to provide for trafficked women and children, the duration of stay within the shelters and when to commence their reintegration process with the families and communities.
- The impact of codes of conduct in addressing domestic trafficking has not been ascertained and, generally, the codes have not been properly introduced in many countries in the region.

2. *Reintegration with Families and Communities*

- Any meaningful re-integration interventions should include a component addressing the push and pull factors contributing to the trafficking.
- Some families who are in similar or worse situations to those that traffic have been found not to succumb to traffickers. There is need to understand their resilient characteristics through research and promote these qualities among other vulnerable families and groups.
- Victims of trafficking often face isolation and lack acceptance within their families and in the wider community upon reintegration. Strategies of helping such families and communities to cope with victims of trafficking and accept them are required.

3. *Directing Advocacy and Public Awareness*

- In most cases, information on human trafficking reaching the public is through media reports, which often dwell on startling cases of trafficking and forced labour. Though media reports are vital in advocacy and awareness raising, they have sometimes contributed to the stigmatization of victims.
- There is need for civil society organizations to lead public awareness efforts and collaborate with the media to reduce sensationalisation of human trafficking reports.
- Campaigns against human trafficking and forced labour are often hampered by the technical and official language used in the human rights conventions and protocols. Such instruments need to be translated into local languages with clear messages that debunk the assurances of a ‘better life’ in urban areas and abroad. Press conferences, local documentaries and radio broadcasts need to be organised teachers trained as well as child participation promoted through organizing nationwide school contests.

4. *Interventions by the Civil Society Organisations*

- Civil society organizations that address trafficking and forced labour work with victims, in catchment areas have gained understanding on the trafficking patterns and the reasons for trafficking. These experiences should be used to re-focus attention to those interventions that address the root causes of human trafficking and forced labour.

5. *Experience Sharing, Capacity Building, Collaboration and Networking*

- Some organizations have addressed the problem of human trafficking and forced labour longer. Their knowledge and experiences can be tapped through training, sharing experiences and knowledge, exchange visits, collaboration and pooling of resources.
- Efforts to combat human trafficking and forced labour can only yield impact if well coordinated amongst the non-governmental organisations, government departments and inter-governmental bodies. Such collaborations need adequate resources with coordination spearheaded by a strong lead agency for sustainability.

CONFERENCE RECOMMENDATIONS

1. Safer Opportunities to Discourage Human Trafficking and Forced Labour

- People at risk of trafficking and forced labour must be offered safer opportunities to improve their lives. Hence, awareness raising about the risks of trafficking should be matched with concrete and attractive opportunities that are better than those offered by the traffickers. Examples of such opportunities include education and vocational training.
- People are trafficked either because they cannot survive their home situations or because they hope for something better. Either way, practical solutions need to be found to respond to these aspirations.
- Migration is necessary for people and governments as they respond to different needs. Hence, measures should be taken to ease the requirements and ensure that migration is safe. In particular, governments of sending countries need to negotiate aspects of safety of migrants with the destination countries.

2. Empowering Local Communities to Protect Children

- Local communities should be empowered technically and financially to care for and protect their children.
- Millions of children are left without parents and first line carers due to HIV/Aids and conflicts while other children have parents who lack the capacity to provide for them. In either of this, guardians should be supported to take care of such children.
- Although some communities are aware that they are losing children to trafficking and forced labour, they lack the capacity to take organised action. There is need to form child protection committees drawing members from the community and service providers in the area to monitor the situation of vulnerable children and protect them.
- Ensuring admission and retention of children in school improves protection and monitoring efforts. It also reduces logistical costs of empowering communities and children with information on the risks of trafficking and forced labour. Hence, the school and learning environment should be improved in order to reduce vulnerability of children and promote retention.
- Interventions on human trafficking at community level fail to achieve impact because of size, lack of community participation and ownership and failure by governments to coordinate the efforts. There is need for government participation in interventions aimed at supporting communities and victims as well as involvement of communities in the design and implementation of such interventions and programmes.

3. Working with Governments and Regional Arrangements

- There is need to initiate and strengthen cooperation within government departments charged with the responsibility of addressing aspects of human trafficking and forced labour.
- Action on trafficking needs to be integrated in government's human rights protection responsibility. However, governments lack resources for effective enforcement of laws and implementation of protection efforts against human trafficking and forced labour. The international community should support governments with technical and financial resources to address the problem.
- Regional agreements and arrangements such as the ECOWAS Plan of Action are useful benchmarks in the fight against human trafficking and forced labour. However, their effectiveness is dependent on sufficient monitoring and pressure from civil society

organizations to ensure that governments implement such agreements and make the arrangements effective.

- Governments often yield to peer pressure offered by regional agreements and arrangements. Non-governmental organisations should use such agreements and arrangements as opportunities to offer governments positive suggestions for action.
- Bilateral agreements have proven their potential in dealing with cross-border trafficking operations. Such agreements should be encouraged.

4. *Trafficking as a Moving Target*

- Human trafficking and forced labour are fluid and dynamic. There exists the ‘*push down - pop up*’ phenomenon where when action is taken in one area, trafficking changes its pattern and mode and re-emerges. There is need to create strong regional mechanisms to facilitate communication between government departments and civil society organizations to ensure timely warning and alert systems on emerging dimensions and environments where trafficking is taking place.
- Trafficking occurs within and across borders. There is need to strengthen existing collaborations while creating new ones in order to keep pace with the changing patterns of trafficking and forced labour, to effectively tackle the vice at its source, transit and destination.
- Reliable and up-to-date data and information on trafficking and forced labour is difficult to find. There is need to find ways of updating and sharing available information to improve the knowledge base and programming towards the same.

5. *Enforcement of laws against trafficking and forced labour*

- Removing the impunity of traffickers is important, but increasing prosecutions may not be the approach that offers best results. Deterrent sentences and penalties should be accompanied by interventions addressing the push factors in home countries and other aspects of demand for trafficked people.
- Penalties and sentences meted out to perpetrators of human trafficking and forced labour have not been deterrent enough. There is need to amend existing laws to ensure that they match the severity of the crime.
- Trafficking and forced labour is an illicit and dangerous practice both to the victims and witnesses. The likelihood of cases being brought to light is directly linked to the protection and support offered to the victims and the whistle blowers. Similarly, victims and those that give evidence need assurance that they will not be immediately deported. On their part, the whistle blowers need assurance that their identities will not be revealed.
- There exists weak laws and, in fact, criminalisation of aspects of trafficking is scattered across penal codes, labour and immigration laws. Harmonization and sealing of loopholes in national laws is necessary.

6. *Targeting specific intermediaries*

- There are many sectors that contribute knowingly or unknowingly to trafficking and forced labour. Transport companies, travel agents, airlines, hotels and other sectors contribute in facilitating the existence of human trafficking. These intermediaries need to be targeted individually and collectively to get their co-operation and support. For example:
 - ⊙ Transport operators can be educated on what to look for in order to discern cases of human trafficking and alert authorities on the issue.

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- ⊙ Airlines can inform potential users of women and children in forced prostitution of the crime and risks.
 - ⊙ Hotels can implement codes of conduct to prevent themselves from being used as places of exploitation.
 - ⊙ Those who provide essential support mechanisms as part of their services can be helped to see potential risks of being part of the trafficking process.

INTRODUCTION AND OPENING REMARKS

DR FLORENCE MULI-MUSIIME, Chancellor, Daystar University and founder member of ANPPCAN

Dr Musiime began by noting that child trafficking is a global human rights problem which is linked to the engagement of adults and children in forced and exploitative labour. She observed that although the actual number of victims of trafficking is not known, estimates have it that every year some 600,000 to 800,000 people mostly children and women are trafficked across borders worldwide for use in domestic work, prostitution, pornography, begging, illegal adoption and forced marriages.

In East Africa, both cross-border and internal trafficking of women and children abound. For instance, in Uganda, children from the North are being trafficked into armed conflict where it is reported that over 20,000 of them have been victims. All the countries in the region have been identified as sources, transit points or destination for women and children trafficked within and across these countries or to other regions of the world such as Europe, the Middle East and Southern Africa.

She explained that the ANPPCAN Child Labour programme had encountered many cases of children being moved from their rural homes to serve in domestic service in major cities in Kenya. These children often worked for long hours, without pay and sometimes forced to work in very hostile conditions. According to studies conducted by ILO/IPEC,² large numbers of children have also been found to work in brothel-like conditions in major urban centres in Kenya after being moved from their rural homes by unscrupulous individuals with promise of employment. In the region, Tanzania leads in trafficking of children from rural to urban areas for purposes of prostitution, according to United Nations official reports. She cited emerging channels of trafficking as being inter-country adoptions and employment bureaus.

Child trafficking in East Africa is closely linked to several factors including poverty, lack of access to education, unemployment, HIV/Aids and related orphanhood, weakness or absence of laws and policies addressing human trafficking. Further, civil strife and cross-border conflicts within the region exacerbated the situation. The perennial conflicts within the countries in the region have displaced large numbers of people who are living as refugees or internally displaced persons. Once displaced and denied the means of livelihood and identity, they become easy targets for traffickers and other individuals bent on exploiting their vulnerability.

Despite reports of rising levels of trafficking in the region, there are hardly any efforts directed towards addressing the problem of human trafficking and forced labour. Further, very little effort seems to have gone into the translation of international conventions on human trafficking and exploitative labour into national laws and policies of the countries in the region. In these countries, no explicit mechanisms have been put in place to prevent the recruitment, transportation, transfer and harbouring or receipt of persons for purposes of exploitation in all its manifestations. She noted that the conference provided an opportunity for different groups to discuss the problem of human trafficking and forced labour and come up with the way forward in tackling the problem.

² Onyango, P.: A Study on Commercial Sexual Exploitation of Children in Kenya, June 2004

ASIM TURKAWI, Anti-Slavery International

Mr Turkawi welcomed the delegates to the Conference and shared the work of Anti-Slavery International and in particular its interest in human trafficking and forced labour. He observed that Anti-Slavery has been implementing programmes on forced labour in Asia, Europe, Latin America and West Africa. Consequently, the organisation had gathered a wealth of experience on human trafficking and forced labour which, he said will help to understand the problem of trafficking and forced labour in the Eastern and the Horn of Africa.

He noted that although the problem of human trafficking was known to be growing in magnitude in the region, it was a fact that data and information on trends and patterns were lacking. Thus, the participation of partners from the West Africa region was needed to enrich the discussions and provide more insight into the challenge of addressing the problem.

He observed that ANPPCAN and Anti-Slavery had a long partnership focusing on the situation of children in forced labour. He commended ANPPCAN for hosting the Conference and hoped that its recommendations from the Conference would form the basis for actions and networking within the region in response to the human trafficking and forced labour.

VIRGINIA BAUMANN, Free the Slaves

Ms Baumann started by noting that *Free the Slaves, USA*, is a sister agency of Anti-Slavery International registered in 2000, with the purpose of tackling the problem of forced labour and slavery. The organization's approaches include ending slavery by meeting people's basic needs through enhancing economic and social justice. The strategies used by *Free the Slaves* in the fight against human trafficking and forced labour include working with partners to build their capacity to address human trafficking.

The organization is highly active in countries such as India, Nepal, Haiti and Ghana where it supports awareness creation and sensitizing communities on forced labour and slavery. It also supports the improvement of human rights policies and legislations in target countries and conducts research on modern forms of slavery guided by their motto of *Free the Slaves*.

MAURICE TSUMA, Department of Children's Services, Kenya

Mr Maurice Tsuma, representing the Director of Children's Services, Kenya, decried the high number of children trafficked from the rural areas of Kenya to urban centres to work as house-helpers. The children were often molested, physically and sexually abused by their employers and in some cases re-sold. He lamented that many children were legally adopted by foreigners and no one cared to know what happened to them after leaving the country as no follow up was ever made. In the Western part of the country, children with disabilities were considered as *taboo children* and were therefore abandoned and left to die. He particularly made mention about the situation of the girl child who continued to be exploited through early marriages, prostitution, pornography and domestic labour to bring extra income to the family. He noted the lack of statistics on trafficked children and added that it was a major concern at the moment for the Department of Children's Services.

CONFERENCE PRESENTATIONS

AN OVERVIEW OF HUMAN TRAFFICKING: THE SITUATION IN AFRICA

MARGIE DE MONCHY, UNICEF - ESARO

Ms Monchy's presentation focused on child trafficking in Africa. She defined child trafficking as contained in the Palermo Protocol as the recruitment, transportation, transfer, harbouring or receipt of persons for purposes of exploitation. She noted that the Protocol expounds on exploitation to include, at minimum, prostitution and other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

In her presentation it was noted that countries such as Kenya, Tanzania and Uganda were increasingly becoming known as destination points for sex tourists who exploited local populations, especially children. Further, factors which contribute to human trafficking were highlighted in the presentation. She classified them under the 'push and pull factors' with push factors including poverty, lack of education and social services, erosion of community protection networks, vulnerability of women and children, desire for a higher standard of living, more opportunities and personal freedom. She identified 'pull factors' as being the demand for cheap labour for domestic work, commercial agriculture, traditional practices, sexual exploitation, recruitment of child soldiers and adoption.

She highlighted some of the trafficking patterns in the region observing that it was complex, dynamic and hidden and had domestic and cross border dimensions. She observed that trafficking violates children's rights by causing children to separate from their families, depriving them of their right to education and exposing them to severe health risks. In addition, children who are trafficked are forced to work for long hours, are abused physically, sexually and emotionally and are discriminated against.

She observed that although the incidence of trafficking was unknown occurring under cover and through intricate underground networks, child trafficking was rife in Eastern Africa with double as many countries reporting child trafficking as reported trafficking of women. Generally, however, the perception is that the problem is not as severe in Eastern and Southern as it is in Western and Central Africa.

She described the movement patterns comprising of countries of origin, destination and transit as illustrated in the table below:

Countries of Origin	Countries of Transit	Countries of Destination
Ethiopia, Kenya, Somalia, Tanzania – primary sources each supplying 1-4 other countries	Kenya, Tanzania and Uganda have been reported. Eritrea, Ethiopia and Somalia are unknown Southern Africa particularly South Africa. Europe and Middle East	Ethiopia, Kenya and Uganda are reported. Eritrea and Somalia are unknown

The presentation ended with enumeration of a series of key strategies which UNICEF was undertaking to combat human trafficking and forced labour. These include awareness raising;

community action for prevention and reintegration; strengthening legal protection; and capacity building, among others.

FACTORS CONTRIBUTING TO HUMAN TRAFFICKING AND FORCED LABOUR

Armed Conflict

LEN BLAZEBY, International Committee of the Red Cross (ICRC)

Blazeby's presentation centred on the relationship between armed conflict, forced labour and human trafficking. From the outset, he outlined some of the mechanisms used in dealing with national and international conflicts. He observed that while there is provision within international conventions on how to deal with inter-country armed conflict, national conflicts generally had to be addressed within the domestic legal systems. However, there are difficulties in prosecuting violations resulting from internal conflicts because, more often than not, domestic laws are not sufficient.

He went further to explain some of the international humanitarian laws governing international and non-international conflicts. He observed that the Geneva conventions and additional protocols protect all those who are combatants and those who are not combatants. The law provides for humane treatment of prisoners of war, prohibits unlawful acts causing death or seriously endangering their health, among others.

He observed that under Article 27 of the Geneva Convention, it is provided that all protected persons shall be treated with the same consideration without any adverse distinction based in particular on race, religion or political opinion. In the same article, it is provided that protection should be given to their persons, their honour and their family rights as well as their religious convictions and practices, manners and customs. Women should particularly be protected against attacks on their honour in particular, rape, forced prostitution or any form of indecent assault. In addition, civilians can be compelled to work but only in certain occupations.

He observed that it is nation states that have the initial responsibility of prosecuting war crimes but in cases where they fail, or are not capable, the international community can resort to international channels including the setting up of *ad hoc courts* and further approaching the international criminal court. In conclusion, he elaborated the role of the International Committee of the Red Cross which includes among others providing a tracing service that ensures people do not go missing during conflicts and enables family members to stay in touch.

Debt Bondage

MIKE KAYE, Anti Slavery International

In his presentation Mr Kaye defined debt bondage as the situation where individuals pledge their labour against money taken from traffickers, family and friends. His presentation then centred on people who are often vulnerable to trafficking, mainly children and women. He observed that these categories of people are promised employment opportunities, and then provided with transport and legal documentation by the traffickers but once they reach their destinations, they realise that the jobs they had been promised do not exist. This makes the victims angry with themselves and to feel they have an obligation to pay back. However, the debt increases with interest and various charges.

He observed that traffickers used coercive mechanisms that forced persons to work against their will and have refined ways of controlling them. These include use of violence; intimidation through threat of violence against the victim's family; restriction of movement; emotional attachment due to attachment to the family and men posing as boyfriend/husband; threat of exposure to authorities due to lack of travel documents and presenting false information which can lead to detention, deportation; and isolation due to language, poor knowledge of the place as well as lack of means of survival. These have been identified as the most prominent mechanisms used by the traffickers on the victim.

He noted that it is necessary to understand the mechanisms of coercion in order to initiate and implement appropriate interventions. There is a strong need to facilitate migration and make it safe as restricting migration helps the traffickers. Receiving countries need to recognize their need for migration given that new migrants provide services that are needed by citizens of that country.

Education and Child Labour

PASCHAL WAMBIYA, ILO/IPEC Kenya

Mr Wambiya started by noting that the mission of ILO/IPEC is to facilitate the progressive elimination of child labour worldwide with the eradication of the worst forms of child labour (WFCL) as an urgent priority. This mission is partly realized by strengthening national capacities to address child labour issues and thereby creating a worldwide movement to combat child labour. He noted that ILO/IPEC focuses on bonded child labour, children in slavery, trafficking, children working in hazardous conditions and occupations, children who are particularly vulnerable i.e. very young working children below 12 years of age and working girls.

Mr Wambiya gave the magnitude of child labour noting that globally, there are about 246 million children in child labour of which 73 million are aged less than 10 years old. Sub-Saharan Africa had the largest proportion of children, with 48 million children aged 14 years and under involved in work. Kenya has about 1.9 million of those aged 5-17 involved in child labour. He noted that in Kenya, 34 percent of the children worked in the commercial agriculture sector, 23.6 percent in subsistence sector and 17.9 percent in the domestic sector, according to the Central Bureau of Statistics.

He observed that the Kenya government had taken necessary steps in the fight against child labour by ratifying ILO Convention 138 (C-138) on Minimum Age and ILO Convention 182 (C-182) on the worst form of child labour in 1979 and 2001 respectively. In addition, the government had set the minimum age of employment to 16 years, deleted the salary schedule relating to children that appeared in the Regulation of Wages and Conditions of Employment Act Cap 229, enacted the Children Act, 2001, and implemented the free primary education policy in the year 2003. He hailed these as positive steps by the government in the fight against child labour and by extension, child trafficking in the country.

He singled out ratification of Convention 182 on the Worst Forms of Child Labour as a major step towards fighting child trafficking as it makes provision for member states to prohibit and eliminate WFCL, which include:

- all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict

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- the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances
 - the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties
 - work, which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children” (see article 3).

He further noted that the International Labour Organisation (ILO) had supported 25 agencies including the Ministry of Labour and Human Resource Development (MOLHD), the Central Organisation of Trade Unions (COTU) Kenya Chapter, the Federation of Kenya Employers (FKE), several NGOs, faith-based organisations, research and media organizations to implement action programmes aimed at combating child labour in the country.

He highlighted some of the achievements including the development of relevant policies and legislations. For instance, the national child labour policy has been drafted and now awaits cabinet approval. The policy sets out systematic and planned interventions by the government that include budgetary allocation for mainstreaming child labour issues into programmes and activities of key line ministries. In addition, through similar efforts, a child labour division has now been established within the MOLHD with key roles of policy interpretation and implementation.

In conclusion, Mr Wambiya observed that as a follow up to the ratification of Convention 182, the Government of Kenya with assistance from ILO’s International Programme on the Elimination of Child Labour (ILO/IPEC), has formulated a comprehensive national time bound programme on the elimination of child labour.

Drugs and Transnational Crime

KAROLINE GUDMUNDSSON, United Nations Office on Drugs and Crime (UNODC)

Ms Gudmundsson started her presentation by providing a background of the work of United Nations Office on Drugs and Crime (UNODC) in countering human trafficking through various interventions. For example, she noted that UNODC had initiated a global television campaign on human trafficking since 2001 in partnership with media houses worldwide. The campaign focuses on trafficking of women for purposes of sexual exploitation and also involving men, women and children for forced and bonded labour. She also noted that UNODC in partnership with other United Nations agencies and local NGO partners were working towards providing telephone hotlines for victims of trafficking.

She highlighted some of the challenges faced in addressing human trafficking because of its dynamic, adaptable and opportunistic nature, which takes advantage of conflicts, humanitarian disasters and the vulnerability of people in situations of crisis. She regretted that while responding to such crisis, the presence of the international community in the affected areas may contribute to increased demand for trafficked persons particularly for purposes of sexual exploitation. In the context of the various push and pull factors, emergencies weaken both state structures and efforts by civil society required to prevent trafficking.

She explained the various international provisions to prevent trafficking including the protocol to prevent, suppress and punish trafficking in persons especially women and children; the UN Convention against Transnational Crime; the ILO Convention 182 on the Prohibition and immediate action for the elimination of the worst forms of child labour; and the UN Convention on

the Rights of the Child. She also highlighted other conventions and protocols including the ILO Convention on Minimum Wage and Forced Labour, Protocol on the Sale of Children, Child Prostitution and Child Pornography, UN Convention on the Suppression of Trafficking in Persons and the Exploitation of Prostitution of others and the UN Supplementary Convention on the Abolition of Slavery, slave trade and institutions and practices similar to slavery.

She observed that UNODC was the custodian of the Convention against Transnational Organized Crime and the trafficking protocol and had moved to promote a comprehensive and multi-disciplinary approach in preventing and combating human trafficking. In this regard, UNODC focuses on the criminal justice component of human trafficking including victim support and witness protection. To achieve its objectives, UNODC works with other inter-governmental organisations, NGOs, national actors and civil society to ensure implementation of a unified response stipulated in the Convention against Transnational Organized Crime and protocols.

UNODC global programme against trafficking in human beings assists member states in their efforts to combat trafficking, promotes development of criminal justice related responses and supports states in implementing related international conventions and protocols. In this regard, UNODC has been instrumental in supporting the implementation of the ECOWAS plan of action against trafficking in persons, in the formulation and implementation of the SADEC declaration and plan of action against trafficking in persons, combating trafficking in persons in Benin, Nigeria and Togo and in supporting the implementation of national strategies to combat the vice in Columbia.

National and International Adoptions

IRENE MUREITHI, Child Welfare Society of Kenya

In her presentation, Ms Mureithi noted that many factors including the HIV/Aids scourge made many children vulnerable, thus, rendering an estimated 1.7 million child orphans. This has triggered many local and international adoptions and created opportunities for potential traffickers who in most cases are fronted as loving families. Inter-country adoptions when poorly handled contributed immensely to human trafficking and forced labour. She alluded to a number of questionable adoption processes and practices that have taken place over the years in Kenya.

She observed that reports of suspected trafficked children abound both in the local and foreign media on trafficking through inter-country adoption which include but are not limited to forced labour, ritualistic purposes, prostitution, pornography and pedophilia.

She said that apparent loopholes in Kenyan laws made the country an attractive destination for inter-country adoptions and human trafficking. She lamented that commercialization of adoption in the country had attracted both local and foreign actors who were eager to exploit the opportunity. In addition, public ignorance about adoption had been a major contributing factor facilitating inter-country adoptions. Other facilitating factors include the judiciary and legal counsels for the applicants. Indeed, the current trend has made adoption more of a legal than social process creating room for profiteering.

Ms Mureithi further noted that certain sections of the Kenya's Children Act, 2001, dealing with international adoption are open to abuse and required to be addressed. To illustrate this, she pointed out the guardianship section, Act 102 (3) reads: 'A guardian appointed under this act need not be a Kenyan citizen or resident of Kenya.' She explained that the section and its provisions allowed an applicant to masquerade as a guardian to a child but with intentions of getting the child out of the

country and then proceed to adopt the child without reference to Kenya, thus avoiding all legal requirements including consent from the relatives of the child. This does not provide protection to the adopted child especially in a foreign country. Equally, section 157 (1), which reads: ‘Any child who is a resident within Kenya may be adopted whether or not the child is a Kenyan citizen or was born in Kenya.’ She explained that the section encourages the use of Kenya as a transit point for child trafficking.

Also highlighted was the fact that some children’s homes lacked professional standards and procedures to govern their operations and their leadership was found wanting, and thus the rampant abuse and a myriad of other problems bedeviling such institutions. This situation is compounded further by the absence of a professional body of social workers. This has created room for professional misconduct especially in adoption related matters.

In conclusion, she called for the introduction of tough regulations to bar children’s homes, lawyers, churches and the police from making adoption arrangements, the setting up of an adoption committee and a requirement that a child should only be taken to court when all social enquiries have been done and a home study report produced. She also proposed for the review of the existing and sometimes conflicting sections of the law that could expose children to trafficking.

RESPONSES TO HUMAN TRAFFICKING AND FORCED LABOUR

International Mechanisms on Human Trafficking

VIRGINIA BROWN, International Organisation for Migration, Kenya

Ms Brown began by providing a historical background of the International Organization for Migration (IOM). Formerly the Provisional Intergovernmental Committee for Migrants, IOM was created in 1951 to assist refugee persons mainly internally displaced and economic migrants. In 1989, the organization adopted its current name, International Organization for Migration, currently an intergovernmental body with 112 member states.

She gave the International Organisation for Migration's definition of trafficking as 'the recruitment, receipt and harbouring of persons through deceit, force or abduction or abuse of power for purposes of exploitation.' She highlighted some of the root causes of human trafficking as including acute poverty, lack of opportunities for employment, social and political conflicts, which create instability and displace populations. Similarly, she cited the interplay of social and cultural practices as other factors that hinge on the subordination of women and girls. Further and perhaps the commonest is the act of entrusting ones' children to better off friends and relatives.

She identified some of the pull factors in human trafficking as being the demand for inexpensive labour, demand for sex service, demand for body organs and the unrealistic or restrictive immigration policies.

On their part, traffickers are motivated to engage in the practice by the few risks encountered due to the absence of legislation, limited prosecution capacity, lack of law enforcement, low training and corruption among government immigration officials. Traffickers also see this activity as a low investment 'business' with huge profits and in which the victims can be re-resold several times. Likewise, the existence of support networks related to other criminal activities is heavily exploited by the traffickers.

She enumerated some of the consequences suffered by victims of human trafficking which range from human rights abuse, coercion, illegal status in the country of destination, unfair and inhuman treatment, the risk of contracting diseases, physical and mental abuse and eventual death. They also face problems related to re-integration back to the society, which further compounds stigmatization.

She brought to light the relationship between smuggling and trafficking and explained that smuggling of migrants is often undertaken in dangerous and degrading conditions and involves migrants who have consented to being smuggled. Trafficked persons, on the other hand, have either never consented, or if they initially consented, that consent has been rendered meaningless by the coercive, deceptive or abuse actions of the traffickers.

She further observed that smuggling ends with the arrival of the migrants in the country of destination whereas trafficking involves the on-going exploitation of the victims in some manner to generate illicit profit for the traffickers.

'Smuggling is always transnational, whereas trafficking need not be. Trafficking can occur regardless of whether victims are taken to another country or if only removed from one place to another within the same country.'

Ms Brown then outlined some of the international laws and conventions aimed at deterring human trafficking such as the United Nations Convention against Transnational Organized Crime, commonly known as the Palermo Protocol and a host of other protocols that supplement the convention. The protocols are mainly geared towards preventing, suppressing and punishing people and organizations involved in human trafficking, especially women and children as well as smuggling of migrants by land, sea, and air. Other conventions include the following:

- SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 2002
- ILO Convention 182 on the Elimination of Worst Forms of Child Labour
- Convention on Rights of the Child:
 - Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
 - Optional Protocol to the Convention on the Rights of the Child in Armed Conflict
- The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)

To address the problem of human trafficking, Ms Brown called for greater international co-operation in the fight against the crime, deliberate efforts to address the root causes of human trafficking, the availability of information on the trafficking and also the enactment and enforcement of relevant legislations. She strongly advocated for the application of the 3'Ps' in countering the trafficking, which is basically the prevention of trafficking, protection of the victims and prosecution of the traffickers.

Owing to the prevalence and rise of human trafficking practice in the region, Ms Brown explained that IOM had initiated a number of projects to fight the problem. Some of the interventions include setting up of baseline information on the nature and extent of trafficking in persons, mapping of the geographical areas of concern, identification of routes of transport, understanding the modalities of trafficking, developing profiles of traffickers and their victims. In Kenya IOM has continued to undertake awareness creation, capacity building, establishing a stakeholders network and also offering technical assistance in the drafting of legislations. In Tanzania, on the other hand, IOM has focused more on awareness raising, capacity building and offering assistance to victims of trafficking and smuggling.

Regional Mechanisms on Human Trafficking

VICTORIA NWOGU, ILO/PATWA Nigeria

Ms Nwogu started by observing that prevalence of human trafficking in the region has made states and other actors to marshal efforts to counter human trafficking and forced labour. Due to the concern, many instruments have been adopted in the region including the African Charter on Human and People's Rights and the Economic Community of West African States (ECOWAS)'s initial Plan of Action.

The African Charter on Human and People's Rights guarantees individual and peoples' rights, imposes correcting responsibilities and establishes the African Commission on Human and

People's Rights (ACHPR). The Charter mandates the Commission to promote human and peoples' rights, collect documents, undertake studies and researches on African problems in the field of human and peoples' rights, organize seminars, symposia and conferences. It also disseminates information, encourages national and local institutions concerned with human and peoples' rights and, should the case arise, gives its views or makes recommendations to governments. It also formulates and lays down principles and rules aimed at solving legal problems relating to human and peoples' rights and fundamental freedoms upon which African Governments may base their legislations. It carries out communications from states parties against other states, persons against state and NGOs against state.

She also elaborated on the role of the African Court on Human and People's Rights. The court complements the protective role of the Commission, has 11 member judges elected from member states. The court can reach decisions and pass judgments in cases brought before it which include orders for payment of compensation.

Another mechanism discussed in the presentation was the Special Rapporteur on the Rights of Women in Africa (SRRWA) adopted at the 19th Ordinary Session of the Commission, 1996 in Ouagadougou, Burkina Faso. SRRWA, among other things, is charged with carrying out studies on the situation of women's rights in Africa; monitoring women rights and the implementation of the Charter, supporting policy formulation and implementation by governments in relation to women rights and collaborating with NGOs, United Nations and other organizations on women's rights. The rapporteur also works towards the ratification of the Protocol to the African Charter on the Rights of Women by all member states and makes recommendations to the African Commission on improving the situation of women in Africa.

The Protocol to the African Charter on the Rights of Women obligates governments to protect women from discrimination. It also provides a range of rights that women should be guaranteed to enjoy and outlines mechanisms for the implementation and monitoring of the same.

Article 27 of the protocol specifically addresses sexual exploitation and obligates state parties to the charter to protect the children from all forms of sexual exploitation and sexual abuse and in particular take measures to prevent:

- the inducement, coercion or encouragement of a child to engage in any sexual activity;
- the use of children in prostitution or other sexual practices,
- the use of children in pornographic activities, performances and materials.

In addition, Article 29 of the protocol deals with the sale, trafficking and abduction of children. In particular, it calls upon States Parties to the Charter to take appropriate measures to prevent:

- The abduction, the sale of or trafficking in children for any purpose or in any form, by any person including parents or legal guardians of the child,
- The use of children in all forms of begging.

Finally, the ECOWAS Plan of Action commits member states to urgently take action against trafficking in persons. However, for the plan of action to be actualized, there is need for the following; the setting up of new police units, training of officers from line departments on methods for prevention, prosecution, protection of victims rights, setting up of direct communications and border control agencies and expansion of efforts to gather data on human trafficking. There is also

the need for a special task force or agency to act as a focal point to direct and monitor the implementation of the plan of action at the national level.

The West and Central African Network on Child Labour and Trafficking

ADJOWA-SIKA DIKENU, Assistant Project Officer, Wao-Afrique, Lome, Togo

Ms Dikenu noted that the sub-regional project on eradicating child domestic work and child trafficking in West and Central Africa (2000-2002) was initiated through a collaboration between Anti-Slavery International and Wao-Afrique. The objective of the project was to develop a sub-regional research programme in collaboration with national NGOs working to stop abusive work and trans-border recruitment of children as domestic workers. The project works in six countries in West and Central Africa namely, Benin, Burkina Faso, Gabon, Ghana, Niger and Togo. The said countries were identified through national and sub-regional studies as sending, transit and receiving countries for victims of child trafficking.

The network often shares information through mail and a quarterly newsletter known as *DTRI* and also through exchange visits between organizations from countries who are members of the network. Activities of the network take place both at the national and regional levels with members working as a coalition at the national level and the exchange of information occurring at the regional level.

Some of the achievements of the network include information exchange, capacity building of the members on the UN Convention on the Rights of the Child and ILO's Convention 182 on the worst forms of child labour. The members of the network received support from ILO to implement projects against child trafficking in their countries. Further, some of the members are now represented in government committees against child labour and child trafficking and their capacity in advocacy has been greatly enhanced. Some of the challenges faced by the network include lack of reporting strategies, insufficient capacity in fund raising, and co-ordination.

She recommended that ECOWAS should take a lead role in coordinating efforts against human trafficking. At the same time, governments should provide legal support to the 'code of conduct' on child domestic labour in the different countries.

Trafficking of African Children to the UK: Issues, Trends and Responses

DEBBIE ARIYO, Director, Africans Unite against Child Abuse (AFRUCA)

Ms Debbie Ariyo began by stating the mission of Africans Unite against Child Abuse (AFRUCA) as being to promote the welfare of African children in the United Kingdom. Its activities include child rights, advocacy and policy development, research, education and community development.

She observed that an estimated 587,000 Africans are currently residing in the United Kingdom (UK). In 2003, 41 percent of all asylum applications were from Africa, adding that Africans are the fastest growing ethnic minorities in the UK. Statistics also show that the number of African children in the UK grew from 96,000 in 1992 to 145,000 in 2000 – which is a 50 percent increase over 8 years.

She said children are trafficked to the UK for various reasons, chief among them, domestic servitude, sexual exploitation, benefit fraud, ritual killing, illegal adoptions and child labour. The most vulnerable children for trafficking are street children, those from orphanages, adopted children and children from poor families, usually from rural areas in Africa. Most of the children trafficked to the UK come from Nigeria, Ghana, South Africa, Zimbabwe, Kenya and Malawi as identified by Operation Paladin Child. Likewise, some come from Uganda, Sierra Leone, Cameroon, Zambia, the Democratic Republic of Congo, (DRC), Angola and Somalia as identified by the End Child Prostitution and Tourism (ECPAT).

Trafficking of African children to the UK occurs as a result of many reasons. Children get trafficked in the guise of the better life syndrome, due to conflicts, HIV/Aids, acute poverty.

In the fight against child trafficking, AFRUCA carries out awareness creation and advocacy both in the UK and in Europe through setting up a trafficking hotline, denouncing the ‘better life’ syndrome, which drives many children to the UK, supporting victims of trafficking, providing advice, intelligence and expert reports as well as conducting research work on issues related to child trafficking.

Other interventions by other agencies include media coverage, training of practitioners, pacts with source countries, helplines, petitions and passing of laws to prosecute traffickers.

She concluded by calling for strengthening and enforcement of laws and increasing support for poverty eradication among developing countries.

Regional Programme Development: Experiences of OAK Foundation

FASSIL MIRIAM, OAK Foundation, Ethiopia

Mr Miriam gave an overview of Oak Foundation noting that it is a family foundation based in Geneva with branch offices in different countries. Its areas of focus include human rights focussing on victims of torture, women’s rights addressing domestic violence, child abuse focusing on sexual abuse and exploitation, environment and homelessness.

He observed that in the past six years, the organization provided the bulk of its grants to international NGOs with some support extended to local NGOs.

In 2003, the foundation developed a regional child abuse programme in East Africa targeting Ethiopia, Kenya, Uganda and Tanzania. The objective of the programme is to provide grants to local NGOs to work towards the prevention and rehabilitation of child victims of sexual abuse and to influence the policy of the targeted countries to recognize the issue as one of the major and growing social problems.

Currently, some 24 local and international NGOs are partners of Oak Foundation with most of them operating in Ethiopia and Uganda. In Kenya, the programme works through international NGOs since they were already in partnership with OAK Foundation before the initiation of the regional programme.

He noted that OAK Foundation is encouraging partners to mainstream issues of sexual abuse and exploitation in their existing programme since children are exposed to abuse at children’s homes,

communities, schools and on the streets. Therefore, the OAK Foundation works with organisations that are implementing programmes on areas such as family support, domestic child labor, children working and living on the streets, schools and communities.

OAK Foundation's interest in addressing the problem of child trafficking is because trafficking in persons is a violation of human rights especially those of women and children trafficked into commercial sexual exploitation and hazardous labour.

The problem of child trafficking is on the increase in many of the Eastern African countries even though there are few studies done on the area. Trafficking in children has exposed them to street lives, sexual abuse and exploitation through engagement in the worst forms of child labour.

A visit to Southern and Western African countries was made where programmes have a preventative and rehabilitative components for children who are victims of trafficking. Through a donors meeting organized by OAK Foundation, IOM, Save the Children Sweden, Denmark and Canada identified four countries namely Djibouti, Ethiopia, Kenya and Uganda where a rapid assessment will be conducted on child trafficking. While IOM has already started the assessment in Ethiopia, ANPPCAN Head Office would conduct the assessment in the three other countries.

The assessment will identify the nature and magnitude of the problem and its impact on children. It will further identify partners to develop anti-trafficking programmes focusing on prevention and rehabilitation. Oak Foundation has already developed a partnership with the Forum on Street Children (FSCE) and initiated a national anti-child trafficking programme. FSCE is working with the Ethiopian Police Service and has established a child protection unit in the major bus terminal in the capital city. The programme is to be replicated with OAK Foundation's financial support in three major towns where more children are trafficked to Addis Ababa.

Advocacy Campaigns against Trafficking and Forced Labour

MIKE KAYE, Anti-Slavery International

Mr Kaye's presentation centred on implementing an effective advocacy campaign to fight human trafficking and forced labour in all its manifestations. He observed that in order to mount a successful human rights campaign on human trafficking and forced labour, it is important first and foremost to ensure that the organization is well structured in its focus and objectives. Further, the purpose of advocacy should be agreeable to everyone in the organisation as well as other relevant actors. It is important to consider what the organization offers in terms of services, research and policy proposals, among others.

He asserted that for the campaign to yield the expected impact, particular attention should be paid to the formulation of clear objectives and plan of action, a realistic budget as well as staff time to deliver the objectives.

In setting and meeting the organizational objectives of the campaign strategy, it is perhaps necessary to consider whether it is a priority for the organization and if by implementing the campaign, it in some way helps further the work of the organization. A criteria ought to be established to gauge if the results are specific, measurable and achievable and that appropriate indicators have been developed to monitor progress and evaluate success.

It is also important to establish that everyone involved in the project approves of the objectives from the start and that all people whose support towards the project success have been involved. On deciding on the type of strategy to use in the campaign, he gave an overview of the some of the strategies that could be adapted and pursued by organisations involved in fighting human trafficking vice in Africa.

Grassroots campaign is one such campaign strategy. It was noted that grassroots campaign involved educational work, distribution of publications on awareness raising and mobilizing members of the public. In this, he observed that an organisation must have a clear message and something that people can do, for instance, letter writing, petitions, postcards, giving money, website visits and information sharing. This, in particular, shows that ordinary people, who are voters, are concerned about these issues. It also strengthens the organisation.

The other strategy is coalition building, where an organisation works with other organisations and individuals and involves them in the advocacy campaign. It also entails making links with similar organisations and non-traditional allies. Further, the organisation could seek the support of influential individuals and groups such as the media, sports, music stars, community and religious leaders. The advantage here is that the organisation reaches a wider audience and is able to mobilize different constituencies as well as specialize and share tasks between groups.

Further still, an organisation could opt for influencing decision-makers in the society as its campaign strategy in tackling the human trafficking phenomena. This entails bringing on board such groups as the government ministers, civil servants and advisors as well as local officials and politicians from across the political spectrum. It could include officials who draft and interpret laws such as the judiciary, immigration officers, police and social workers. This strategy provides the most direct way of achieving change.

The media is yet another important powerful tool in society that could be used to directly fight human trafficking and forced labour. The media include the use of television, newspapers, radio and magazines. The media if used properly and aggressively can reach all of the other target audiences.

COUNTRY EXPERIENCES IN EASTERN AND HORN OF AFRICA ON HUMAN TRAFFICKING AND FORCED LABOUR

Ethiopia

WOLDE SEMAIT, ANPPCAN Ethiopia; MAHDERE PAULOS, Ethiopian Women Lawyers and ALEM BROOK, International Organization of Migration, Ethiopia

There is inadequate data on trafficking in Ethiopia. Data on trafficking in children is even more scarce as the little that is available is aggregated together with that of women victims. However, some studies point to widespread cross border trafficking of girls and young women. For example, studies have indicated that out of thirteen girls who leave the country, one is under the age of 18 years and of all girls and women leaving the country, four out of five are trafficked.

Available information shows that the majority of victims of cross-border trafficking are from the capital, Addis Ababa, while a significant number come from Tigray, Oromia and Amhara regions. Trafficking routes are represented in the illustration below;

Somalia → Bosaso → Yemen → other countries in the Gulf.

The most common countries of destination for women and girls are Lebanon, Yemen, Saudi Arabia, Egypt and Syria.

Sudan → Libya → Italy → The rest of Europe

Through Kenya → Tanzania → Mozambique → South Africa.

The victims are recruited on promises of employment abroad and marriage to a foreigner as well as lured with the prospects of a 'better life' overseas. The traffickers charge between 1 - 7 thousands Ethiopian Birr per person and usually recruit from schools, colleges and villages.

Events such as the Muslim pilgrimages, Hajji and Oumra are used as opportunities to move young women and girls to Saudi Arabia and other Arab countries in the pretext of attending the religious ceremonies.

The traffickers involved here range from local brokers, relatives, family members to friends of the victims. Returnees also play an important role in luring potential victims into accepting to travel with promises of a 'better life' in countries of destination. Many of the returnees are also involved in trafficking in which they working in cohorts with tour operators and travel agencies.

Poverty as a factor underlies the push of women and children into situations of trafficking and forced labour. An estimated 50 percent of the rural population lives below the poverty line. A majority of the Ethiopian population is below the age of 15 years with women making 51% of the total population. Apart from poverty, high levels of unemployment push many people, especially women, to seek job opportunities abroad.

The most relevant provision in the penal code of Ethiopia on trafficking is Article 605 on Trafficking in Women, Infants and Young Persons. The provision makes it an offence to seduce, entice, procure, or induce women, infants or young persons to engage in prostitution.

The organizations undertaking interventions against trafficking and forced labour include ANPPCAN Ethiopia chapter, Ethiopian Women Lawyers Association and International Organisation for Migration (IOM) Ethiopia chapter.

ANPPCAN Ethiopia chapter is providing psychosocial support, placements, repatriation, reintegration as well as legal aid to victims and their families and is also closely working with the police and the courts in addressing the problem of children involved in trafficking.

Ethiopian Women Lawyers Association (EWLA) is specializing in providing legal aid and counselling to affected women. It also exposes the illegal business conducted by agents who facilitate the travel of the workers, as well as taking on the cases of women who have been abused by the employers in trafficking destinations.

Meanwhile, IOM-Ethiopia undertakes training and sensitization, conducts research and disseminates information on trafficking. IOM is also implementing a pilot return and reintegration assistance programme focusing on providing shelter, food, medical services, vocational training, counselling and legal services to victims.

Some of the challenges faced by these organizations in the fight against human trafficking in Ethiopia include weak legislation, poor enforcement and inadequate support by the government in tackling the problem. In addition, low knowledge levels, inadequate capacity as well as resource constraints hinder an holistic approach in addressing the problem of human trafficking and forced labour in the country.

Eritrea

DAHAB SULEIMAN FLLI, National Union of Eritrean Women

Eritrea is a relatively new state which is undergoing change and transformation marked by rapid population growth and urbanization, rural urban migration, poverty and unemployment, and the displacement of large segments of the population due to past conflicts. The situation places many women and children at risk of trafficking as they seek opportunities to improve their lives. For example, the Ministry of Labour and Social Welfare in its 1999 survey in Eritrea found that there were about 4,579 sex workers of which 2,225 were young children. There have been newspaper reports which show evidence of inter-country trafficking, one in Beirut and another in Paris.

To counter these, the government of Eritrea adopted and ratified various ILO Conventions on 22 February 2000 and has incorporated them into national policies and programmes. Among the conventions ratified are:

- Convention No. 29 on Forced Labour of 1930
- Convention No. 105 on Abolition of Forced Labour of 1957
- Convention No. 138 on Minimum Age of 1973
- UN Protocol against Human Trafficking and Child Labour which has been ratified and translated into different local languages

Eritrea's commitment towards these conventions and protocols is demonstrated by their domestication into policies and programmes such as the Reunification programme which deals with the placement of street children with their parents, Educational Support programme which assists young children with school fees and provides other services including guidance and counseling, vocational training, income generating activities and sensitization.

Other actors such as the National Union of Eritrean Women, the only women's organisation in Eritrea, are working to promote women rights through advocacy and service provision in the areas of education, land ownership, reproductive health, economic empowerment and leadership development.

Kenya

KENNEDY BIKURI and PETER K. MUNENE, ANPPCAN Head Office; LYNETTE OUNA, Child Welfare Society of Kenya; SOLOMON KULOBA, Ministry of Labour and Human Resource Development – Child Labour Division and MAURICE TSUMA, Ministry of Home Affairs – Children's Department

Kenya has been identified as a major point of origin, transit and destination of victims of trafficking. Although there is no official data on the patterns, trends and magnitude of the problem, anecdotal evidence and newspaper reports point to an increase in the levels of internal and cross-border trafficking particularly of women and children.

There have been cases of trafficking highlighted in the media about Kenyan women being trafficked to Germany. Ten Kenyan women were reportedly repatriated by Solwodi. Reports have also indicated that Kenyan women and children are being trafficked into other destinations in Europe, Middle East and Southern Africa. Kenya is also a destination point for many trafficked women and children from neighbouring countries such as Burundi, Ethiopia, Rwanda and Tanzania. Women and children are reportedly trafficked to Kenya for commercial sexual exploitation.

The sale and trafficking of children has also been reported to be rampant particularly in key maternity hospitals, children's homes and through the abuse of inter-country adoptions. Many cases of internal trafficking for purposes of domestic work and prostitution have also been reported by various agencies in the districts where they operate.

The channels of trafficking mostly used include employment bureaus, inter-country marriages, inter-country adoptions, education agencies, children's homes and early marriages. Fostering has also been reported to be a key technique being used by both local and international traffickers. For example many children orphaned through HIV/Aids have been fostered by relatives and foreigners just to find themselves sent to work in the domestic sector and commercial sexual exploitation where their wages are paid to the so called foster parents.

Factors associated with trafficking in the country include high levels of poverty and unemployment, a large number of orphaned children, a lure of a 'better life', cultural practices, weak laws and enforcement. Awareness on trafficking is low, and few programmes, both government and civil society, have targeted human trafficking and forced labour as an issue. Armed conflict in the region, local and international tourism, poor access to education, existence of a large refugee community, and internal displacement have contributed to the rise in trafficking activities.

Although there are no specific programme and policy measures targeting trafficking in persons, the issue has been mentioned in the penal code and in the Children Act, 2001. Kenya has also ratified various international conventions and protocols and domesticated some of them. There are some efforts within the government to establish a national task force on trafficking and a police unit to respond to the problem of human trafficking.

Other interventions are being spearheaded by the civil society among them ANPPCAN Head Office, Child Welfare Society of Kenya, United Nations agencies and International NGOs including UNICEF and IOM. The interventions being initiated are mainly focusing on advocacy for policy and legislation, awareness and sensitization, capacity building, and victim support.

Sudan

YASIR AHMED IBRAHIM, National Council of Child Welfare; AHMED MAHMOUD AHMED, Peace Development Volunteers (PDV) and Dr MOHAMMED YOUSIF ALMUSTAFA, University of Khartoum

Until 2003, the issue of human trafficking in Sudan was completely neglected and had never been addressed by the government, UN agencies, international NGOs and national NGOs, although the practice has been there for many years. Evidence of trafficking is manifested by the abduction of children to work as camel jockeys in the Gulf area, use of street children by some individuals in begging and commercial activities such as trading and distribution of illicit items.

Children in Quranic schools are forced into labour in crop production in rural areas, organized campaigns of begging involving collection of 'donations' and in domestic services. Young women are also involved in prostitution, domestic services and forced marriages while mature women were forced to work in food processing establishments in urban areas.

Some interventions from the Sudan government have addressed the problem of trafficking and forced labour.

Peace Development Volunteers in collaboration with local partners and Anti-slavery International set up a task force to combat the practice of camel jockeying. Other activities being implemented to fight the vice include advocacy, sensitization and awareness and monitoring implementation of agreed measures. University of Khartoum has conducted research on human trafficking in Sudan, which forms a good basis for launching anti-trafficking efforts in the country.

Tanzania

FLORENCE RUGEMALIRA, KIVULINI and REGINA BAKAMPENJA, KIWOHEDE

Trafficking has been reported to be widespread in Tanzania with the country serving as a point of origin, transit and destination. The main reasons for trafficking are domestic work and early marriages. Large numbers of children are reportedly being exploited in the entertainment and hospitality sector in small and major urban centres in the country.

Key factors associated with trafficking include poverty, unemployment, lack of proper protection mechanisms, neglect, HIV/Aids scourge, high levels of poverty and lack of access to education. .

Some of the interventions aimed at countering the problem of human trafficking and forced labour in Tanzania include those undertaken by organizations such as KIVULINI and KIWOHEDE. KIVULINI is involved in community mobilisation against domestic work, sensitizing employers, developing a code for employment of domestic workers, research and service provision to the victims. KIWOHEDE is involved in identification of children at risk and victims of trafficking and forced labour, psychological support, shelter, repatriation and re-integration services.

Uganda

ISAAC BAKAYANA, Uganda Human Rights Commission and DEOGRATIUS YIGA, ANPPCAN Uganda

In Uganda, there is generally limited information on the actual magnitude of trafficking and forced labour. However, the prevalent forms of trafficking and forced labour include those related to domestic work, sexual exploitation and armed conflict. For example, over 20,000 children have been abducted and trafficked as child soldiers and sex slaves by rebels in the northern part of the country. It is also indicated that there are about 115 owners of informal brothels in Kampala with a total of 12,000 children and young people aged between 10-24 years involved in commercial sexual activities in Kampala.

Poverty, unemployment, armed conflict, social cultural practices, weak legislation and enforcement, and weak capacities of the programmes addressing trafficking are some of the factors associated with trafficking and forced labour. For example, it is estimated that 38% of the Ugandans live below the poverty line, HIV/Aids prevalence rate is at 7% with an estimated 1.8 million orphaned children. Further the northern part of Uganda has experienced a 19-year period of armed conflict.

On its part, ANPPCAN Uganda chapter has been implementing programmes in research, advocacy, child empowerment, provision of legal, psychosocial support and resettlement services, withdrawal and support to victims and capacity building, targeting children at risk and those who are victims of trafficking.

Some of the challenges faced in addressing human trafficking and forced labour include promoting visibility of the issue within the government, improving awareness among the public and service providers, providing direct support to affected groups, and mainstreaming the issues in the broader policy programme and framework of government and civil society.

The participants were informed about ANPPCAN Uganda's efforts in public awareness through media campaigns on child domestic work and provision of services. Other commitments were fostered through withdrawal of children from child domestic work and prevention at the source and elevating national level advocacy on the issue of children in armed conflicts.

REPORTS AND RECOMMENDATIONS FROM GROUP SESSIONS

A. Policy and Legislation

Policy and legislative environment within countries in Eastern and Horn of Africa:

- Though some policies and legislation addressing human trafficking and forced labour exist in some countries within the region, their provisions are much narrower than those outlined in the Palermo Protocol and international conventions.
- Policies on child care and protection in some of the countries do not holistically address child trafficking. Other existing legislations meant to protect children from trafficking is not adequately enforced.
- In implementing provisions within existing laws, some sections of the population, men, disabled, street and orphaned children are not adequately covered and protected against trafficking. This does not meet the standards of the protocol and conventions.
- The existing policy and legislative environment is not sufficient to fight trafficking and forced labour.

Recommendations on policy and legislation:

- There is need for enactment of new and comprehensive anti-trafficking laws and/or the amendment of existing ones to prevent and protect vulnerable groups as well as punish traffickers in conformity with international standards.
- There is need for inter-governmental and bilateral arrangements focussing on cross-border activities to prevent human trafficking and forced labour.
- Interventions to address trafficking and forced labour should be linked and mainstreamed within other interventions that address the push and pull factors.
- The capacity of agencies and governments should be improved through training, exchange programmes, experience sharing, support with resources, equipment and information on combating trafficking and forced labour.
- Interventions against human trafficking and forced labour should be coordinated by a focal point for maximum impact.
- Efforts should be intensified to promote education, awareness raising, advocacy, information sharing and dissemination on existing policies and legislation as well as international and regional instruments to fight trafficking and forced labour.

B. Programming and Implementation

Programming and implementation environment within countries in Eastern and Horn of Africa:

- In some countries there is awareness among certain enforcement agencies but there is lack of corresponding knowledge and capacity to facilitate taking of appropriate action.
- There is active official denial of the existence of trafficking and forced labour in some countries within the region with some cultures within these countries promoting practices similar to slavery. This suppresses campaigns to address the problem.
- In some of the countries, there is knowledge on existence of internal trafficking but little information on external trafficking.
- In some of the countries, some discussions on how to address human trafficking and forced labour have commenced but comprehensive interventions have not been initiated.

- Where structures have been created to combat trafficking and forced labour, there is insufficient human and other resources, impacting negatively on prosecutions.
- Some institutions mandated to care and protect children have collaborated with traffickers to facilitate suspect adoptions by taking advantage of loopholes within laws and their enforcement.
- Notwithstanding the little financial support for interventions on human trafficking and forced labour, some governments and civil society organizations included some advocacy work against the problem within existing programmes.
- Programming within governments has prioritized other competing issues overshadowing human trafficking and forced labour.
- Most research work has tended to focus on numbers and not address the modes and patterns, which would be helpful for programming and policy formulation.
- Important recommendations made during forums at national and regional level do not get necessary follow-up due to lack of resources.

Recommendations on programming and implementation:

- There is need to enact and harmonise policies and legislations against human trafficking and forced labour across the region
- Regional campaigns and follow-up on the ratification of the Palermo Protocol on human trafficking should be accelerated.
- There is need to share research work across the region and identify new areas for follow-up.
- Countries should develop comprehensive action plans to address human trafficking and forced labour
- A regional mechanism that promotes consultations with actors on human trafficking, regular information sharing and which is coordinated by one lead organization is needed.
- Tapping into regional arrangements such as the African Union, the African Commission on Human Rights, ECOWAS, IGAD, EAC and others would promote interventions on trafficking and forced labour
- Interventions against trafficking and forced labour should involve the media to facilitate awareness raising and advocacy.

C. Networking and Partnership

Networking and partnership environment within countries in Eastern and Horn of Africa

- Interventions against trafficking and forced labour are isolated with little or no collaboration between civil society organisations and governments.
- Countries within the region have attempted to address the problem of human trafficking and forced labour individually.
- Meetings on issues such as human trafficking and forced labour have left out the participation and input of key organisations.
- Opportunities exist where different fora can be used to promote specific issues on human trafficking and forced labour.
- Important recommendations made during forums at national and regional level do not get the necessary follow up due to lack of resources.
- There lacks a regional mechanism that promotes consultations with actors on human trafficking, information sharing and which is coordinated by a lead organization.
- Sharing of information and research findings has been a major challenge within the region.

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- The media has not been proactively engaged in educating and informing the public and in particular, policy makers on the international conventions and agreements that obligate them on trafficking. This makes media reports not sensitive to victims of trafficking and forced labour.
 - Networking and partnerships have not been structured to involve stakeholders at community, national, sub-regional and regional levels.

Recommendations on networking and partnership:

- There is a need for a regional mechanism that promotes consultations with actors on human trafficking, regular information sharing and which is coordinated by one lead organization.
- Organise follow up meetings at country level to share experiences and conference recommendations.
- Produce and share the conference report with organisations and key government agencies in the East and the Horn of Africa
- Involve the media to educate and inform the public and in particular policy makers on the international conventions and agreements that obligate them on trafficking.
- Establish networks and partnerships at community, national, sub-regional and regional levels to address human trafficking and forced labour.

THE WAY FORWARD ON TRAFFICKING AND FORCED LABOUR IN EASTERN AND HORN OF AFRICA

Common Themes for Future Collaboration

Structure of Collaboration

- Establish a regional network of organisations addressing human trafficking and forced labour in Africa to promote consultations and regular information sharing.
- ANPPCAN Head Office to lead the follow-up to the conference as well as become the focal point for joint efforts and the regional network.
- Develop a database of organizations working on trafficking and forced labour in the East and Horn of Africa.
- Start outreach to organizations active on the issues who were not present at the conference and invite them to join the network. The outreach to include organizations based outside Africa (including in destination countries) who are responding to the needs of trafficked people originally from East and Horn of Africa. The network should also incorporate government representatives, regional arrangements such as African Union, EAC, IGAD, the African Commission for Human and Peoples' Rights, and other relevant inter-governmental bodies.
- Organize forums that give opportunity for face to face meetings such as an annual conference rotated around different countries.
- Take the anti-trafficking agenda to other appropriate networks, gatherings and the media.

Legal frameworks

- Assist NGOs as they promote consistent and comprehensive legislation in all the countries of the region, especially to domesticate the Palermo Protocol and other international anti-trafficking and forced labour instruments into national laws.
- Through an established network, actors and stakeholders exchange ideas on how to harmonise and implement, both at country and regional level, all laws on human trafficking and forced labour.
- Set goals and priorities for each country with regard to formulating government policies and enacting laws to address trafficking and forced labour as well as assist each other in campaigns to implementation.

Research

- Share information on ongoing research activities on trafficking and forced labour, collectively identify gaps in knowledge, analyze the results and make recommendations.
- Collectively assess the implications of research findings in programming and policy formulation.
- Develop a database on research reports that are available on human trafficking and forced labour in the region.

Advocacy

- Share knowledge and inspiration about successful strategies on advocacy, training, awareness-raising and media work.
- Involve the media in highlighting cases of human trafficking and forced labour to educate and inform the public and in particular, policy makers and vulnerable communities.

Practical work in programming and implementation of interventions against trafficking

- Promote replication of interventions that address aspects such prevention, protection, rehabilitation, empowerment of victims and their families, reintegration, policy and legislative reform.
- Promote collaboration between different NGOs and International NGOs as well as NGOs based in different countries for balanced programming that offer holistic solutions addressing trafficking at source, transit and destination.
- Provide survivors with legal, medical, and psychosocial support, life skills, and appropriate family reunification.
- Design programmes that promote the resilient characteristics that have been identified within some families in vulnerable communities that do not succumb to traffickers.
- Promote critical peer thinking and sharing on interventions for collective improvement in programming and impact within the network.

APPENDIX 1: PROGRAMME FOR THE HUMAN TRAFFICKING CONFERENCE

Objectives of the Conference

- To provide a forum for networking for organizations working to combat Human Trafficking and Forced Labour in the Eastern and the Horn of Africa Region
- To provide an opportunity to share experiences and create linkages with organizations already working on human trafficking in West African Region
- To facilitate the identification of areas of work on Human Trafficking and Forced Labour in Eastern and the Horn of Africa Region for future actions
- To provide an opportunity for capacity building in advocacy and research for NGOs working on Human Trafficking and Forced Labour in the Eastern and the Horn of Africa Region

8.30 - 9.00am Registration

9.00 -10.30am Introduction and Opening Remarks

- *Dr. Florence Muli-Musiime, Founder member of ANPPCAN and Chancellor of Daystar University)*
- *Asim Turkawi, Anti-Slavery International*
- *Virginia Baumann, Free the Slaves, USA*
- *Ahmed Hussein, Director of Children's Services, Kenya*

Official Opening

- *Amb. William Bellamy, American Ambassador, Kenya*

10.30 - 11.00am Tea Break

11.00 - 1.00pm Presentations

An Overview on Human Trafficking and Forced Labour

The Global Situation

- *Ms Erin Tariot, American Embassy*

The Situation in Africa

- *Margie de Monchy, UNICEF- ESARO*

Discussions on the Critical Issues

1.00 - 2.00pm Lunch Break

2.00 - 5.00pm Factors contributing to Human Trafficking and Forced Labour

Armed Conflict

- *Len Blazeby, International Committee of the Red Cross (ICRC)*

Debt Bondage

- *Mike Kaye, Anti-Slavery International*

Education

- *Paschal Wambiya, ILO/IPEC, Kenya*

HIV/AIDS

- *Karoline Gudmundsson, United Nations Office on Drugs and Crime (UNODC)*

Inter-Country Adoption

- *Irene Mureithi, Child Welfare Society of Kenya*

5.00pm

Tea and Departure for the Day

8.30 - 9.00am

Recap of Day 1

9.00 - 11.30am

Responses to Human Trafficking and Forced Labour

- International Mechanisms on Human Trafficking
Virginia Brown, International Organisation for Migration, Kenya
- Regional Mechanisms on Human Trafficking
Victoria Nwogu, ILO/PATWA- Nigeria
- Experiences in West Africa and Lessons Learnt
Madame Adjowa Sika Dikenu, Wao-Afrique, Togo
- Experiences of Africans Unite against Child Abuse (Afruca)
Debbie M. Ariyo
- Experiences of Oak Foundation
Fassil Mariam, Oak Foundation, Ethiopia

Discussions

10.30 - 11.00am

Tea Break

11.00 - 1.00pm

Country Experiences in Eastern and the Horn of Africa on Human Trafficking and Forced Labour

Presentations by different organisations in each country

- Ethiopia
ANPPCAN Ethiopia
Ethiopian Women Lawyers

International Organisation of Migration

- Eritrea
National Union of Eritrean Women
- Kenya
ANPPCAN Head Office
Child Welfare Society of Kenya
International Committee of the Red Cross
International Organisation of Migration
Ministry of Labour
- Sudan
National Council of Child Welfare
PDV
University of Khartoum
- Tanzania
KIVULINI
KIWOHEDE
- Uganda
ACCORD
ANPPCAN Uganda
Uganda Human Rights Commission

<i>1.00 - 2.00pm</i>	<i>Lunch Break</i>
2.00 - 5.00pm	Continuation of Country Experiences
5.00pm	Tea and Departure for the Day
8.30 - 9.00am	Recap of Day 2
9.00 - 11.00am	Group Work
	Identification of Issues, Challenges and Gaps
<i>11.00 - 11.30am</i>	<i>Tea Break</i>
11.30 - 12.00pm	Planning the Advocacy Campaign <i>Mike Kaye, Anti-Slavery International</i>
12.00 - 1.00pm	Group Work <i>Action Planning</i>
<i>1.00 - 2.00pm</i>	<i>Lunch Break</i>
2.00 - 3.00pm	Group Presentations
3.00 - 4.00pm	Consolidation of recommendations and the way forward

4.00 - 4.20pm	Closing Remarks <i>ANPPCAN Head Office</i> <i>Anti-Slavery International</i> <i>Director of Children's Services, Kenya</i> <i>A Delegate</i>
4.20 - 4.30pm	Official Closing <i>Amb. Akrasid Amatayakul,</i> <i>Thailand Ambassador to Kenya</i>
4.30pm	Tea and Departure for the Day

Appendix II:**CONFERENCE ON HUMAN TRAFFICKING AND FORCED LABOUR
HELD AT THE NAIROBI SAFARI CLUB ON 5-7 JUNE 2005****The list of Participants**

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