



## Ethiopia

### OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

#### 2014 Trafficking in Persons Report

#### Tier 2

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Ethiopia is a source and, to a lesser extent, destination and transit country for men, women, and children who are subjected to forced labor and sex trafficking. Girls from Ethiopia's rural areas are exploited in domestic servitude and, less frequently, prostitution within the country, while boys are subjected to forced labor in traditional weaving, herding, guarding, and street vending. The central market in Addis Ababa is home to the largest collection of brothels in Africa, with girls as young as 8-years-old in prostitution in these establishments. Ethiopian girls are forced into domestic servitude and prostitution outside of Ethiopia, primarily in Djibouti, South Sudan, and in the Middle East. Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, thieves, and street beggars. Young people from Ethiopia's vast rural areas are aggressively recruited with promises of a better life and are likely targeted because of the demand for cheap domestic labor in the Middle East.

Many young Ethiopians transit through Djibouti, Egypt, Somalia, Sudan, or Yemen as they emigrate seeking work in the Middle East; some become stranded and exploited in these transit countries, and are subjected to detention, extortion, and severe abuses—some of which include forced labor and sex trafficking—while *en route* to their final destinations. Young women are subjected to domestic servitude throughout the Middle East, as well as in Sudan and South Sudan. Many Ethiopian women working in domestic service in the Middle East face severe abuses, including physical and sexual assault, denial of salary, sleep deprivation, withholding of passports, confinement, and even murder. Ethiopian women are sometimes exploited in the sex trade after migrating for labor purposes—particularly in brothels, mining camps, and near oil fields in Sudan and South Sudan—or after fleeing abusive employers in the Middle East. Low-skilled Ethiopian men and boys migrate to Saudi Arabia, the Gulf States, and other African nations, where some are subjected to forced labor. In October 2013, the Ethiopian government banned overseas labor recruitment. Preceding the ban, Ministry of Labor and Social Affairs (MOLSA) officials reported that up to 1,500 Ethiopians departed daily as part of the legal migration process. Officials estimated this likely represented only 30 to 40 percent of those migrating for work; the remaining 60 to 70 percent were smuggled with the facilitation of illegal brokers. Brokers serve as the primary recruiters in rural areas. Over 400 employment agencies were licensed to recruit Ethiopians for work abroad; however, government officials acknowledged many to be involved in both legal and illegal recruitment, leading to the

government's ban on labor export. Following the ban, irregular labor migration through Sudan is believed to have increased. Eritreans residing in Ethiopia-based refugee camps, some of whom voluntarily migrate out of the camps, and others who are lured or abducted from the camps, face situations of human trafficking in Sudan and Egypt's Sinai Peninsula.

Since November 2013, the Saudi Arabian government has deported over 163,000 Ethiopians, including over 94,000 men working mostly in the construction sector and over 8,000 children working in cattle herding and domestic service; international organizations and Ethiopian officials believe thousands were likely trafficking victims. Many migrants reported not having repaid debts to those who smuggled them to Saudi Arabia, rendering some of them at risk for re-trafficking.

The Government of Ethiopia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Federal High Court convicted 106 traffickers and worked with international partners to shelter and provide emergency care to trafficking victims. In 2013, following an influx of trafficking victims returning to Ethiopia, the government recognized problems with its oversight of Ethiopian-based employment agencies, which were failing to protect workers sent overseas. In response, the government temporarily banned labor recruitment and began to revise the relevant employment proclamation to ensure improved oversight of these agencies and better protection of its citizens while working abroad. The government facilitated the return of thousands of Ethiopians, including many likely trafficking victims, deported from Saudi Arabia and elsewhere during the reporting period, and coordinated with NGOs and international organizations to provide services to the returning migrants. The government relied on NGOs to provide direct assistance to both internal and transnational trafficking victims and did not provide financial or in-kind support to such organizations. The government did not deploy labor attachés or improve the availability of protective services offered by its overseas diplomatic missions. The absence of government-organized trainings in 2013 was a concern. The government also did not effectively address child prostitution and other forms of internal trafficking through law enforcement, protection, or prevention efforts. It did not report on the number of victims it identified in 2013.

#### **Recommendations for Ethiopia:**

Complete amendments to the employment exchange proclamation to ensure penalization of illegal recruitment and improved oversight of overseas recruitment agencies; strengthen criminal code penalties for sex trafficking and amend criminal code Articles 597 and 635 to include a clear definition of human trafficking that includes the trafficking of male victims and enhanced penalties that are commensurate with other serious crimes; enhance judicial understanding of trafficking and improve the investigative capacity of police throughout the country to allow for more prosecutions of internal child trafficking offenses; increase the use of Articles 596, 597, and 635 to prosecute cases of labor and sex trafficking; improve screening procedures in the distribution of national identification cards and passports to ensure children are not fraudulently acquiring these; allocate appropriate funding for the deployment of labor attachés to overseas diplomatic missions; institute regular trafficking awareness training for diplomats posted abroad, as well as labor officials who validate employment contracts or regulate employment agencies, to ensure the

protection of Ethiopians seeking work or employed overseas; incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to migrant workers; engage Middle Eastern governments on improving protections for Ethiopian workers; partner with local NGOs to increase the level of services available to trafficking victims returning from overseas, including allocating funding to enable the continuous operation of either a government or NGO-run shelter; improve the productivity of the national anti-trafficking taskforce; and launch a national anti-trafficking awareness campaign at the local and regional levels.

## Prosecution

The Government of Ethiopia maintained its anti-trafficking law enforcement efforts during the reporting period, but its efforts continued to focus wholly on transnational trafficking, with little evidence that the government investigated or prosecuted sex trafficking or internal labor trafficking cases. Ethiopia prohibits sex and labor trafficking through criminal code Articles 596 (Enslavement), 597 (Trafficking in Women and Children), 635 (Traffic in Women and Minors), and 636 (Aggravation to the Crime). Article 635, which prohibits sex trafficking, prescribes punishments not exceeding five years' imprisonment, penalties which are sufficiently stringent, though not commensurate with penalties prescribed for other serious crimes, such as rape. Articles 596 and 597 outlaw slavery and labor trafficking and prescribe punishments of five to 20 years' imprisonment, penalties which are sufficiently stringent. Articles 597 and 635, however, lack a clear definition of human trafficking, do not include coverage for crimes committed against adult male victims, and have rarely been used to prosecute trafficking offenses. Instead, Articles 598 (Unlawful Sending of Ethiopians to Work Abroad) and 571 (Endangering the Life of Another) are regularly used to prosecute cases of transnational labor trafficking. The absence of a clear legal definition of human trafficking in law impeded the Ethiopian Federal Police's (EFP) and Ministry of Justice's ability to investigate and prosecute trafficking cases effectively. Officials began drafting amendments to the Employment Exchange Services Proclamation No. 632/2009, which governs the work of approximately 400 licensed labor recruitment agencies; planned amendments will prohibit illegal recruitment and improve oversight of recruitment agencies.

During the reporting period, the EFP's Human Trafficking and Narcotics Section, located within the Organized Crime Investigation Unit, investigated 135 suspected trafficking cases—compared to 133 cases in the previous reporting period. The federal government reported prosecuting 137 cases involving an unknown number of defendants relating to transnational labor trafficking under Article 598; of these cases, the Federal High Court convicted 106 labor traffickers—compared to 100 labor traffickers convicted in the previous reporting period. Officials indicated that these prosecutions included cases against private employment agencies and brokers, but did not provide details on these cases or the average length of applied sentences. Between June and July 2013, courts in the Southern Nations, Nationalities, and Peoples Region (SNNPR) reportedly heard 267 cases involving illegal smugglers and brokers. In addition, in Gamo Gofa, a zone within SNNPR, the zonal court convicted six traffickers in 2013—the first convictions in that area's history. The EFP investigated allegations of complicity in trafficking-related crimes involving staff at several foreign diplomatic missions in Addis Ababa; the EFP arrested several staff at these missions.

In 2013, the government did not initiate any sex trafficking prosecutions, including for child prostitution. It also did not demonstrate adequate efforts to investigate and prosecute internal trafficking crimes or support and empower regional authorities to effectively do so. Regional law enforcement entities throughout the country continued to exhibit an inability to distinguish human trafficking from human smuggling and lacked capacity to properly investigate and document cases, as well as to collect and organize relevant data. In addition, the government remained limited in its ability to conduct international investigations. The government did not provide or fund trafficking-specific trainings for law enforcement officials, though police and other officials received training from international organizations with governmental support during the year. Seventy-seven judges also received training on both child labor and human trafficking. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking or trafficking-related offenses. For example, reports suggest local *kabele* or district level officials accepted bribes to change the ages on district-issued identification cards, enabling children to receive passports without parental consent; passport issuance authorities did not question the validity of such identification documents or the ages of applicants.

## Protection

The government did not provide adequate assistance to trafficking victims—both those exploited internally or after migrating overseas—relying almost exclusively on international organizations and NGOs to provide services to victims without providing funding to these organizations. However, following the Saudi Arabian government's closure of its border and massive deportation of migrant workers, officials worked quickly and collaboratively with international organizations and NGOs to repatriate and accommodate over 163,000 Ethiopian returnees from Saudi Arabia and several hundred from Yemen. The government did not report the number of victims it identified and assisted during the year. It remained without standard procedures for front-line responders to guide their identification of trafficking victims and their referral to care. During the reporting period, following the return of Ethiopians exploited overseas, the Bole International Airport Authority and immigration officials in Addis Ababa referred an unknown number of female victims to eleven local NGOs that provided care specific to trafficking victims. Typically such referrals were made only at the behest of self-identified victims of trafficking. One organization assisted 70 trafficking victims during the year—often from Saudi Arabia, Kuwait, Qatar, Yemen, and Lebanon—providing shelter, food, clothing, medical and psychological treatment without government support. The government's reliance on NGOs to provide direct assistance to most trafficking victims, while not providing financial or in-kind support to such NGOs, resulted in unpredictable availability of adequate care; many facilities lacked sustainability as they depended on project-based funding for continued operation. Despite its reliance on NGOs to provide victims care, the government at times created challenges for these organizations as a result of its 2009 Charities and Societies Proclamation. This proclamation prohibits organizations that receive more than 10 percent of their funding from foreign sources from engaging in activities that promote—among other things—human rights, the rights of children and persons with disabilities, and justice. These restrictions had a negative impact on the ability of some NGOs to adequately provide a full range of protective services, including assistance to victims in filing cases against their traffickers with authorities and conducting family tracing.

The government operated child protection units in the 10 sub-cities of Addis Ababa and six major cities, including Dire Dawa, Adama, Sodo, Arba Minch, Debre Zeit, and Jimma; staff at the units were trained in assisting the needs of vulnerable children, including potential trafficking victims. Healthcare and other social services were generally provided to victims of trafficking by government-operated hospitals in the same manner as they were provided to other victims of abuse. The government continued to jointly operate an emergency response center in the Afar Region jointly with the IOM, at which police and local health professionals provided medical and nutritional care, temporary shelter, transport to home areas, and counseling to migrants in distress, including trafficking victims. While officials reportedly encouraged victims to assist in the investigation and prosecution of their traffickers, there were no protective mechanisms in place to support their active role in these processes. For example, Ethiopian law does not prevent the deportation of foreign victims to countries where they might face hardship or retribution. There were no reports of trafficking victims being detained, jailed, or prosecuted in 2013. The limited nature of consular services provided to Ethiopian workers abroad continued to be a weakness in government efforts. Although Employment Exchange Services Proclamation No. 632/2009 requires licensed employment agencies to place funds in escrow to provide assistance in the event a worker's contract is broken, the Ministry of Foreign Affairs (MFA) has never used these deposits to pay for victims' transportation back to Ethiopia. Nonetheless, in one case, a young woman in domestic servitude was pushed off the fifth story of a building by her employer in Beirut; once the victim was out of the hospital, the Ethiopian Embassy assisted in her repatriation, and upon her arrival, officials referred her to an NGO for assistance.

While officials worked to facilitate the return of stranded migrants and detainees, many of whom are believed to be trafficking victims, its focus was solely emergency assistance, with minimal direct provision of or support for longer-term protective services necessary for adequate care of trafficking victims. In April 2013, through a bilateral agreement with Yemeni officials, the Ethiopian government facilitated the return of 618 Ethiopian migrants stranded in Yemen after having failed to cross the Saudi Arabian border or been deported from Saudi Arabia. The government did not coordinate humanitarian assistance for these returnees upon their arrival in Addis Ababa. IOM coordinated subsequent returns, providing shelter at the IOM transit center in Addis Ababa, where returnees received medical care and psycho-social support while UNICEF conducted family tracing. The government did not provide financial or in-kind support to these IOM-led operations.

Beginning in November 2013, the Saudi Arabian government began massive deportation of foreign workers, who lacked proper visas or employment papers. The Ethiopian government led the repatriation and closely collaborated with IOM as part of an emergency response to the deportation of 163,000 Ethiopians from Saudi Arabia—many of whom were likely trafficking victims. Ethiopian diplomats worked to identify Ethiopian detainees stuck in 64 Saudi detention camps and various ministries met twice a week in an effort to return the migrants as rapidly as possible because of inhumane conditions within Saudi deportation camps. With a peak of 7,000 returning each day, the government partnered with IOM to provide food, emergency shelter, and medical care, and facilitate the deportees' return to their home areas. Those requiring overnight stays in Addis Ababa were accommodated in IOM's transit center and three transit facilities set up by the government; two of these were on government training campuses and one was rented at the government's expense. The Disaster Risk

Management and Food Security Section of the Ministry of Agriculture set up incident command centers at transit centers where representatives from all ministries addressed issues among returnees. The Ministry of Health and the Ministry of Women, Children, and Youth Affairs provided blankets, food, and the approximate equivalent of \$12,000 to a local NGO that assisted 87 severely traumatized trafficking victims identified among this population—believed to be only a mere fraction of the total number of victims needing comprehensive counseling and reintegration support among these deportees. Regional governments established committees to provide returnees basic assistance and planned to support their reintegration via the establishment of cooperatives and small businesses. For example, in Addis Ababa, 3,000 returnees received psychological support and 1,743 graduated from technical skills training. While the government contributed the equivalent of approximately \$2.5 million towards repatriation costs, it requested reimbursement from IOM via donors for the equivalent of approximately \$27,000 worth of food.

## Prevention

The government made moderate efforts to prevent human trafficking. It coordinated both regional and national awareness raising campaigns. In 2013, nationally-owned media companies aired a drama series which portrayed the dangers of being trafficked. The Women's Development Army, a government run program, raised awareness of the dangers of sending children to urban areas alone and of the potential for abuse when illegal brokers facilitate migration. Working-level officials from federal ministries and agencies met weekly as part of the technical working group on trafficking, led by MOLSA. The inter-ministerial taskforce on trafficking met quarterly and was extensively involved in responding to the deportation of Ethiopians from Saudi Arabia.

Officials acknowledged that licensed employment agencies were involved in facilitating both legal and illegal labor migration and, as a result, enacted a temporary ban on the legal emigration of low-skilled laborers in October 2013. The ban is set to remain in place until draft amendments to the employment exchange proclamation are enacted to allow for greater oversight of private employment agencies, to mandate the placement of labor attachés in Ethiopian embassies, and to establish an independent agency to identify and train migrant workers. The government monitored the activities of labor recruitment agencies and closed an unknown number of agencies that were identified as having sent workers into dangerous conditions. Officials acknowledged that the ban may encourage illegal migration; as a result, the EFP mobilized additional resources to monitor Ethiopia's borders. In February 2014, the EFP intercepted 101 Ethiopians led by an illegal broker at the border with Sudan. In early November 2013, the government sent a delegation of officials to Saudi Arabia to visit various camps where Ethiopians were being held. Due to the poor conditions in the camps and numerous reports of abuse, the Ethiopian government acted to remove all of their citizens swiftly. During the year, a planned government-funded, six-week, pre-departure training for migrant workers was suspended due to lack of funding. Labor migration agreements negotiated in the previous reporting period with Jordan, Kuwait, and Qatar remained in place; the government negotiated new agreements in 2013 with the Governments of Djibouti, Sudan, the UAE, and Kenya. However, these agreements did not explicitly contain provisions to protect workers—such as by outlining mandatory rest periods, including grounds for filing grievances, and prohibiting recruitment fees.

In 2013, the government established the Office of Vital Records to implement a June 2012 law requiring registration of all births nationwide; however, the lack of a uniform national identification card continued to impede implementation of the law and allowed for the continued issuance of district-level identification cards that were subject to fraud. MOLSA's inspection unit decreased in size during the reporting period from 380 to 291 inspectors as a result of high turnover rates and limited resources. In 2013, the government's list of Activities Prohibited for Young Workers became law. MOLSA inspectors were not trained to use punitive measures upon identifying labor violations, and expressed concern that such efforts would deter foreign investment. The government provided Ethiopian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor.