

Study on the **onward movement** of refugees and asylum-seekers from Ethiopia



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Foreword

Global displacement has forced more than 60 million persons from their homes, more than two quarters of a million to Ethiopia which is now the largest refugee-hosting country in Africa and ranked fifth in the world. To date, Ethiopia has generously opened its borders to protect some 760,000 persons fleeing conflict and persecution in their home countries.

Whilst the majority of refugees flee to countries in close proximity to their homes, some move onward from their first country of asylum to other States. This phenomenon, in which a refugee or asylum-seeker enters a territory of another country using means other than the legal “immigration pathways” is commonly referred to as ‘Onward Movement’. The onward movement of refugees and asylum-seekers stems largely from inter alia a lack of hope resulting from the absence of educational and employment opportunities and the lack of a foreseeable durable solution to their plight, i.e. voluntary repatriation, local integration or resettlement. Far too often, for many refugees or asylum-seekers, this movement poses increased risks of violence, exploitation, other human rights violations and even death.

This study on *‘The Onward Movement of Refugees from Ethiopia’* commissioned by UNHCR and undertaken by DRC in Ethiopia, in close cooperation with the Administration of Refugee and Returnee Affairs (ARRA) of the Government of Ethiopia, aims at understanding the root causes and modalities through which refugees and asylum-seekers, who have sought protection in Ethiopia, pursue onward movements.

It is our hope that the study will further assist the efforts of the Government of Ethiopia, UNHCR and its humanitarian partners to provide better protection and assistance services to refugees and asylum-seekers in Ethiopia, thereby reducing the frequency of onward movements and the associated risks faced during these dangerous journeys.

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The views and opinions in this report are entirely those of DRC, unless otherwise referenced.

DRC has been providing relief and development services in the Horn of Africa since 1997 and traditionally focused on assisting those who are displaced by conflict. DRC has offices across the region, and has been operational in Ethiopia since 2009. In Ethiopia, DRC has operations in the areas of Tigray, Gambella, Dollo Ado and Jijiga.

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Acronyms

ARRA	-	Administration for Refugee and Returnee Affairs	KII	-	Key Informant Interview
AU	-	African Union	MSF-H	-	Médécins sans Frontières Holland
BIA	-	Best Interest Assessment	NFI	-	Non-food item
CP	-	Child Protection	NGO	-	Non-governmental organization
CVT	-	Centre for Victims of Trauma	NRC	-	Norwegian Refugee Council
DAFI	-	Albert Einstein German Academic Refugee Initiative Fund	OAU	-	Ouagadougou Action Plan
DICAC	-	Development and InterChurch Aid Commission	OCP	-	Out of Camp Policy
DRC	-	Danish Refugee Council	OIC-E	-	Opportunities Industrialization Centre - Ethiopia
EU	-	European Union	RCC	-	Refugee Central Committee
FGD	-	Focus Group Discussion	RMMS	-	Regional Mixed Migration Secretariat
FGM	-	Female Genital Mutilation	SNNPR	-	Southern Nations, Nationalities and Peoples Region
SGBV	-	Sexual and Gender Based Violence	SOP	-	Standard Operating Procedure
GSA	-	Good Samaritan Association	SPSS	-	Statistical Package for Social Software
HoA	-	Horn of Africa	TIP	-	Trafficking in Persons
IOM	-	International Organization for Migration	UASC	-	Unaccompanied and Separated Children
ICRC	-	International Committee of the Red Cross	UNHCR	-	United Nations High Commissioner for Refugees
IHS	-	Innovative Humanitarian Solutions	VoT	-	Victims of Trafficking
INGO	-	International non-governmental organization	WASH	-	Water and Sanitation and Hygiene
IRC	-	International Rescue Committee	WFP	-	World Food Program
JRS	-	Jesuit Refugee Service			

Glossary

ASYLUM-SEEKER this can either refer to an individual whose refugee status has not yet been determined by the authorities but whose claim to international protection entitles him or her to a certain protective status on the basis that he or she could be a refugee, or to persons forming part of large-scale influxes of mixed groups in a situation where individual refugee status determination is impractical.

DEPORTEE A person who had legally or illegally entered a state but who, at some later time, is physically removed against their will from the state's territory and transported to their presumed country of origin, habitual residence or a country that they have transited or to which they have agreed to be removed rather than being returned to their country of origin.

DIASPORA a group of people who live outside the area in which they had lived for a long time or in which their ancestors lived.

MIGRANT 'Migration' is often understood to imply a voluntary process, e.g., someone who crosses a border in search of better economic opportunities. Migrants may move to improve their lives by finding work, or in some cases for education, family reunion, or other reasons. They may also move to alleviate significant hardships that arise from natural disasters, famine, or extreme poverty.

LEGAL MIGRATION A term used in this report to signify all types of state sanctioned migration from one country to another including for work purposes, family reunification, family sponsorship and educational scholarship opportunities.

LOCAL INTEGRATION A complex and gradual legal, economic social and cultural process whereby refugees attain a wider array of rights in the host state, are able to establish sustainable livelihoods and a standard of living comparable to the host community and are able to attain a level of adaptation and acceptance that enables the refugees to contribute to the social life of the host community and live without fear of discrimination.

MIXED MIGRATION The complex population movements of persons with different objectives who move alongside each other using the same routes and means of transport or engaging the services of the same smugglers. These movements could include refugees, asylum seekers, economic migrants and other migrants.

ONWARD MOVEMENT The movement of a refugee or asylum seeker out of his or her first country of asylum towards a third country. This can be regular and irregular. The movement is irregular if it has not been officially sanctioned by the governments of the first country of asylum, transit or destination. The movement is regular if it has been officially sanctioned by the first country of asylum and destination country governments. This can also be considered part of the process of flight and search for asylum where the refugee is confronted with serious protection problems in their first country of asylum or can be understood as a form of migration where the refugee is moving onwards to seek for example, a better standard of living or to be reunited with family.

REFUGEE People outside their country of origin because of feared persecution, conflict, violence, or other circumstances that have seriously disturbed public order, and who, as a result, require 'international protection'. Their situation is often so perilous and intolerable, that they cross national borders to seek safety in nearby countries, and thus become internationally recognized as 'refugees' with access to assistance from states, UNHCR, and relevant organizations. They are so recognized precisely because it is too dangerous for them to return home, and they therefore need sanctuary elsewhere. These are people for whom denial of asylum has potentially deadly consequences.

RESETTLEMENT A tool to provide international protection and meet the specific needs of individual refugees whose life, liberty, safety, health or other fundamental rights are at risk in the country where they have sought refuge. It consists of the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status. UNHCR refers vulnerable cases to Resettlement States, but each State makes their own decision on who they will resettle after processing the case. It is a durable solution for individuals and larger numbers or groups of refugees, alongside the other durable solutions of voluntary repatriation and local integration.

RETURNEES Former refugees who have returned to their country of origin spontaneously or in an organized fashion but are yet to be fully integrated, including those returning as part of the operationalisation of the cessation clauses in the 1951 Convention and regional equivalents. Such return would normally only take place in conditions of voluntariness, safety and dignity.

UNACCOMPANIED AND SEPARATED CHILDREN Unaccompanied children are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so. Separated children are separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives.

VICTIM OF TRAFFICKING A person who has been trafficked pursuant to the definition of the Trafficking Protocol^[1].

VOLUNTARY REPATRIATION The free and voluntary return to one's country of origin in safety and dignity.

[1] See Infra, at note 104.

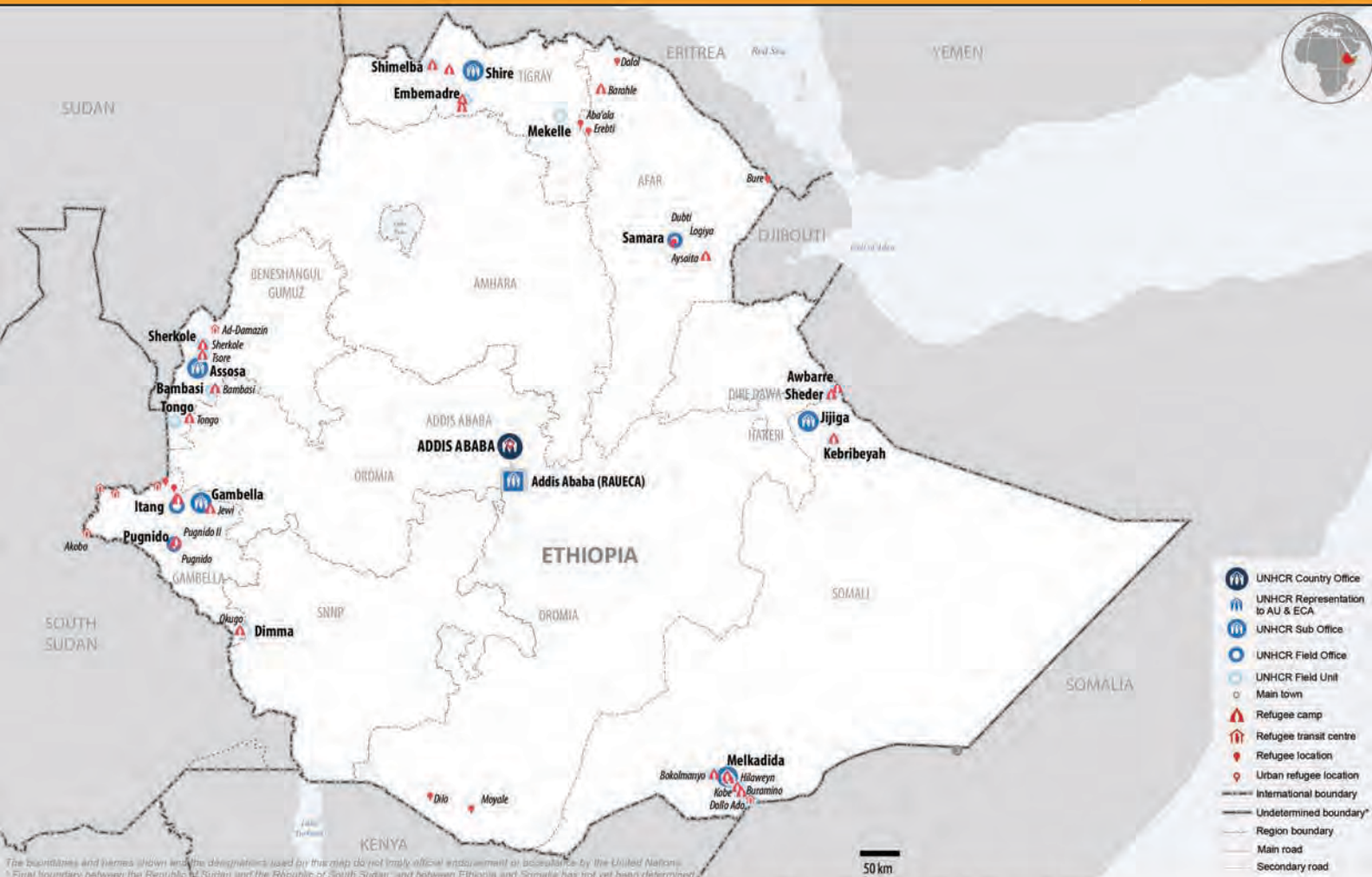
Objectives and Methodology of the Study

The United Nations High Commissioner for Refugees (UNHCR) has been increasing its global efforts to better understand and respond to the phenomenon of onward movements of refugees, asylum-seekers and other persons of concern. In 2007, UNHCR issued its 10 Point Plan of Action on Refugee Protection and Mixed Migration, and the Regional Strategy and Plan of Action on Trafficking and Smuggling from the East and Horn of Africa in 2013. These documents formed the basis for the development of UNHCR's National Strategy to Address Trafficking and Smuggling of Refugees and Asylum-Seekers in Ethiopia, launched in 2014.

In 2015, UNHCR commissioned the Danish Refugee Council (DRC) to undertake the present study. The main objectives of this study are to understand the onward movement of refugees and asylum seekers out of Ethiopia through the collection of accurate and reliable data. The study provides an in-depth examination of all aspects of the irregular migration journey out of Ethiopia by first providing an overview of the refugee situation in Ethiopia which then leads to a clearly illustrated portrait of which populations of refugees and asylum seekers are moving, their motivations for undertaking these journeys and the role of the diaspora, how they are facilitating and financing their migration, as well as their preferred destinations. In addition, while there are numerous reports concerning the route and dangers migrants face once they have left Ethiopia toward third countries, this report focuses on the internal Ethiopian channels and dangers as well as the role of smugglers. Key to any policy undertaking addressing irregular migration is also an understanding of this population's comprehension and tolerance of risks as well as their knowledge of the alternatives to these dangerous journeys. To provide the full domestic context, this report finally looks at Ethiopia's implementation of its international obligations to protect refugees and counter trafficking and smuggling from the lens of prevention, protection and prosecution of offences, including services available to refugee victims of trafficking. Based on an analysis of all of this data, this report further provides recommendations for action.

DRC conducted this study between November 2015 and June 2016. Based on information provided by UNHCR with respect to the trends of irregular onward migration from the Ethiopian refugee camps, the study focused on camps in four regions in Ethiopia: Tigray (Adi Harush, Hitsats, Mai-Aini and Shimelba camps), Afar (Aysaita and Barahle camps), Benishangul-Gumuz (Sherkole and Tsore camps) and Somali (Aw-barre and Sheder camps).

Figure 1: Refugee camps in Ethiopia. Source: UNHCR



The first aspect of the research methodology was a quantitative structured interview (“survey”) using purposive sampling. The survey sought to elicit general information about the profile, motivations, routes and means of irregular migration of refugees in Ethiopia, knowledge of risks to irregular migration and knowledge of legal alternatives to living in the camps. Surveys were rigorously reviewed and field tested before use, were translated into the relevant local language where possible and delivered by trained refugee incentive workers in Tigrinya in the Shire area camps, Somali in the Jijiga area camps, English in the Afar area camps and French and English in the Assosa area camps. Due to time and budget constraints and concerns about ensuring child protection and confidentiality, no subjects aged 15 and under were included in the sample. A total of 1,448 surveys, (718 men, 703 women and 27 of unidentified gender) were administered in the 10 camps to respondents aged 16 and above. Quantitative data was then entered using an online Google forms survey platform and analyzed using the statistical software tool, SPSS Statistics. The data was first cleaned and checked for consistency, then back weighted in proportion to the nationality, age and gender of each camp population as a whole (for those aged 16 and older) to account for any bias from the purposive sampling methodology. Descriptive statistics on various data sets was utilized to analyze the data.

In the survey itself, interviewees were asked about their migratory intentions. Utilizing migratory intentions or plans as the “fulcrum”, the research team went on to disaggregate information on a number of grounds. Key demographic characteristics of each group were analyzed such as age, gender, marital status and time spent in Ethiopia. Motivations were divided into four broad categories, lack of life opportunities or hopelessness, family and friend considerations, camp protection gaps and issues and other additional issues that were raised by respondents but not captured in the initial survey design.

It must be noted that the survey sample selection was non-random so there is a potential for bias, including towards those who have already been in the camps for over one year, as UNHCR trend analyses indicate that these are the ones most likely to be encountered in the camps^[2]. To the extent possible, this bias potential was countered by back-weighting the data using age and gender populations in each camp. Moreover, it must be kept in mind that this data set is a snapshot in time and that the subjective intention to move irregularly, while valid at the time of survey and interview, may change or may not be acted upon.

The second aspect of the research methodology was to give further depth to the quantitative aspect through 117 individual interviews with refugees and asylum seekers, 68 key informant interviews with well-informed stakeholders such as government actors, diaspora members and UN agencies (KIIs) and 17 focus group discussions (FGDs). This qualitative data gathering was conducted with refugees, refugee community leaders, government officials, UN agencies, INGOs, NGOs and Eritrean diaspora in the refugee camps, Endabaguna reception centre in Tigray, in a variety of urban settings as well as remotely by phone and Skype in Ethiopia and abroad.

Qualitative data was anonymized, transcribed and data coded for analysis. Important and cross-cutting themes were identified, analyzed and compared with survey data. Thematic and specific data was used to supplement existing quantitative data and also to detect new themes and fill any existing data gaps.

For all refugee and asylum seeker interviews, interviewees were fully informed about the nature and purpose of the research, confidentiality and anonymity guaranteed and individual or guardian consent obtained prior to beginning the interviews.

Prior and subsequent to fieldwork, a literature review was conducted on the reasons for seeking refuge and asylum in Ethiopia, the irregular onward migration of refugees and asylum-seekers from Ethiopia, the international and domestic policy and legal framework on trafficking and smuggling, as well as risks faced by irregular onward movers on their migratory path.

Research results indicate that the Sudanese and South Sudanese refugee populations in Benishangul-Gumuz area camps are not generally migrating irregularly from Ethiopia. As such, the discussion below will focus only upon the Eritrean (Afar and non-Afar), Somali and Congolese refugee populations.

[2] UNHCR trend analyses demonstrate that the majority (80 percent) of refugees tend to migrate irregularly onwards within the first year and 40 percent within the first three months of arrival in Ethiopia.



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ONE Introduction

The Ethiopian Context

Ethiopia is a country of destination and transit for refugees, asylum seekers and other persons of concern who are fleeing persecution in their country of origin. It is a State party to the United Nations 1951 Convention Relating to the Status of Refugees (1951 Convention) and maintains an open door policy for asylum seekers, granting prima facie refugee status to more than 90% of arrivals. As of May 2016, Ethiopia hosts 737,979 refugees and asylum seekers, making it the highest refugee hosting country in Africa. The majority of refugees originate from neighboring countries, with approximately 287,000 South Sudanese, 250,000 Somalis (primarily from Central/Southern Somalia), 150,000 Eritreans^[3], 37,000 Sudanese (primarily from South Cordofan and Blue Nile) registered by the Ethiopian Government and UNHCR. Other nationalities are also present including some Yemenis, Congolese and other refugees from the Great Lakes. Refugees and asylum seekers are hosted in 24 refugee camps, seven settlements and three transit centres located in bordering areas, as well as in urban locations like Addis Ababa and Mekelle^[4]. UNHCR, the Ethiopian Government's Administration for Refugee and Returnee Affairs (ARRA) and various implementing partners provide protection and service delivery in the camps and urban centers.

Despite Ethiopia's generous open door policy to refugees, at the time of their accession to the 1951 Convention Ethiopia entered reservations declaring that the provisions on the right to wage earning employment and access to elementary education are recognized only as recommendations and not as legally binding obligations^[5]. Accordingly, the Ethiopian Refugee Proclamation imposes restrictions on the right of refugees to work^[6]. Additionally, almost 99% of the refugees hosted in Ethiopia are required to live in refugee camps or settlements, where job opportunities are restricted to low wage refugee incentive work. Some refugees are permitted to reside in urban areas for medical, protection, or humanitarian reasons. In 2010, the Government also introduced an "Out of Camp Policy" (OCP) that allows Eritrean refugees to live in urban areas as well^[7].

The OCP is an initiative of the Government of Ethiopia and available only to Eritrean refugees. It allows them to live in urban centres around Ethiopia, including Addis Ababa, subject to a number of criteria as set out in the OCP directive^[8]. As part of the OCP, refugees are required to sustain themselves in the urban setting. Some participate in OCP specific vocational training and livelihood activities with the goal of finding employment in the informal sector^[9]. It is reportedly difficult to enter the informal sector given that most employers still require official identification to work.

[3] According to UNHCR food ration verification exercises, the Tigray region refugee population decreased by 81, 078 refugees in September 2015: these refugees no longer reside in the camps and are believed to have spontaneously settled elsewhere in Ethiopia, subject to verification.

[4] See U.N. High Commissioner for Refugees, Ethiopia Fact Sheet (February 2016), available at: <http://reliefweb.int/sites/reliefweb.int/files/resources/EthiopiaFactSheetFebruary2016final.pdf> [UNHCR Ethiopia Fact Sheet].

[5] At the time of Ethiopia's accession in 1969, it entered a reservation with respect to a number of articles, recognizing them only as recommendations and not as legally binding obligations: Article 8 (exceptional measures that can be taken against foreign nationals with respect to property or interests); Article 9 (which allows states to take provisional measures on the basis of national security against a foreign national during times of war or other grave emergency); Article 17(2) relating to non-imposition of restrictive measures on employment of refugees; and Article 22(1) that requires states to afford the same treatment for refugees as nationals with respect to elementary education.

[6] Federal Democratic Republic of Ethiopia, Proclamation No. 409/2004, "Refugee Proclamation", article 21(3), available at: <http://www.refworld.org/docid/44e04ed14.html> [Refugee Proclamation]

[7] See Articles 21(2) of the Refugee Proclamation, *ibid* allows the Ethiopian government to designate places of residence for refugees.

[8] The OCP directive is available only in Amharic and only upon written request to the relevant government agency. Qualifying criteria include the need for sponsorship from a person resident in Ethiopia. The sponsor must be willing and able to cover the living expenses of the refugee as the refugees are not permitted to formally work, will no longer have access to food rations or any other services available to urban refugees aside from medical assistance. Refugees under the age of 45 must have resided in the camps for at least 3 to 6 months in one refugee camp to be eligible. Refugees over the age of 45 are eligible immediately. See Samuel Hall Consulting, Living Out of Camp: Alternative to camp-based assistance for Eritrean refugees in Ethiopia (2014), commissioned by the Norwegian Refugee Council.

[9] For example, OIC-E and NRC are in the process of constructing an urban refugee centre and NRC is providing financial assistance (2000 ETB) to 100 selected individuals to undertake activities informal sector, e.g. hairdressing.

Moreover, even if they are able to enter into the informal sector, these individuals have none of the legal protections afforded to “formal sector” employees with resulting employer abuses such as non-payment of wages. As of March 31, 2016 there were officially 4,064 Eritrean refugees registered as OCP’s in Addis Ababa and 458 in Tigray (including Mekelle and Shire towns). Following a 2015 UNHCR food distribution monitoring exercise carried out in the Tigray camps, after which 81,000 Eritrean refugees were found to be absent from the camps, UNHCR and ARRA started a verification exercise in May 2016 with the Eritrean urban refugee population. The exercise seeks to confirm the number of Eritrean refugees living in urban centres and to offer official OCP status to qualifying refugees. Interim results in July 2016 indicate that some 15,000 Eritrean refugees are in Addis Ababa.

While generally refugees have access to camp or host community based pre-school, primary schools and secondary schools, at the time of research, there were no primary schools in Tsore camp, Beninshangul-Gumuz region and no secondary school access in Hitsats camp, Tigray region. There are also a limited number of post-secondary education scholarships^[10] available to qualifying refugees through either the government^[11] or DAFI^[12] programs through which refugees may leave the camps and study in Ethiopian government universities. Upon graduation, refugees are expected to return to their camps, with limited livelihood opportunities and existing restrictions for refugees to obtain work permits.

Thus, while there are some limited out of camp opportunities, access to durable solutions is limited as local integration is difficult; return to country of origin is often not feasible given ongoing conflicts and the political regimes found in Sudan, South Sudan, Somalia and Eritrea; and opportunities for resettlement limited given recipient country resettlement quotas. In 2016, UNHCR’s Projected Global Resettlement Needs indicate that some 50,200 refugees in Ethiopia are in need of resettlement. However, while Ethiopia has the largest number of refugees in Africa and one of the largest resettlement targets in the continent, the resettlement target of 6,465 amounts to only 0.09 percent of the current refugee population in Ethiopia and 13 percent of the resettlement needs. Similarly, worldwide, this durable solution is generally available to less than one percent of the most vulnerable refugees. Furthermore, the processing timelines are very lengthy and, according to one of the resettlement countries, a case submitted from Ethiopia takes on average 1,000 days to process in the resettlement country before departure. Regular onward migration options like family reunification and sponsorship exist but are only available to, and pursued by, those who have strong family connections overseas.

The general belief is that the domestic context, combined with a perception or misperception about the potential dangers associated with irregular migration and life in destination countries, has resulted in large numbers of refugees and asylum seekers, particularly Eritreans, moving irregularly onwards from Ethiopia to third countries, often with the services of smugglers^[13]. This phenomenon, referred to in this report as “irregular onward movement or migration”, includes movements to neighboring countries like Djibouti, Kenya, Sudan and South Sudan, from where onward movers try to reach destinations further afield in Europe, the Middle East and southern Africa. The refugees and asylum seekers engaging in irregular onward movements form part of the mixed migratory flow out of Ethiopia and out of the Horn of Africa region.

[10] In Ethiopia, the cost of post secondary education for all students is cost-shared. The government pays all the initial costs but the student is expected to pay back approximately 25 percent of the costs upon graduation and obtaining employment. For refugees, UNHCR pays for this 25 percent cost. The program was originally began in conjunction with the OCP initiative for Eritrean refugees but has been expanded to include all refugees, see UNHCR Ethiopia Fact Sheet, supra note 4.

[11] A government scholarship program is administered and supported by ARRA and the Ministry of Education with some support from UNHCR. This program allows refugee students who are able to pass the Ethiopian Higher Education Entrance Examination Certificate to study in a public Ethiopian University and covers food, lodging and modest living expenses. These students are not required to present previous educational documents and are also not required to have already obtained a place in a university. The program began in 2010 and there are currently approximately 1300 refugee students enrolled, although in 2015, only 68 refugees (40 percent of those who sat the exams) were able to avail themselves of this option. See UNHCR Ethiopia Fact Sheet, supra note 4.

[12] The DAFI scholarship program is implemented in Ethiopia through a partnership between UNHCR and the Association of Ethiopians Educated in Germany, and funded by the Albert Einstein German Academic Refugee Initiative Fund (supported by the Government of Germany and otherwise known as DAFI). To qualify, students must have completed secondary school in Ethiopia and must have successfully been admitted to an Ethiopian public university. DAFI, like the government scholarship program, supports the student through their full post-secondary studies providing tuition, books, food lodging and some modest living expenses. The program began in 2000 and there are currently 287 enrolled with some 500 graduates.

[13] Millena Belloni, “Cosmologies of Destinations: Roots and routes of Eritrean forced migration towards Europe” (2015) (unpublished Ph.D. dissertation, University of Trento) [Cosmologies of Destination].

The actual drivers motivating irregular onward migration in this context are not well understood and form a significant portion of this study. However, it is worth highlighting at the outset that it is clear that complex family and friend dynamics, in Ethiopia, at country of origin, as well as the broader diasporic extended family and friend networks, are a very central component to irregular onward migration^[14]. Refugees can easily communicate through modern technology, and these family and friend networks encourage irregular migration, its organization and finance. They are instrumental in connecting smugglers with irregular migrants, often through social media^[15]. Potential clients tend to trust and utilize smugglers, particularly those from their own countries and regions, introduced through family members, friends or acquaintances^[16]. It is commonly believed that these smugglers are more trustworthy given their dependency upon keeping a good reputation for business, whereas smugglers found through anonymous means have no clear accountability to their clientele^[17]. Whether a smuggler is “good”^[18] or “bad”, including mistreatment, challenges faced on the route and recommendations, is often posted by migrants on social media sites like Facebook and sent directly to family and friends through Viber and WhatsApp^[19]. Similarly, information about routes and destination countries is commonly conveyed via social media^[20]. Upon arrival in destination countries, family members, close relatives or friends provide migrants and asylum-seekers with documents, transport, housing and employment, functioning as “role models” through which new arrivals start their new lives^[21]. Diaspora networks are also central in raising the funds necessary to pay for irregular migration and facilitating the payment systems^[22].

There are three primary irregular migratory routes from Ethiopia:

- 1) The **Northern route** through Sudan and Libya to Europe (at times countries like Sudan can be countries of final destination) or through Sudan and Egypt to Israel or Europe. Those who try to reach Europe by landing at Italy or Malta and departing from Libya or Egypt to cross the Mediterranean are said to follow the **Central Mediterranean route**^[23];
- 2) The **Eastern route** through Djibouti and Northern Somalia towards the Arabian Peninsula including Yemen, the Kingdom of Saudi Arabia and other Gulf countries. Some of these refugees continue onwards to Europe; and
- 3) The **Southern route** through Kenya, Tanzania, Zambia, and/or Malawi with the final destination at times being South Africa.

Countries along these routes may be characterized as countries of origin, transit and/or destination for migrants from IGAD member states^[24]. These routes are constantly in flux due to factors such as changing national border controls, ongoing and new local and regional conflicts and security concerns^[25] that affect the ease at which migrants can be moved into any given country, the demand for specific destinations and profitability and the existence of smuggler connections along the route to provide intelligence, facilities and personnel to facilitate illegal entry^[26].

[14] In addition to being supported by our research this is a theme that underlies much research about onward migration, see for example MHub, “Conditions and Risks of Mixed Migration in North East Africa, Study 2, November 2015” (November 2105), found at: <http://www.mixedmigrationhub.org/wp-content/uploads/2015/11/Conditions-and-Risks-in-Mixed-Migration-in-North-East-Africa.pdf> [Conditions and Risks of Mixed Migration in North East Africa].

[15] European Commission, DG Migration & Home Affairs, A study on smuggling of migrants: Characteristics, responses and cooperation with third countries (September 2015), available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/study_on_smuggling_of_migrants_final_report_master_091115_final_pdf.pdf [EC Study on smuggling of migrants, 2015].

[16] See Ilse van Liempt and Joreoen Doornik, Migrant’s Agency in the Smuggling Process: The Perspectives of Smuggled Migrants in the Netherlands, International Migration Vol. 44(4), 2006 [Migrant’s agency in the smuggling process]. Also see Conditions and Risks of Mixed Migration in North East Africa, supra at note 14 where the authors interviewed Eritrean youth in Cairo, Egypt.

[17] Migrant’s agency in the smuggling process, Ibid.

[18] A “good” smuggler is someone who takes care of his clients, does not make mistakes, provides people with food, lets them rest, provides shelter, does not repeatedly ask for more money on the way, knows the routes, has good contacts at borders, or provides good documents. See EC Study on smuggling of migrants, 2015, supra at note 15.

[19] Ibid. This is consistent with our findings in the family and friends - diaspora section of the report below.

[20] Ibid.

[21] Ibid.

[22] Ibid.

[23] Frontex, Central Mediterranean Route, <http://frontex.europa.eu/trends-and-routes/central-mediterranean-route/>, (last accessed April 27, 2016).

[24] IGAD Background Paper, Human Trafficking and Smuggling of Migrants in the Context of Mixed Migration Flows: State of play in the Horn of Africa (draft, October 2015), 6th IGAD Regional Consultative Process.

[25] Conditions and Risks of Mixed Migration in North East Africa, supra at note 14.

[26] See Migrant’s agency in the smuggling process, supra at note 16.

The route chosen by a migrant will depend on his or her income, social status and diaspora connections; those with the least alternatives generally choosing the most dangerous journeys^[27].

In the past, irregularly migrating refugees and asylum-seekers from Ethiopia, particularly large numbers of Eritrean refugees originating in Tigray region, took the Northern route towards Israel^[28]. The dangers of this route were dramatic and well documented. Between 2009 and 2013 there were 25 to 30,000 victims of trafficking in the Horn of Africa, 95 percent of whom were Eritrean and 5 to 10,000 of whom died^[29]. Since the end of 2013, trafficking and abuse in the Sinai has been rerouted along the Northern Route to Europe, through Libya primarily due to the construction of the Israel/Egypt wall but as well because of a reinforced Egyptian military presence in the Sinai^[30]. Many of the Eritreans who were detained in Egypt by authorities, often having suffered horrendous abuses at the hands of traffickers^[31], were brought to Ethiopia rather than repatriated to Eritrea^[32]. Between 2011 and 2013 and the month of June 2014, 2,317 Eritrean victims of trafficking came to Ethiopia from Egypt, the majority being between the ages of 18 and 30 years of age. Interviews revealed that 99 percent of these individuals transited through Sudan towards Egypt, while one percent declared having reached Israel, Yemen, Dubai, Kenya, Libya, Turkey, Nigeria and Saudi Arabia before their deportation from Egypt^[33]. In 2015, sources indicate that only 100 Eritreans were sent from Egypt to Ethiopia confirming that this route is no longer very active for Eritrean refugees.

Since 2014, migrants and asylum-seekers have been trying to cross the Mediterranean Sea in record numbers, sparking what many commentators have referred to as the “European Migrant Crisis”^[34]. In 2014, Eritreans comprised one of the two largest groups of migrants and asylum-seekers trying to cross the Mediterranean Sea via the Central Mediterranean Route to Malta or Italy, the successful ones ultimately claiming asylum in the EU^[35]. Between January 2015 and February 2016, Eritreans made up 24 percent (39,336 individuals) and Somalis made up eight percent (12,877) of all arrivals in Italy^[36].

[27] See Tuesday Reintano and Peter Tinti, *Survive and advance: the economics of smuggling refugees and migrants to Europe* (November 2015), Institute for Security Studies, accessed at: <https://www.issafrica.org/publications/papers/survive-and-advance-the-economics-of-smuggling-refugees-and-migrants-into-europe>

[28] Miram van Reisen, Meron Estefanos and Conny Rijken, “Human Trafficking in the Sinai: Refugees between life and death” (October 2012), found at: http://www.eepa.be/wcm/dmdocuments/publications/Report_Human_Trafficking_in_the_Sinai_Final_Web.pdf. Specifically, the report refers to refugees originating from Mai-Aini refugee camp.

[29] United States Department of State, “Trafficking in Persons Report 2015” (July 2015), found at <http://www.state.gov/documents/organization/245365.pdf> [U.S. TIP Report 2015]; Conditions and Risks of Mixed Migration in North East Africa, supra at note 14. Also see for example, Rachel Humphris, “Research Paper No. 254: Refugees and Rashaida: Human smuggling and trafficking from Eritrea to Sudan and Egypt” (March 2013, UNHCR), found at: <http://www.unhcr.org/51407fc69.html>, the Regional Mixed Migration Secretariat, “Abused and Abducted: The plight of female migrants from the horn of Africa in Yemen” (October 2014), available at: http://www.regionalmms.org/fileadmin/content/rmms_publications/Abused___Abducted_RMMS.pdf and the U.N. High Commissioner for Refugees, “Smuggling and Trafficking from the East and Horn of Africa : Progress Report” (2014), found at: https://www.unodc.org/documents/congress/workshops/UNHCR-Smuggling_and_Trafficking-Progress_Report-screen-final.pdf

[30] Conditions and Risks of Mixed Migration in North East Africa, supra at note 14.

[31] The trafficking and abuse suffered by migrants, particularly the Eritreans, is well documented in a number of sources. See for example, Human Rights Watch, *I wanted to lie down and die – trafficking and torture of Eritreans in Sudan and Egypt* (February 11, 2014), available at: <https://www.hrw.org/report/2014/02/11/i-wanted-lie-down-and-die/trafficking-and-torture-eritreans-sudan-and-egypt> [Human Rights Watch, *I wanted to lie down and die*] which details kidnapping for ransom and torture of Eritrean asylum seekers, as well as the United States Department of State, “Trafficking in Persons Report 2013” (June 2013), found at: <http://www.state.gov/documents/organization/210739.pdf>.

[32] See Protection for Refugee Victims of Trafficking Section below.

[33] The reason for being deported from Egypt despite reaching these other countries is not clear.

[34] See for example Infographic, *Migrant Crisis: Migration to Europe explained in seven charts*, B.B.C., January 28, 2016, found at <http://www.bbc.com/news/world-europe-34131911>.

[35] U.S. TIP Report 2015, supra at note 29. Also see European Commission Fact Sheet, *Questions and Answers: Smuggling of migrants in Europe and the EU response* (January 13, 2015), available at: http://europa.eu/rapid/press-release_MEMO-15-3261_en.htm; and U.N. Human Rights Council, “Report of the Special Rapporteur on the situation of human rights in Eritrea, Sheila B. Keetharuth, A/HRC/29/41” (June 19, 2015), found at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/129/07/PDF/G1512907.pdf?OpenElement> [UN Special Rapporteur report on Eritrea].

[36] U.N. High Commissioner for Refugees, *Europe Refugees & Migrants Emergency Response: Nationality of arrivals to Greece, Italy and Spain January 2015 – February 2016* (2016), found at: <https://data.unhcr.org/mediterranean/download.php?id=864>

The current popular route to Europe involves a dangerous journey through Sudan and onto Libya^[37]. Capture by or sale to traffickers is well documented. Overcrowding of migrant transport vehicles and lack of safety measures for passengers leaves them vulnerable to fatal risks resulting from falling off vehicles and frequent car accidents^[38]. Dehydration and hunger are concerns^[39] especially for those who are left in the desert when their transporters do not arrive on time^[40]. Where refugees are caught by militants, beatings and torture are common and ransom in the amount of 1,200 to 3,400 USD is often demanded. Migrants and asylum-seekers are kept prisoners until such amounts are paid^[41]. Where migrants and asylum-seekers are caught by the Islamic State (IS), these individuals have reportedly been forced to convert to Islam upon threats of death^[42]. Others are caught by Libyan military and held in prisons and detention centres where they may be mobilized by private employers for forced labour on farms or construction sites and returned to detention once their services are no longer required^[43]. Rapes are routinely committed against all female migrants by the Libyan militia and transporters^[44]. Upon termination of the North Africa portion of the journey at the northeast town of Ajdabiya, Libya, migrants and asylum-seekers are held by smugglers in warehouses, often for several months in poor conditions, until their smuggling and Mediterranean boat fares have been paid^[45]. The dangers of the Mediterranean crossing are also significant; in 2014 an estimated 3,379 migrants died attempting to cross the Mediterranean Sea and in 2015 a reported 3,771 died^[46]. This trend continued in 2016, with IOM reporting 536 deaths in the first three months of the year^[47].

Against this backdrop, in the hopes of creating a greater understanding about the complexities of irregular migration from Ethiopia, the following report studies in detail the Eritrean, Somali and Congolese refugee populations. Specifically, this report provides a detailed literature and field based examination of: the profile, motivations and means of refugee movements; awareness of the risks of irregular migration and sources of knowledge; and the routes of irregular migration and costs. The report further explores the profile of refugees who choose to remain in Ethiopia and pursue other opportunities and the rationale behind their decision. Finally, the report provides a brief overview of the Ethiopian smuggling and trafficking legal and operational context followed by recommendations on the way forward. The study is not an academic piece but is rather meant to provide a practical overview and present actionable information for policy makers both in Ethiopia and abroad, humanitarian or development practitioners, students and any other interested individuals who wish to obtain detailed insights into the situation of the onward movement of refugees from Ethiopia.

[37] Conditions and Risks of Mixed Migration in North East Africa, supra at note 14 and SAHAN Foundation and IGAD Security Sector Program, "Human Trafficking and Smuggling on the Horn of Africa – Central Mediterranean Route" (February 2016), found at: http://igad.int/attachments/1284_ISSP%20Sahan%20HST%20Report%20%2018ii2016%20FINAL%20FINAL.pdf [Trafficking and Smuggling on the HoA].

[38] See for example Selam Gebrekidan, Behind the refugee crisis, families in the West willing to pay and pay, Reuters (February 24, 2016) [Reuters Behind the Refugee Crisis] and Trafficking and Smuggling on the HoA, Ibid.

[39] Reuters Behind the Refugee Crisis, Ibid.

[40] Trafficking and Smuggling on the HoA, supra at note 37.

[41] Reuters Behind the Refugee Crisis, supra at note 38.

[42] Also refer to the high profile executions in April 2015 of 30 Eritrean and Ethiopian Christians by the Islamic State.

[43] U.S. TIP Report 2015, supra at note 29.

[44] Trafficking and Smuggling on the HoA, supra at note 37.

[45] Reuters Behind the Refugee Crisis, supra at note 38, see also Trafficking and Smuggling on the HoA, supra at note 37.

[46] See International Organization for Migration, Mediterranean Sea: Data of missing migrants, <https://missingmigrants.iom.int/mediterranean> (last visited April 26, 2016) [IOM Data of missing migrants]. Also see UN Special Rapporteur report on Eritrea, supra at note 35 and U.N. High Commissioner for Refugees, Mediterranean boat capsizing: deadliest incident on record (April 21, 2015), available at www.unhcr.org/553652699.html

[47] See IOM Data of missing migrants, Ibid.



Onward Migration from Ethiopia

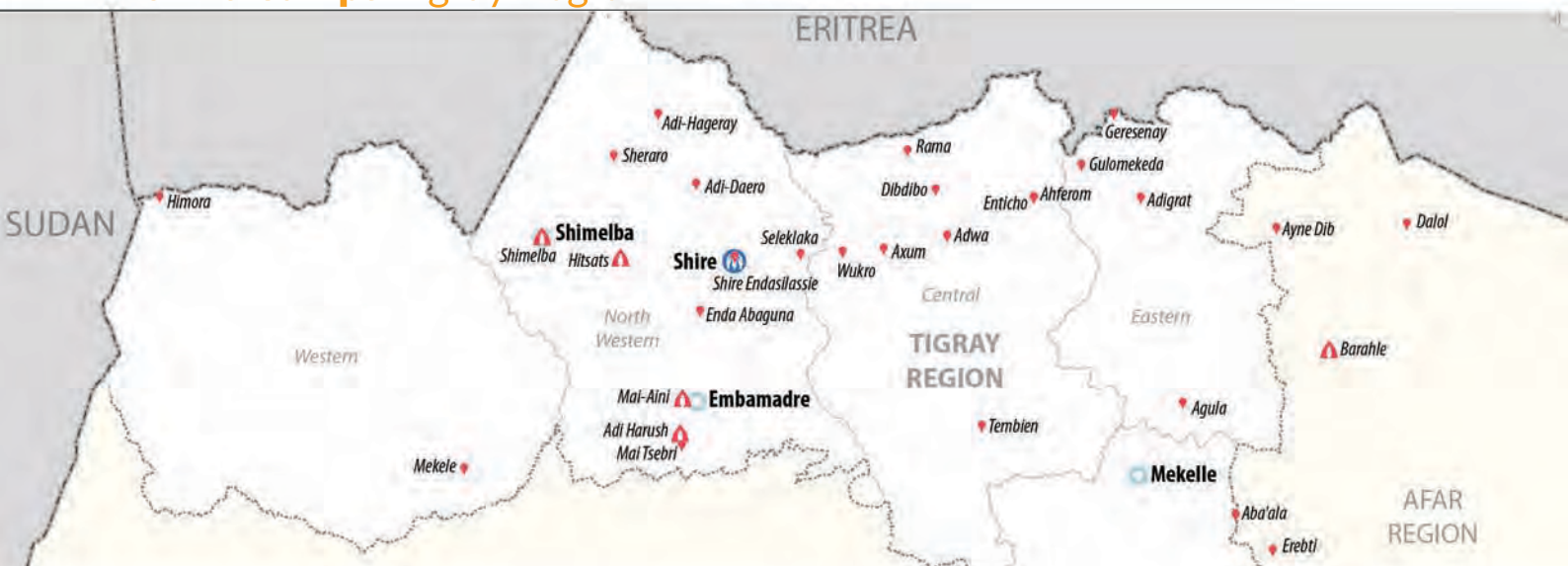
Literature review and study findings per population group

A. ERITREAN REFUGEES

The Ethio-Eritrean border war and the deteriorating human rights and humanitarian situation in Eritrea have led many Eritreans to seek asylum in Ethiopia since the year 2000. Presently, Eritreans are recognized prima facie as refugees and represent the third largest group of refugees in Ethiopia, living across refugee camps, rural and urban settings in Tigray and Afar regions, as well as in Addis Ababa. As of May 31, 2016 there were 155,862 Eritrean refugees registered in Ethiopia. The Afari Eritrean refugees are generally found in the Aysaita and Barahle camps, as well as three mixed refugee-host community areas in Afar region. Other ethnicities (Tigrinya, Saho, Tigre, Belin, Nara and Kunama) are generally hosted in the four camps found in Tigray region – Shimelba, Mai-Aini, Adi Harush, and Hitsats – which will be referred to as the “Shire camps” in this report for ease of reference. There is also a transit or reception centre for new arrivals in Tigray region at Endagabuna that serves as a location for registration and nationality screening before transfer to a camp. Eritrean refugees are also present in urban areas, mainly on protection, medical or humanitarian grounds, or as part of the OCP. As noted in the Introduction, the OCP is a programme specifically for Eritrean refugees, announced by the Government of Ethiopia in 2010, which allows them to legally reside out of the camps upon individual request where they meet certain requirements^[48].

Figure 2: Shire Camps.
Source: UNHCR

Shire Camps Tigray Region

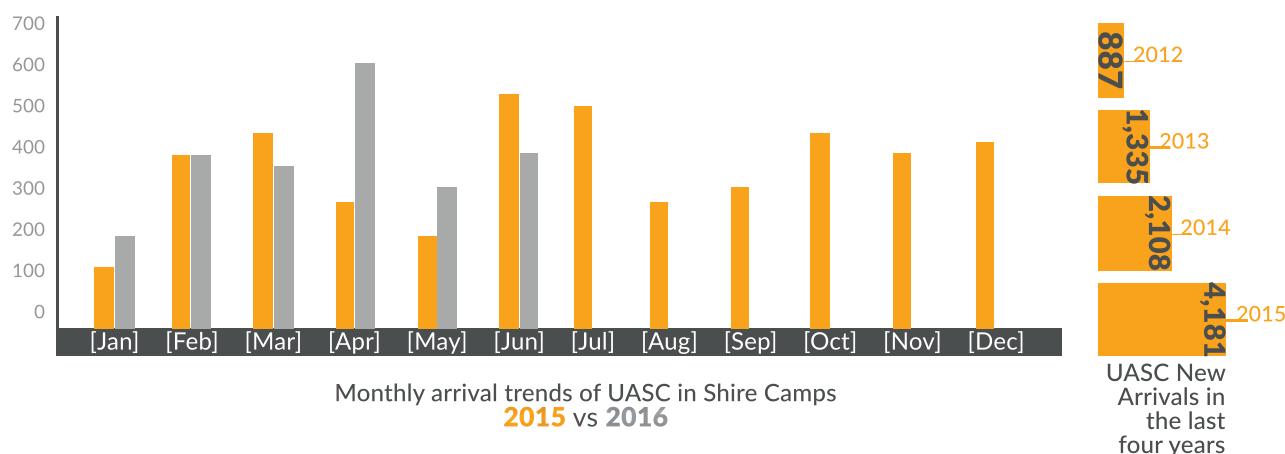


I. Profile of the Population

The four Shire camps have a refugee population predominantly of Tigrinya/Tigrayan ethnicity. The total population of registered refugees, as of May 31, 2016, was 114,193. These refugees are predominantly single (78% of the households), and 68% of the adult population are male.

[48] The survey was not administered in Addis Ababa or another Ethiopian urban centre but information from qualitative data gathering indicates that the majority of this population, mostly the youth, but also older and respected members of the community, are also moving onwards from Ethiopia irregularly.

Some 40% of the registered refugees are children, of which 30% are unaccompanied and separated children (UASC). Over the past years, the arrival trend of UASC increased significantly to a rate of 300-400 UASC per month, which is about 10% of the new arrivals. As shown in the graph below, there was a 100% increase in arrivals of UASC from 2014 to 2015.



A food distribution monitoring exercise conducted in 2015 by UNHCR, World Food Program (WFP) and ARRA led to the deactivation of food ration cards for all refugees who have not collected their rations for three months. It was found that only 33,115 refugees were regularly collecting food in these camps. Based on UNHCR data analysis of migration trends over a three-month period, it was noted that almost 40 percent of Eritrean refugees leave the camps within the first three months of arrival to Ethiopia and 80 percent leave in the first year of arrival. In spite of an average rate of 2,000-3,000 new arrivals per month, official camp populations have remained relatively stable since active monitoring of use of food ration cards began, with similar number of new registrations and ration card inactivations.

TABLE 4.
POPULATION IN
SHIRE CAMPS
INCLUDING UASC

	Registered refugee population as of Dec-2014	Population as of 31 May 2016 (after inactivation of food card)	Children under the age of 18 (as of 31 May 2016)	UASC as of 31 May 2016
Mai-Aini	17,807	10,157	4,401	760
Adi Harush	34,090	7,808	2,893	629
Shimelba	6,607	5,282	2,154	50
Hitsats	33,235	9,410	3,115	1,346
TOTAL	109,546	33,115	12,563 <small>38% of the total population</small>	2,785 <small>10% of the total population: 30% of all children</small>

*Source: UNHCR statistics as of 31 May 2016



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It is believed by UNHCR that many of those who are not collecting food in the camps have spontaneously settled elsewhere in Ethiopia or irregularly migrated onwards outside of Ethiopia. Beginning in June 2016, a verification exercise was jointly conducted by UNHCR and ARRA in Addis Ababa, to determine how many of the Eritrean refugees who are absent from the camps may be located in urban centres around Ethiopia. By the time this study was concluded, the verification exercise had found at least 15,000 Eritrean refugees living in Addis Ababa, all of which will have their stay regularized and will be granted OCP status should they meet the programme requirements.

II. Reasons for flight from Eritrea

Eritrean refugees in the Shire area camps stated that they flee to Ethiopia for a variety of reasons including fear of forced open-ended conscription into the national/military service; arbitrary imprisonment; human rights abuses including forced labor during military conscription; poor treatment while in the military; arbitrary arrest and detention, including torture and degrading treatment during detention; restrictions of freedom of expression, movement and religion; desire for reunification with immediate or extended family members in Ethiopia or abroad; economic problems; discrimination against Eritreans with Ethiopian lineage; and a desire to seek the end of the Eritrean regime.

“Sometimes they just grab a number of youth for no reason and jail them”

Adi Harush camp, male under the age of 35

“I saw people crawling like babies because they were beaten and had been crippled.

“I have burns from carrying hot rocks in prison”

Mai Aini camp, male age 26 and Adi Harush camp soldier who were both imprisoned and tortured for two years for trying to leave Eritrea irregularly

“The government does not allow protestant churches to operate or other religious gatherings for prayers etc. Even people on the streets used to sometimes throw things like wet bread on us. During my military school days in Sawa, the manager of student affairs used to use my religion as a pretext to call me in for disciplinary measures and make sexual passes at me.”

Hitsats camp, female age 21

“I was suffering in a place that is not even home. They [Eritreans] call people like me [half Ethiopian and half Eritrean] ‘Amce’ and assume we’re generally untrustworthy and criminals. They ostracize us. I would give up everything to go back to Dire Dawa. I do not miss that country at all.”

Hitsats camp, male age 38

Some UASC have indicated that family violence and stress, as well as a desire to obtain an education, are their primary reasons for leaving Eritrea. Other unaccompanied children cross the border with support of relatives in North America, Europe or Israel, often to pursue family reunification that would not be possible from Eritrea. Amongst girls, reasons for seeking asylum in Ethiopia have included sexual exploitation, both in the home (related to early or forced marriage) and during military training^[49]. Other research has shown that younger children at times cross the border by accident, for adventure or to visit relatives not realizing that they cannot return. Some younger children have expressed their desire to return to Eritrea for family reunification related reasons. In the past, the International Committee of the Red Cross (ICRC) was able to assist Eritrean refugee children to return home. However, this activity is currently on hold while authorities decide on the modalities to resume family reunification procedures.

[49] Women's Refugee Commission. "Young and Astray: An assessment of factors driving the movement of unaccompanied children and adolescents from Eritrea into Ethiopia, Sudan and Beyond" (May 2013) available at: <http://www.refworld.org/docid/51a84a764.html>[Young and Astray].

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The Kunama ethnic group, primarily found in Shimelba camp, declared slightly different reasons for coming to Ethiopia. The Kunamas are a small marginalized ethnic group found in the borderlands of Eritrea and began to flee to Ethiopia beginning in 1998 when the Ethio-Eritrean war broke out in their lands. According to interviews with refugees, many left Eritrea to avoid conscription into the Eritrean army. Those who chose to stay in the Ethiopian occupied territories prompted suspicion by the Eritrean regime of disloyalty. Thus, as indicated in our research, many fled in fear of government reprisals in 2000 when the Eritrean government regained control of the area at the end of the war^[50].



III. Onward movements from Shire Camps

Fifty-six percent of refugees in the Shire area camps indicated an intention to move on irregularly from Ethiopia to a third country, making this population, out of all the groups studied, the most likely to irregularly move onwards from Ethiopia.



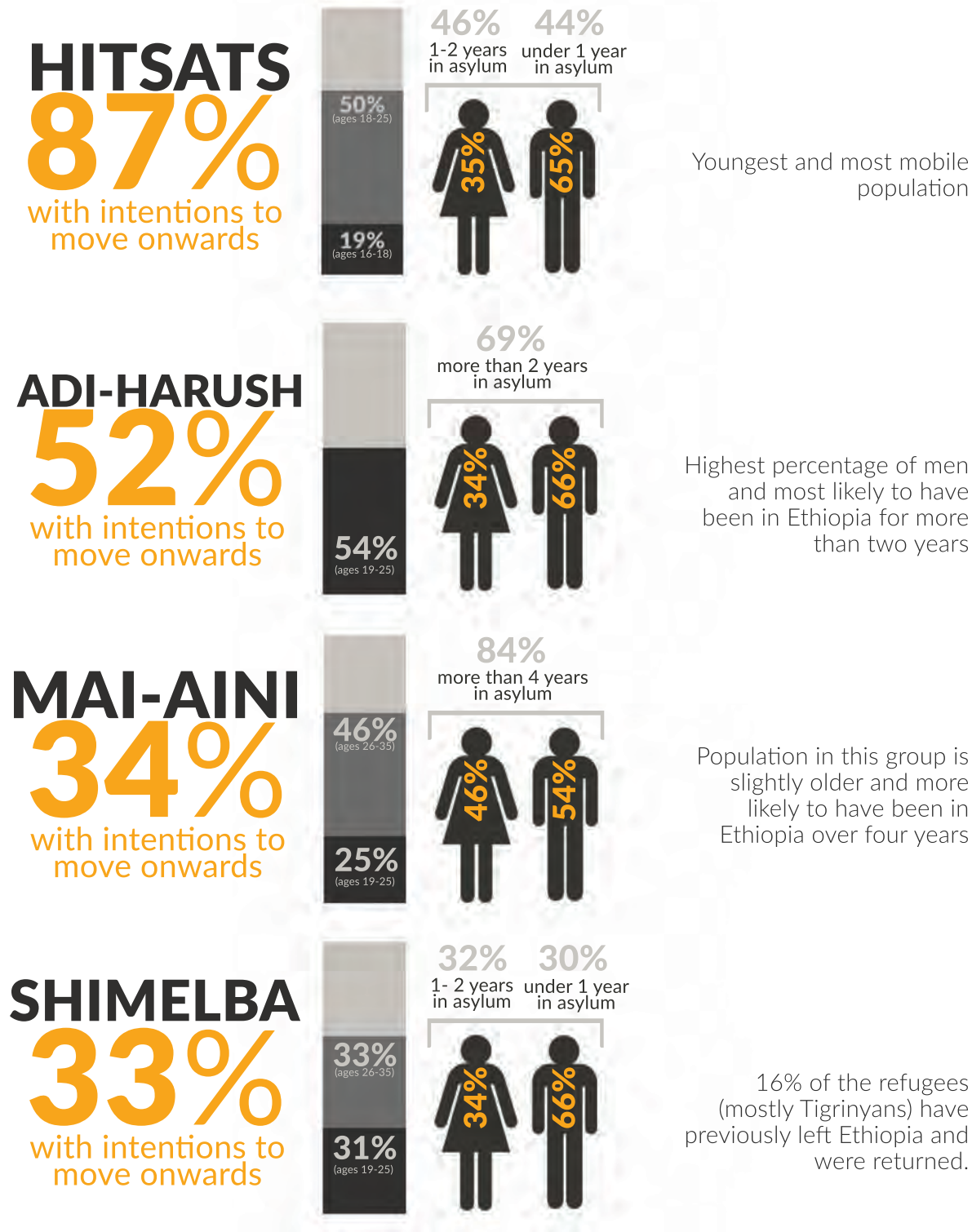
Profile of Eritrean Refugees in Shire Camps who indicated an intention to move onwards irregularly

This population is generally male (62 percent), single (70 percent) and young, with the majority under the age of 25 (68 percent) and almost half (46 percent) between the ages of 19 and 25. Most have not been in Ethiopia long, with more than half (58 percent) having been in Ethiopia less than two years. They are generally relatively well educated, with 41 percent having grade 7 to 9 education and 34 percent having grades 10 to 12 education. More than one-third have family members in the camps and of these, almost half are heads of their household.

[50] Also see, Refugees International, *Forgotten People: The Kunama of Eritrea and Ethiopia* (February 18, 2004), <http://reliefweb.int/report/eritrea/forgotten-people-kunama-eritrea-and-ethiopia>

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The high likelihood of onward movement is substantiated by the numbers of ration cards deactivated since 2015, indicating that 75 percent of registered Eritrean refugees appear to have already moved on from the camps, potentially having moved beyond Ethiopia. UNHCR migration trend analysis also confirms that the majority of refugees (80 percent) are found absent from Shire camps within the first year of arrival and 40 percent within the first three months.



While men irregularly move out of the camps in greater numbers than women, female refugees have a slightly different profile than the general population that is worth noting.

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Survey information indicates this group is more likely to be married, more likely to have family in the camps and more likely to have been in Ethiopian refugee camps for more than four years. The significant onward movement of men in particular has implications for the women that are left behind, both in terms of potential protection concerns and lack of financial and other support.

Freweyni's* Story

Freweyni arrived in Ethiopia as a minor and was placed in kinship care where she was married off to a local man in Sheraro town. She says that he soon divorced her and left to Europe via Sudan and Libya. She went back to her caregivers, who also left soon after - via resettlement to the US. After their departure, she started a relationship with a boyfriend who also left to go to Europe, soon after she fell pregnant. She says that life in the camp is difficult, especially with another mouth to feed.

**Not her real name*

There was also another 12 percent of Eritrean refugees surveyed in the Shire camps who indicated that they “might” migrate irregularly. In profile, they are older; more likely to be female; more likely to be married; better educated; and more likely to have been in the camps for over four years. Only nine percent of this group had family in the camps and of these, almost half were the head of their household.

Unaccompanied and Separated Children (UASC) in Shire



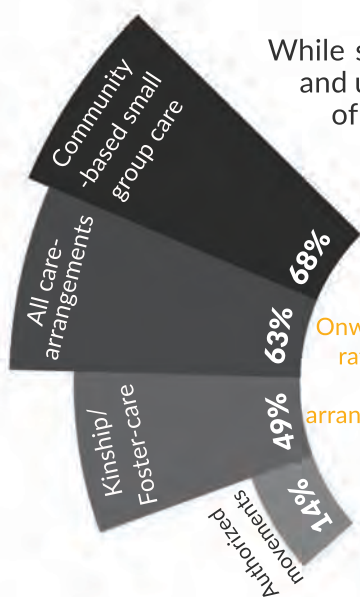
Hitsats camp/ ©DRC

In Shire, UASC are placed into four different types of care arrangements – kinship care, foster care, community care and independent living. Seventy-five percent of the UASC population live in community care. Upon arrival in Ethiopia, children are transferred to Endabaguna reception centre, while they wait for registration, family tracing and identification of an appropriate care arrangement. Stay in the centre takes an average of 30 days and can reach up to two months given the lack of available shelters for community based care in the camps.

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As statistics show, the Shire refugee camp population is predominantly young single persons who themselves are on the move; thus, promoting family-based alternative care for the unaccompanied children is quite difficult. While there are some recreational activities offered, there are no educational activities at Endabaguna and children are reported to face a wide range of protection challenges, including physical abuse and sexual and gender based violence (SGBV).

The rate of onward movements amongst UASC is also substantial, with an average arrival rate of 300 to 400 UASC per month and an average departure rate of 250 UASC per month. Based on UNHCR statistics, the UASC who are no longer in the camps are mostly male, were in community care arrangements and were mostly located in Hitsats camp. Those in kinship care and in foster care were less likely to go missing.



While some UASC return, the majority of missing UASC are untracked and unfound. Of these, UNHCR interviews with known acquaintances of missing children indicated that they are likely to have moved to another camp, to Sudan, to Addis Ababa, or to have returned to Eritrea. Although some of them may be in urban centres around Ethiopia, the majority are believed to have moved to Sudan with the intention of moving onwards to Libya and Europe.

Survey data from unaccompanied youth in the Shire camps between the ages of 16 to 18 confirms that the majority of these youth (71 percent) intend to migrate irregularly from Ethiopia to a third country^[51].

IV. Main reasons for moving onwards



Lack of life opportunities and hopelessness

Hopelessness resulting from not having a full life was mentioned repeatedly in qualitative data gathering as well as in secondary literature about the irregular onward migration of Eritrean refugees in the Shire camps^[52].

[51] This age category inadvertently crosses between children and adults.

[52] See for example Young and Astray, supra at note 49. It found that, among UASC in Mai-Aini camp, reasons for onward migration included hopelessness and helplessness with respect to their future prospects.

To capture the lack of life opportunities or the notion of “hopelessness” that has often been noted as a reason for irregular migration, the research team first turned to the general definition of “hopelessness” which is to have “no expectation of good or success”. Recognizing that “hopelessness” is a complex psychological phenomenon, for the purposes of our study, in the context of potential policy implications in a refugee camp, the survey asked general questions about the lack of life opportunities. Lack of life opportunities was surveyed by looking to see whether irregular migration was motivated by one of three factors: a lack of employment/desire to find employment; inadequate or unavailability of education opportunities; and lack of opportunity for oneself and/or family in the host community.

Qualitative research indicates that some Eritrean refugees come to Ethiopia hoping for a better life, but become discouraged by the lack of employment and other life opportunities. This general lack of opportunity “for a life” and the resulting hopelessness was mentioned by nearly all Eritrean interviewees in the Shire camps. Strikingly, in 2015, among the 12 attempted suicides of UASC in Adi Harush camp and the four in Mai-Aini camp, reasons cited included the stress of staying in the camps for long periods of time and the inability to migrate onwards from Ethiopia.

“We leave our country with dreams and aspirations, we want to grow, see development and feel connected to others”

RCC Member Hitsats Camp

Feeding into this feeling of hopelessness is the lack of employment opportunities for this population. Seventy-three percent of respondents who intend to irregularly migrate indicated that the lack of employment and/or a desire to find employment was motivating their decision and this number was even higher (78 percent) amongst unaccompanied youth (aged 16 to 18). Almost all qualitative interviews indicated that inability to work was a factor driving migration. Interviewees stated that although refugee incentive workers can earn up to 700 ETB per month, this amount is insufficient to provide an adequate standard of living. The ability to earn 2000 ETB per month was quoted by at least one respondent as sufficient to deter irregular migration. In addition to self-support, employment is sought to provide financially for family left behind in Eritrea and to pay back debts owed to family by those who previously migrated irregularly and were forced to pay ransoms. Movement to the urban centres does not appear to substantially alleviate lack of work as a motivating factor for irregular migration as urban Eritrean refugees interviewees noted that their inability to work left them without hope to build a life or meet even their basic needs, thus creating the primary driving force for irregular onward movement from Ethiopia.

Approximately one-third of respondents indicated that the lack of opportunities for oneself and one’s family in the host community is motivating their irregular migration. This was particularly pronounced in Mai-Aini camp where 97 percent of survey respondents cited this as a factor motivating irregular migration. In FGDs across almost all camps, lack of opportunities for personal growth and entertainment opportunities were cited as motivations for irregular migration. In individual interviews with the youth, the inability to move freely outside of the camps was cited as a factor motivating irregular migration as was the inability for youth to “build their lives” and the lack of social acceptance by Ethiopians.

“A camp is like a big prison. Although I was luckily able to sneak out of the camp and work in a little computer place in Mai Tsebri with the town people for a short while, others do not get the opportunity to get out of the camps.”

Adi-Harush camp, man age 25

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The unavailability and quality of education as push factors for irregular onward migration were consistently raised in qualitative data gathering. Hitsats camp offers only primary education (grades 1 to 8) with currently no access to secondary education. Secondary education in Adi Harush camp is available in neighboring host community schools, but children who arrive in the middle of the school year have to wait a full term until the beginning of a new school year. A participatory assessment from Shire camps listed a number of concerns with education for Adi Harush camp, including a lack of adequate numbers of classrooms for primary and secondary schools resulting in over crowding and poor education quality; lack of educational materials and libraries; corporal punishment and forced labour which discourages children from attending school; hunger and a lack of adequate food at school resulting in drop outs; a lack of qualified teachers; as well as safety concerns for children en route to and from school. In Shimelba camp, there is a preschool as well as schooling for up to grade 10 and secondary school available in Shiraro town. Concerns were raised with respect to the quality of education for that camp, given lack of language and education qualifications of the teachers.



Photos: ©UNHCR

Family and friend considerations including the role of the diaspora

Qualitative data gathering clearly indicates that a number of family and friend considerations play significant roles in motivating irregular migration. While the discussion below has been “categorized” for ease of discussion, it must be emphasized that these factors are complex and inextricably linked.

Communicating with family and friends in Eritrea

Direct calls to Eritrea from Ethiopia are blocked by the government and as such it is difficult, if not impossible for refugees to learn about the well-being of family left behind in Eritrea. Although there are creative ways around this problem, e.g. “three-way” phone systems, with a person in Sudan connecting a phone in Ethiopia and in Eritrea, this is not available to all Eritrean refugees. As such, inability to communicate directly with family and friends in Eritrea is a motivating factor to move onwards, and was especially noted amongst female refugees in general and refugees in Shimelba camp.

Family reunification

Family reunification is also an often cited as a factor motivating irregular onward movements, especially amongst UASC and young adults^[53]. Additionally, indirect UNHCR data collected with arriving UASC supports a strong family reunification motivation, as detailed in the table below. Some of the refugees, particularly men, are irregularly migrating with the goal of creating future regular channels of family reunification for loved ones left behind in the Ethiopian camps or in Eritrea^[54]. While some men had chosen to stay in the camps with their families, seeing the family reunification opportunities generated by refugees who successfully moved onwards has created pressure on these men to do the same. Other refugees indicated that they intend to irregularly migrate should their ongoing family reunification procedures fail or take long periods of time. In addition, some refugees claim that either they are not aware of or do not have access to reliable information regarding family reunification procedures. Restrictive eligibility criteria and differing concepts of family ties lead to skepticism on the part of refugees that family reunification is an actual possibility for them, possibly factoring into decisions to undertake dangerous irregular movement.

FAMILY REUNIFICATION PROFILE FOR UASC

Based on a sample survey of Registration and BIA data conducted by UNHCR for newly arriving UASC in 2016:

- Approximately 80% of Eritrean UASC have relatives outside of Eritrea: 35% in Europe; 35% in Ethiopia; 15% in Israel; 15% in other
- Approximately 30% of Eritrean UASC have a mother or father abroad: 50% of these parents are in countries that can potentially support family reunification for biological children (Netherlands; Germany; Norway; Sweden; Switzerland)

Indirect pressure

Indirect family pressure to irregularly migrate was raised extensively by refugees. Remittances form an essential part of the budget of regular Eritreans and those with family abroad are able to afford better lives including houses, schooling and food, paid for by their overseas “bread-winners”^[55]. The resulting increased social status and lifestyle, as well as a “hero discourse” surrounding those who have successfully made it overseas, results in a significant expectation upon young people to find a way to assist their families who are suffering in Eritrea and emulate those who have successfully done so^[56]. There are reports that where refugees have declined diaspora support to irregularly migrate, they earn the disappointment of their families and the offer does not come again.

“They have been brainwashed by their families to be brave and not to be weaker than other youngsters in other families who are now in Europe. Their departure to Ethiopia is even timed as they try to time everything in relation to when it’s safer to make the boat trip across the Mediterranean.”

Adi-Harush camp, male age 37

Haftom’s* story – a 23 year old Eritrean refugee living in Mai-Aini camp

As the eldest son in his single mother household, Haftom began to work at a young age to help make ends meet in an increasingly expensive Eritrean society. His family continued to struggle and it was apparent to him that only those families with remittances from abroad were able to not just survive, but to thrive. The community calls the ones who leave Eritrea the “brave, dedicated ones” and he found that there was a lot of expectation that young men go out of Eritrea to support their families back home. Although his mother never directly pressured him to leave the country, he felt like a failure, an underachiever who was unable to do what countless others had done.

**Not his real name*

[53] Also see for example Conditions and Risks of Mixed Migration in North East Africa, supra at note 14.

[54] In addition to qualitative data, see for example, Conditions and Risks of Mixed Migration in North East Africa, supra at note 14. This could also be referred to as simple chain migration that has been defined as the “movement in which prospective migrants learn of opportunities, are provided with transportation, and have initial accommodation and employment arranged by means of primary social relationships with previous migrants”, see John S. MacDonald and Leatrice D. MacDonald, Chain Migration Ethnic Neighborhood Formation and Social Networks, *The Milbank Memorial Fund quarterly* 42: 82-97.

[55] Cosmologies of destinations, supra at note 13.

[56] Ibid. See also Conditions and Risks of Mixed Migration in North East Africa, supra at note 14.

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This notion is even more deep seated for those who were financially sponsored by their families, at great risk and cost to themselves, to leave Eritrea. For example, for refugee victims of trafficking who were deported to Ethiopia and sent to the camps, their onward migration from the country of origin had already plunged their families in Eritrea into debt and further poverty. Interviewees indicated that they could not afford to sit idle in the camps, they had to find a way to pay off their family's debt and make their suffering worthwhile, no matter the risk. This factor was raised in a qualitative interview in Hitsats camp and by respondents to the survey in Shimelba camp where four percent of those intending to move onwards are doing so to pay back previous family debts.

"I used to cry the whole day and night but now I am fine. I still worry about how to pay back my aunts who sold all their gold and houses to pay 10,000 USD to free me from Sinai. I had promised to repay them every cent when I was calling and begging them to save me while being tortured. I am now unable to work and repay them and that's always something that I'm going to be losing sleep over. So, of course, I'd move again, if I had the money."

Hitsats camp, female age 20

Similarly, indirect pressure from other refugees who were in the camps and successfully moved to Europe is also a significant factor resulting in feelings of failure and desperation created by others' successful migratory stories. Indeed, the FGD with children and some individual interviews indicated that the feeling of being "left behind" without hope is a dominant factor in motivating onward migration^[57].

"When you see the people that made it to Europe posting their pictures on Facebook clearly looking like they're in great condition, it will really test your sanity when you see that was what you could have been. But who can you blame - being born poor is no one's fault but yours."

Hitsats camp, married male age 36

Diaspora

In the Shire camps, most refugees who intend to move onwards have family or friend connections overseas. Over a quarter have family in destination countries and 45 percent have friends in destination countries. Forty-five percent communicate with their diaspora connections through mobile phone applications, the most popular being Facebook followed by Whatsapp, Viber and email. A small number communicate with diaspora through computers, presumably available in internet cafes in nearby towns.

Slightly more than half of those who intend to move onwards indicate that they have been encouraged by family and friends abroad to leave Ethiopia and of these, the majority (77 percent) have been offered support by diaspora to do so. Those with diaspora contacts who actively encourage irregular migration also have their journeys organized and paid for by these connections who act as the primary agents of their movements. In response to specific questions about financing of irregular migratory journeys, almost half of those who wish to migrate irregularly indicated that their journeys will be paid for by family still present in Eritrea, by family in destination countries or by friends in destination country. In Hitsats camp, more than 90% of the UASC are encouraged and offered support to move onwards by family in Eritrea, as well as by family or friends in destination countries.

[57] Also see Young and Astray, supra at note 49.

“Diaspora are not only the financiers of migration but also the inspiration behind migration. They tip the balance in terms of making others think that risking their lives is worth it.”

Adi-Harush camp, married male with two children

Qualitative interviews confirm that Eritreans abroad spend most of their income on financing the irregular migration of their families to Europe and that such diaspora will only encourage irregular migration where they are willing to provide the accompanying financial commitment.

“No one will tell you to leave. If they do, they’ll have to send money to support you.”

Hitsats camp, female age 18

Even where there is discouragement from diaspora to irregularly migrate, the study found that refugees still intend to move onwards even without being actively supported for their journey. Refugees often take the chance that the strong familial obligations of their relatives in third countries, and the common knowledge of the torture and other horrific treatment at the hands of traffickers, will result in the payment for release from traffickers and money for further passage when the time comes^[58]. This is reportedly true even for children who move onwards without plans to pay for the journey, hoping that when the time comes, their family abroad will pay.

Those without diaspora connections are less likely to move as they have no way to finance their journeys short of desperate measures such as selling one’s organs. They tend to stay in the camps for longer periods than those from affluent families or those with relatives abroad.

“Generally, the rich ones go and the poor ones just wish they did.”

Hitsats camp, female age 21

If they do irregularly migrate, these unconnected individuals also tend to undertake more piecemeal, and hence more dangerous, migratory routes, e.g. they may become stranded along their migratory route, having to work to save enough money for the next leg of their journey, thereby exposing them to more risk from different trafficking networks^[59].

Gender appears to affect the likelihood of diaspora support of irregular migration. Survey results indicate that female refugees who intend to move onwards are more likely to be encouraged to leave by diaspora and that if they are encouraging such migration, diaspora is more likely to support the migration of women as compared to men. This is supported by other survey results which indicate that men are more likely to be self-supported on their journey, and that women are more likely to have been verbally encouraged than men to migrate irregularly and to have family organize their journeys. Women are also more likely to have family and friends in Eritrea or family abroad supporting their journey.

Endabaguna/ ©UNHCR

[58] Reuters Behind the Refugee Crisis, supra at note 38.

[59] See Young and Astray, supra at note 49 that indicated interviewees would often become “stranded” along the migratory route as they tried to look for work to pay for the next/final legs of their migration journey.

Protection gaps and issues

Protection concerns in the country of asylum, aside from the lack of access to socio-economic rights (i.e. the right to work), were not commonly raised by refugees as motivating factors. Those referred to include difficulties with the refugee community/feelings of insecurity from other refugees (two percent), fear of sexual exploitation particularly early forced marriage (one percent) and lack of welcome in the host community/difficulties with the host community (one percent).

Lack of welcome in the host community and problems with refugees in the camps may stem from numerous sources. Based on qualitative data gathering, discrimination on the basis of having mixed Eritrean and Ethiopian parental lineage, both in the camps and in the host community, was reported to be an issue and a driver towards onward migration, as was stealing from the camps by the local community. Single mothers in particular reported theft of possessions, fear of violence, and lack of effective follow-up on incidents stemming in part from a weak justice system. Additionally, there are reports of conflicts with the host community and Hitsats camp which has resulted in refugees being unable to work in the informal economy. In Shimelba camp, refugees cited difficulties or feelings of insecurity from other refugees and difficulties with the host community as motivators for irregular migration. Based on qualitative data gathered, it is possible that difficulties with other refugees in that camp may arise from the isolation and stigmatization that refugees who have been victims of trafficking, particularly males, face due to the common view amongst other refugees that those who were trafficked have been subjected to sexual violence and are thus “damaged” or “unclean”.

While fear of sexual exploitation, particularly early forced marriage was not commonly raised as a motivating factor, sexual violence is not uncommon in the camps as reports indicate that in 2013 there were 189 incidents of SGBV in the Shire camps, 130 cases in 2014 and 211 reported cases in 2015. UNHCR has indicated that the heavy gender imbalance in the camps (over 61 percent male across camps), raises high protection concerns including survival sex, domestic violence, unwanted pregnancies, lack of sufficient shelter, female genital mutilation (FGM) and sexual violence in and around the camps, risks that are heightened during irregular onward movement. Indeed, UNHCR is of the view that protection concerns involving incidents of sexual and gender based violence are severely underreported.

Berhan's* Story – Shimelba camp, Female, 23, Grade 11

Berhan previously lived in Hitsats camp but fled due to concerns about her safety. She lived in a tent with 10 people, both men and women, and was attacked one night by a fellow refugee who tore through her tent and threatened to rape her at knifepoint. She managed to escape but the next day, a Sunday, she noted that “UNHCR was closed” and could not find anyone to offer her protection. Scared for her life, she begged others in the camp for money to engage smugglers to take her to Sudan. Upon arrival to Sudan she was sold to the Bedouin who subsequently tortured her for ransom. She was released and brought back to Ethiopia thanks to the intervention of Dr. Al Ganesh [see excerpt on Dr. Al Ganesh below] and placed in Shimelba camp. As a result of her injuries she has a recurring uterus infection for which she has received standard medical assistance. In her view, the medical care is inadequate and she has since been using remittances from her sister in Sweden to seek private medical care.

“I was scared, I meant to stay here and work – but I ended up going from knifepoint to knifepoint”

**Not her real name*

Child protection concerns were not directly canvassed through the survey. However, qualitative data gathering indicates that with respect to child protection, the high turnover of trained refugee incentive social workers, due to their own irregular onward movement, results in huge gaps in implementing partners' ability to properly implement child protection programming, thus driving irregular onward migration. Providing family-based care for UASC is a challenge where the majority of the population in Shire camps are young, male, single and also moving onwards, resulting in the reliance on community-based small-group care. Social workers report that many of the UASC who are placed there often go missing quite soon after placement, migrating irregularly onwards or heading back to Eritrea on foot. Even when such cases are reported, follow up and tracking are still challenging. Moreover, social workers report that many families who take on unaccompanied children do so in spite of the higher financial costs in hopes of a higher chance of resettlement. When resettlement does not occur, these families reportedly take out their frustrations on the child, becoming resentful and physical or emotionally abusive.

Indicative of protection concerns amongst the UASC is that conflict with family members, caregivers and other children or friends, was cited amongst the reasons for 12 attempted UASC suicides in Adi Harush camp in 2015. Of the reported suicide attempts in Mai-Aini camp, at least one person cited separation from their family as the concern. Indeed, across Shire camps there is a need to strengthen case management databases to facilitate the follow-up, referral or case-review processes of UASC, and to step up child protection coordination and programming. It was also reported that there are insufficient spaces for UASC to be accommodated in the camps, leading to potential lengthy stays in Endabaguna Reception Centre^[60].

Amongst the UASC, there may also be indirect pressure to irregularly migrate because of resentment towards UASC from other camp members. Previous research found refugee community resentment against the UASC, based on the perception that they receive special treatment and also because of perceptions that the UASC are “out of control” in that they are threatening, unruly, undisciplined, have lost their cultural and traditional values and are frequently engaged in illicit activities in the camps^[61].

Other motivating factors

Resettlement

The study found that lack of resettlement options, including the perceived lack of honest and straight forward communication about the possibilities of resettlement and updates on the process, play a role in feeding feelings of hopelessness. Moreover, interviewees raised concerns that resettlement was being “sold off” and that those most in need of protection were not receiving it. When resettlement opportunities do not materialize in a timely fashion, refugees report losing hope and resorting to irregular migration. This is especially true amongst victims of trafficking in the Shire camps who report that, in their perception, they were promised resettlement that never materialized and amongst the youth in Hitsats who believe that there has never been a person resettled from that camp. Particularly concerning is that amongst the 12 attempted suicides in Adi Harush camp and the four in Mai-Aini camp in 2015, reasons cited included the delays in, and lack of, resettlement opportunities.

[60] Ibid.

[61] Young and Astray, *supra* at note 49.



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“What can we do? Eritreans are trapped in darkness even after risking their lives and enduring horrifying conditions to come here, and there’s still no solution. We cannot work to feed ourselves and our families, we are unable to live and UNHCR is not providing the support that it stated in its policy that it would – resettlement. We have people that have been here for over 12/13 years, barely living and still awaiting help.”

FGD Addis Ababa Eritrean Refugees

“People are in prison here. UNHCR needs to communicate more on the status of cases. Whether it’s good news or bad, people still need to know because additional stress is not good for refugees.”

Mai-Aini camp, female age 28

UNHCR does prioritize survivors of violence and torture and in 2015 resettled 564 persons under the category of “Survivors of Violence and Torture” across Ethiopia. It is, however, unclear whether these particular individuals were victims of trafficking and how many were from the Shire camps. Presumably young, able-bodied men do not generally fall within a priority category for resettlement, thus explaining the lack of known resettlement submissions from Hitsats camp in 2015. More concerning perhaps is the clear frustration expressed by numerous refugees about the “promise” of resettlement that has not materialized. This scenario writ large arguably points to a need for better and ongoing communication about the nature of resettlement, processes and a clear and well advertised system for receiving ongoing updates from resettlement countries.

Food, shelter and NFIs

The lack of food, shelter and non-food items (NFIs) like clothing was not included specifically in the survey, but these topics arose repeatedly in qualitative data gathering. Notably, Hitsats camp has been identified by interviewees as having less services and harsher conditions than other camps, making refugees there more vulnerable to smugglers’ promises.

“I have been here for almost two years and I do not have a blanket to put on my back. The 15 kg of wheat is not enough, especially when one sells a portion of it to buy other types of food that go with the wheat such as tomatoes, pepper, etc.”

Hitsats camp, married male age 36

The living conditions in that camp are reportedly very difficult - extreme heat, coupled with malaria and no water or electricity, no access to cooking utensils (and for many a lack of knowledge of how to cook with the limited food rations in general) and no basic NFIs like blankets.

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In Shimelba camp, interviewers identified inadequate food rations, lack of provision of clothes and lack of entertainment centres as drivers of onward movement. In Adi Harush camp, one respondent noted that his lack of clothing and subsequent inability to even wash his clothing for lack of anything to change into, is what ultimately drove him to leave the camps and attempt onward migration.

“I did not have any change of clothes. I remember I wore 1 piece for 2 months. That's why I wanted to go and had to go”

Adi-Arush camp, married male age 25

Girmay's* story – Mai-Aini camp

Girmay is a 14-year-old UASC who has been living in camp since April 2014. There was originally a family that cared for him under a foster care arrangement but, since they got resettled, he has now joined a community care arrangement. He says that he came to Ethiopia hopeful for a better life but now feels like he's lost hope. There is a shortage of soap, no food diversity and inadequate provision of shoes and clothes, which makes travelling a long distance to attend school difficult. He admitted that he sometimes thinks of going to Sudan to see if life would be better there and even attempted to contact a 'delala' (smuggler) once but never succeeded.

**Not his real name*

Use of technology

Feelings of hopelessness are exacerbated by the increasing access to information about life in other places and how to get there, made available through the increasingly easy access to internet and social media^[62]. Refugees are encouraged, both directly and indirectly via their social networks and knowledge of life in other places, to irregularly migrate^[63]

My son was 10 years old at arrival and he became 18, just waiting here [for resettlement]. Now, he is gone – we don't know where he is. He got information about life abroad from Facebook and some of his friends who had reached [Europe]. He follows what he sees.”

FGD Mai-Aini camp RCC

Academics have reasoned that the use of technology in this way allows for learning through the experience of others, providing predictability of outcomes and maximization of benefits with minimal costs^[64]. This knowledge reduces fear of the unknown, builds confidence and provides a sense of empowerment to prospective refugee migrants lowering their tolerance to put up with “life without a future”^[65]. They use this information to attempt to control their lives and take calculated risks based on knowledge of hardships along the migratory route^[66]. This is substantiated in numerous qualitative discussions which indicated that those who choose to move are influenced by what they see from their peers on social media like Facebook.

[62] Also see Conditions and Risks of Mixed Migration in North East Africa, supra at note 14.

[63] Ibid.

[64] See Assefaw Bariagaber, “Globalization, Imitation behaviour and refugees from Eritrea,” *Africa Today*, Volume 60, No. 2 (Winter 2013) pp. 2-18.

[65] Ibid.

[66] Ibid.

V. Risks to irregular migration

Awareness and perception of risks

As corroborated by previous research, the study has demonstrated that the majority of Eritrean refugees in the Shire camps, including children, who choose to embark on irregular onward migration appear to have at least some knowledge of the migratory dangers involved at different stages.

Refugees who cited knowledge of particular risks mentioned awareness about the following risks: physical abuse; death; kidnapping; torture; sexual assault (for both men and women); drowning; ransom; organ removal; car accidents - such as falling off vehicles; being left behind in the desert; crocodile attacks during river crossings; hunger and thirst; forced religious conversion; and being burned with melting plastic. There was also some, but not widespread, knowledge of the risks posed by authorities to refugees moving onwards irregularly, including rejection at the border, prosecution, detention and documentation seizure.

This generalized knowledge of risk, however, does not seem to translate into a more comprehensive knowledge of all of the specific risks. A small proportion (six percent) even indicated that there were no risks from irregular migration.

This partial understanding and knowledge of risks en route could be explained in a number of ways. It is possible that interviewees chose not to provide an exhaustive list of risks, but rather only highlighted those that came readily to mind. It is also possible that there is a cognitive dissonance between knowledge of dangers and the application of this knowledge to oneself^[67]. For example, despite the fact that many refugees have heard of the risks on the journey, they may feel that they are exaggerated given that so many have already made and that such risks do not apply to them.

“We hear of the deaths in the desert and the sea but all of my friends have made it”

Hitsats camo male age 20

Study results also indicate that refugees who have successfully irregularly migrated speak in generalities of the risks, not wanting to reveal any personal weakness.

If I ask my brother what he encountered, he might say things were a little uneasy, but that's it. The limited time we have during a phone call plays a part but also we, Eritreans, do not complain and have high tolerance for pain and suffering.”

Hitsats camp female age 18

There are some gender differences with respect to knowledge of risks. With respect to knowledge of sexual abuse, slightly more women knew of such risks than men. In addition, the risk of slavery was known by more men than women, while more women knew of the risk of being rejected at the border than men.

There are also some differences in knowledge of risk as between those refugees who intend to migrate regularly as compared to those who intend to migrate irregularly. Those intending to migrate regularly have more knowledge about risks posed by authorities, e.g. detention and prosecution, document seizure and rejection at the border.

[67] See for example U. N. High Commissioner for Human Rights, “E-platform: Telling the Real Story, Information campaign for Somalis and Eritreans heading for Europe” (unpublished 2015) that discusses the cognitive dissonance in refugees who know of the risks but do think that it happens to other people.

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With respect to physical risks, those who intend to migrate irregularly seem to have slightly more knowledge of risks with the exception of bodily harm, torture and sexual abuse. From this, it could perhaps be argued that knowledge of certain risks, e.g. from authorities, has a role in determining choice as between regular and irregular migration.

The risk of irregular migration is perceived by refugees in different ways. While most are aware of at least some risks, many continue to decide to move despite this knowledge. Of this group, some have indicated that it is better to take risks and have a chance at success than stay in Ethiopia where, like Eritrea, there are no opportunities to have a “real life”.

Attempts are made at risk mitigation, illustrated through reports that women take three-month contraceptive shots before departure. Some pointed to the significant abuse and difficulties they faced in Eritrea to demonstrate that they are not afraid of the any risks that could arise in irregular migration. Even previous personal experience with the risks of irregular migration is not necessarily a deterrent. Interviews with those who have attempted irregular onward migration and failed show that the majority would try migrating again even though they had lost all their money, been arrested (some beaten) and detained for 3-8 months in poor conditions.

“You cannot even trust your own family. Your cousins sell you, your uncles and aunts sell you. I do not want wish what I went through to happen upon anyone let alone risk it happening to me again. But I've got no choice, I've got to fix the lives I have destroyed.”

Hitsats camp, 20 year old female speaking of paying off the debts she incurred from her last irregular migration attempt where she was kidnapped in Egypt, ransomed, freed from her captors, and subsequently deported to Ethiopia

Conversely, some Eritrean refugees indicated that knowledge of the risks, and in a few cases personal experience with kidnapping, torture and sexual abuse, as well as learning about risks from camp workers, has deterred them from leaving the camps.

“The captors would take and keep the women in separate rooms and I understand this is to rape them. Such sick things, together with other things I have seen, discourage me from ever thinking about leaving again.”

Hitsats camp, male age 20

Concerns were raised by numerous refugees about the particular vulnerability of children. Their young age and lack of life experience makes them vulnerable to peer pressure and lies and stories told by smugglers and, while knowing of some of the risks, they do not fully understand the consequences, e.g. while an adult may decide not to irregular migration if they do not have someone to assist them in paying the costs of such movement (including ransoms) children often do not have the capacity to consider this factor and adjust their behaviour.



Sources of information

Most refugees learned of risks through news reports and articles. Other sources include other refugees, family and friends, camp workers, diaspora, previous personal experience and through the experience of other refugees. Such information is conveyed via phone calls from family and friends abroad; social media like Facebook, accessed on mobile phones or through internet café's in neighboring Ethiopian towns; videos shown to new arrivals by UNHCR at Endabaguna reception centre; as well as information sessions upon arrival to refugee camps in Ethiopia[68].

Interestingly, male refugees are more likely to have learned of risks through news reports, whereas females are more likely to have learned of risks through camp workers. Notable variations were found at a camp level in Adi Harush camp, where some refugees indicated that they had never been told of the risks previously and almost a quarter of Shimelba camp respondents mentioned they learned of the risks through previous personal experience.

Knowledge of alternatives to irregular migration

The majority of Shire camp refugees surveyed (80 percent) were aware of legal alternatives to living in refugee camps. Specifically, 26 percent knew of educational opportunities outside of the camps, 14 percent knew of the OCP and 14 percent knew of legal migration options and resettlement. The low numbers of refugees indicating specific knowledge of alternatives may be attributable to factors such as survey question non-response or respondent misunderstanding of the survey question, e.g. survey respondents may have understood the question as being, "are you personally able to access this alternative?" However, it may also be indicative of a greater problem in terms of understanding of the mechanics of how the alternatives, including resettlement, actually operate. Qualitative data gathering indicates that amongst those who know of the scholarship program, the specific details of the program are not well understood. One young man in Adi Harush camp obtained a scholarship to attend university but, not knowing that he would receive a monthly stipend and food at the university, decided to irregularly migrate instead.

The role of smugglers

It is known that Eritrean refugees and Ethiopian nationals partner in the smuggling networks. Eritreans, including children, are mainly used for identification of clients and recruitment on the ground, whereas Ethiopian partners are responsible for transportation and logistics between cities and to the border. Children are reportedly used because of the perception that they attract less suspicion. New children and youth arrivals at Endabaguna Reception Centre are targeted by refugee children who pass on information to smugglers, hoping that such assistance will eventually lead to free passage for themselves. Family connections and/or regional ties in country of origin are used to generate trust with potential migratory clients.

There are conflicting reports about the actual identities of the smugglers. While some key informants have indicated that since the passage of the 2015 Trafficking Proclamation[69], smugglers have been resorting to anonymous phone communications to make detection difficult[70], difficult others report that refugees continue to know exactly who to contact and how to obtain smuggling services. Indeed, consistent with academic research, some interviewees have reported well known places in each camp where smuggling intermediaries can be met, even if the smuggler is not personally known [71]. There are reportedly a greater concentration of smugglers operating in and around Hitsats than in Shimelba camp, likely related to the numbers of potential clients residing in each camp.

[68] Also see Conditions and Risks of Mixed Migration in North East Africa, supra at note 14 and Young and Astray, supra at note 49.

[69] See infra at note 113

[70] Corroborated by Reuters Behind the Refugee Crisis, supra at note 38.

[71] The interviewee reported that a smuggler was caught this way in a "sting" operation where two refugee women went to a well known smuggling "hotspot" and posed as individuals seeking smuggling services. Also see Migrant's agency in the smuggling process, supra at note 16.



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Refugee irregular migrants are generally extremely secretive about their travel plans, indicating that they do not tell family, friends or teachers that they are leaving the camps, nor who is facilitating their journeys. The reasons for refugee reluctance to speak of the smugglers and their plans are manifold, mostly seeming to stem from a general feeling of fear, e.g. fear of being stopped from moving onwards by their families, teachers or government officials; fear of being captured along their route and sold^[72]; fear that their families will be implicated if knowledge of their use of smuggling routes becomes known; and fear authorities could close the smuggling networks leaving themselves and other refugees out of options in the future.

Not surprisingly, only one percent of the surveyed refugees openly admitted that they will be utilizing a smuggler to organize their journey. In addition to secrecy, the survey question was posed in an open ended fashion, and as such, some respondents may have interpreted it as asking who will be organizing the entire journey, including the hiring of smugglers. Thus, most commonly, respondents referred to the “overall” organizer of the journey, rather than referring to the smuggler’s role for part of their journey, with 34 percent noting that their journeys were organized by family (not specified whether abroad or in camps), 18 percent self-organized and 7 percent organized by friends.

Given that smuggling networks often rely upon reputation and referrals to obtain business, smugglers do not operate with complete impunity. Rather, where their services turn out to be dishonest or to bring harm to their clients, it is known that the refugee community will make efforts to ensure they are brought to justice. For example, an Eritrean refugee smuggler who was known to sell his clients to the Rashaida and also to assist in the torture for ransom, was eventually brought to justice through the testimony and assistance of the refugee community and his victims.

Perceptions of smugglers amongst refugees varies. Qualitative data gathering indicates that some refugees believe that the smugglers are criminals who will do anything to make a profit, including selling them like commodities to the highest bidder. Others view them as individuals who have no other options for livelihood and who may be willing to act with compassion to assist others. This is consistent with academic research on smuggler/migrant relationships which has found that the mutual interest of the smuggled and smuggler makes the process much more complex than the traditional picture of a “merciless criminal and passive victim”^[73]. In all situations, despite views on their morality or criminality, smugglers are seen as offering a service for individuals who otherwise would have no hope.

Regardless of their perceived morality, it is also understood that, perhaps with the exception of children and UASC, refugees are responsible for choosing whether to use them or not.

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[72] Consistent with previous academic research on the matter where migrants were found to be reluctant to talk of their plans to leave for fear of being betrayed. See Migrant’s agency in the smuggling process, supra at note 16.

[73] Migrant’s agency in the smuggling process, supra at note 16.

From Eritrea to Ethiopia and onwards

During the flight from Eritrea, some refugees hired smugglers or “pilots” to bring them to the border with Ethiopia. Others, especially if they lived close to the border, fled on foot while trying to avoid Eritrean military and others reported catching buses to the border. Upon crossing the border, they were generally, but not always, met by Ethiopian militia and then brought to Endabaguna reception centre. Some Eritreans first went to Sudan and then to Ethiopia via Humera or Metema towns (both Ethiopian towns bordering on Sudan), where they were met by Ethiopian officials and taken to Endabaguna transit centre.

“We were not certain we were in Ethiopian soil. We feared that we had somehow circled back and ended up in Eritrea again so when I first saw a house, I hid my wife and sister under a rock before knocking. The moment I heard the accent of the lady who answered, I was relieved that we had all finally come to safety.”

Hitsats camp, married male age 35

For those who utilized smugglers, the sum paid was reportedly in the range between 1,167 to 6,200 USD to bring Eritreans to the Ethiopian border^[74]. An additional approximately 910 - 3125 USD is levied by the Eritrean government against family left behind^[75] and failure to pay reportedly results in a prison term for the family left behind.

Once the decision to move onwards from Ethiopia to third countries is made, 80% of surveyed refugees stated that Europe is their top destination.

MOST POPULAR COUNTRIES

NORWAY 8%

NETHERLANDS 6%

GERMANY 5%

SWEDEN 4%

ERITREAN ASYLUM-SEEKERS IN EUROPE ^[76]

SWITZERLAND 26%

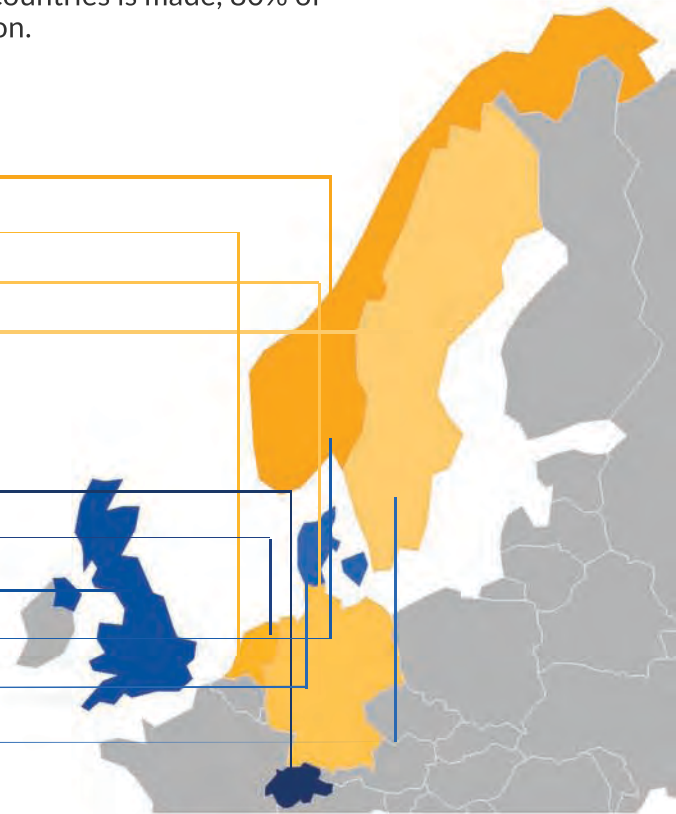
NETHERLANDS 17%

UNITED KINGDOM 10%

NORWAY 9%

DENMARK 8%

SWEDEN 8%



[74] Between 70,000 to 120,000 Nakfas, USD amounts depend upon whether the black market or bank exchange rates are used. Due to stricter Eritrean government regulations introduced around September 2015 ago, the bank and black market exchange rate for USD to Nakfa is fairly close (\$1 USD = 16 Nakfa at the bank and \$1 USD = 20 Nakfa in the black market). However, before these regulations, the black market rate of 1 USD could be as high as 55 to 60 Nakfa.

[75] 50,000 Eritrean Nakfa, USD amount depending on exchange rate used as indicated *ibid*.

[76] Eurostats, Five Main Citizenship of (non-EU) asylum applicants, 2015 (number of first time applicants, rounded figure) YB16.png, (last accessed April 27, 2016), http://ec.europa.eu/eurostat/statistics-explained/images/1/18/Five_main_citizenships_of_%28non-EU%29_asylum_applicants%2C_2015_%28number_of_first_time_applicants%2C_rounded_figures%29_YB16.png

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Practical reasons given for Europe as a destination of choice include the perception that Europe: is less “secure” to enter than Canada, the United States and Australia; is “cheaper” and “easier” to get to; is currently the “open” route, offers legal family reunification; and is less likely to deport an Eritrean refugee to Eritrea. Our survey results indicate that in terms of specific motivations, the primary pull factor to go to Europe is for work opportunities (69 percent). While there seems to be a general knowledge of the difficulties in finding employment in Europe amongst the the Eritreans refugees, many believe that such information may be false, designed to discourage them from going.

Routes, costs and protection concerns

The exact routes are not necessarily well known or openly talked about amongst the Eritrean refugee community in the Shire camps. Twenty-seven percent of survey respondents did not know the route that would be taken to get to their destination of choice. In a study with Eritrean refugees who had already arrived in Europe, it was apparent that there was an uneven distribution of pre-knowledge concerning routes and costs amongst Eritrean asylum seekers, seemingly correlated with factors such as general level of resources and education[77].

Northern route

Based on a literature review and key informant interviews, it is clear that currently the most common route to Europe is from **Ethiopia to Sudan, Libya**, and across the Mediterranean Sea.

To leave Ethiopia and enter Sudan, the most popular routes seem to be from the Shire camps through Metema or Humera (via Gondar or Bahir Dhar), both towns close to the Sudanese border in Amhara region[78]. Some refugees have reported being robbed, attacked and beaten by bandits in Ethiopia on their way to the border with Sudan. Along the Humera route, migrants need to cross the Tekeze river which runs from Ethiopia to Sudan. For those crossing by foot, many drownings and crocodile related deaths have been reported. For those crossing by vehicle, concealment is necessary with the accompanying risk of detection by checkpoints. Upon arrival at the Ethiopian border with Sudan, some previous reports indicate that those being smuggled are generally handed off to another group of smugglers who will take them across the border[79].



[77] Jan-Paul Brekke, Stuck in Transit: Secondary migration of asylum-seekers in Europe, national differences, and the Dublin Regulation (September 30, 2014) *Journal of Refugee Studies* Volume 28, No.2 [Stuck in Transit].

[78] See for example Trafficking and Smuggling on the HoA, supra at note 37.

[79] EC Study on smuggling of migrants, 2015, supra at note 15.

ARRA DIRECTIVE

Recognizing the number of Eritrean refugees migrating to Sudan through Metema and Humera, ARRA issued a directive that came into force on July 8, 2015 that attempts to provide a uniform law to deal with refugees caught attempting to leave for Sudan and Eritrea illegally, as well as those who are found in Ethiopia without travel documents^[80].

This directive allows refugees to seek written permission from ARRA to leave the camp to travel to the Sudan border. Knowledge of this directive is not widespread, even amongst ARRA officials in the various Shire camps. Pursuant to the directive, if a refugee applies and is granted permission to travel to Sudan, ARRA issues an official permission letter to the individual and requires that the refugee leave a copy of their food ration card with the authorities. Groups of refugees may also request to be escorted by ARRA to Humera or Metema^[81]. Upon arrival at the border with the official permission letter, immigration officials deem such refugee migrants to be legal and allow them to pass through the border. Reportedly, there has been some uptake of the directive at least insofar as the issuance of a permission letter to the border. That said, sources also indicate that there is general reluctance amongst most refugees to follow the directive due to concerns that it would make them easy trafficking and kidnapping targets upon crossing the Sudanese border (especially if arriving in groups escorted by ARRA) and also because the directive makes it clear that individuals utilizing the directive will not be allowed back into Ethiopia.

For those that arrive at the border irregularly, e.g. without the official ARRA permission letter, the directive sets out that they shall be arrested and sent to the nearest police station. If they are suspected of being smugglers they will be sent back to their camp of origin where the relevant authority will determine how to proceed legally. For those who are subsequently found not to be involved in smuggling, their ration cards will be taken and they will be sent to Sudan. In practice, our research has found that those caught at the border are detained by immigration officials who will check if they have any criminal cases pending, consult ARRA and determine what information can be gleaned about the smuggling networks. The immigration officials then decide on a case by case basis whether a refugee can pass through the border or have to be returned to the camps. Those to be returned to the camps are detained at the border until transportation back can be arranged at the refugee's own expense^[82].

The directive also applies to refugees irregularly moving and caught at non-border locations. It sets out that such refugees must be held at the place of capture and returned to their camp of origin. In our research it was reported that irregular movers who are caught at checkpoints, like on the bridge over the Tekeze river, by police and local militias are detained until a background check is completed, including reporting to ARRA, and then sent back to the camps through police organized vehicles.

Once in Sudan, some Eritrean refugees choose to stay and work in Khartoum, making enough money to fund their onward journeys to Europe. Dangers faced en route in Sudan vary but generally include some combination of kidnapping by bandits or the Rashaida for ransom by torture or sale to the Bedouin and then torture for ransom by the Bedouin^[83]. Deportees to Mai-Aini and Adi Harush refugee camps from the Sinai have previously reported the following types of traumatic experiences or torture: rape, including rape of men; being whipped with chains; being burned by a hot poker; suspension in the “helicopter” position (hands tied behind the back); women being suspended by their hair; confinement in a one meter by one meter underground cell with no light; long-term outdoor exposure to heat (daytime) and cold (nighttime); beating of the soles of the foot; simulated drowning (waterboarding); restriction of breathing by placing a plastic bag over the head; being tied down and having sugar water poured on the body to attract flies; being kidnapped and threatened with organ removal for resale; various types of torture while being trafficked through Sudan and Egypt; and beatings^[84]. Some are taken to Khartoum where they endure severe abuses and are subject to forced labor or transferred to other countries for similar purposes^[85].

[80] A Directive for Refugees who leave the camp for different reasons, issued by the National Intelligence and Security Service Administration for Refugee and Returnee Affairs, 07/11/2007 (Ethiopian calendar) (Unpublished) [ARRA Directive]. The document was translated from Amharic to English.

[81] ARRA Directive, *supra* at note 82. Note that some interviewees indicated that ARRA used to do something similar to this in 2011 as well, requiring payment of approximately 400 ETB (\$20 USD) for fuel costs.

[82] Reportedly, in the past, busloads of refugees heading towards the border have been turned around in the same vehicle that they have arrived in and sent back to their camp of origin.

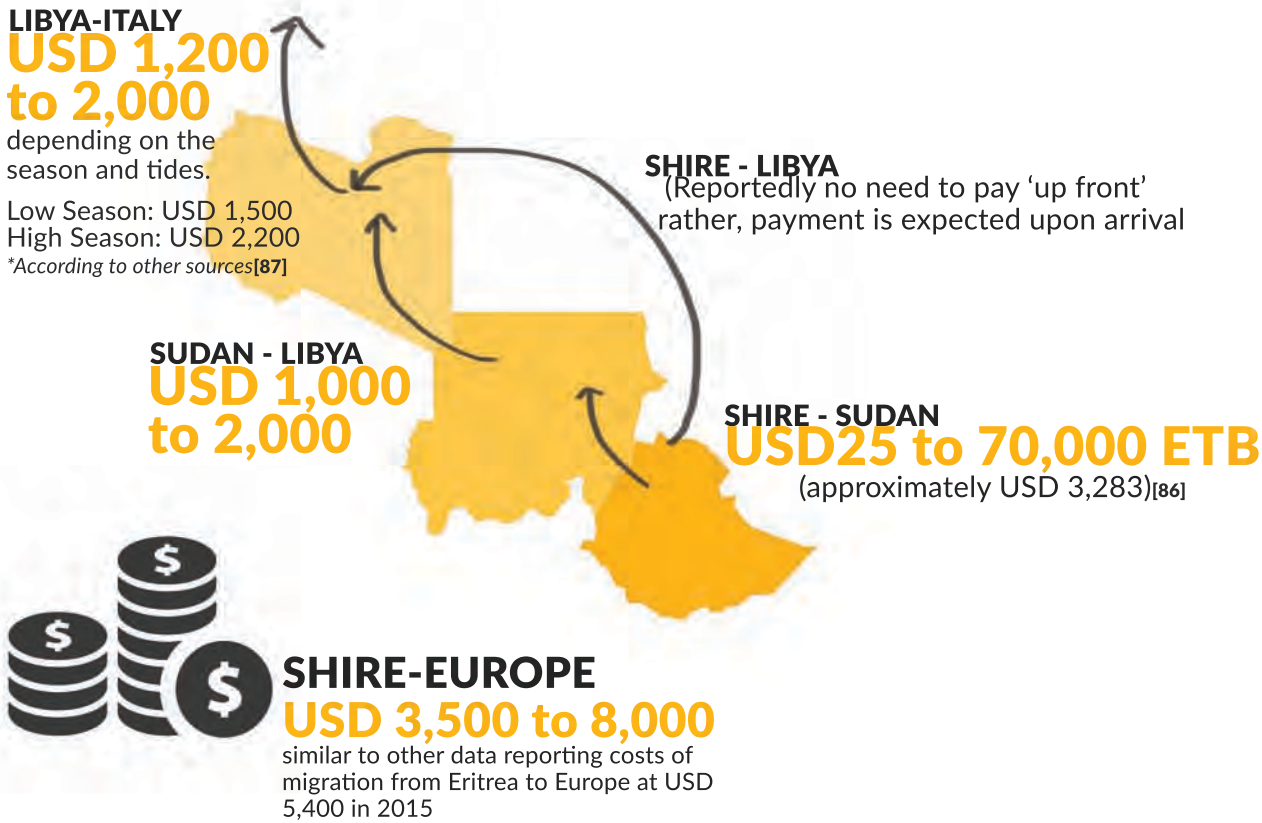
[83] The Rashaida ethnic group are a nomadic tribe present in northeast Sudan and Eritrea and the Bedouin are a semi-nomadic group who, among other places, is present in the Sinai desert of Egypt.

[84] Centre for Victims of Trauma – Ethiopia, Information pamphlet (unpublished updated August 26, 2015).

[85] U.S. TIP Report 2015, *supra* at note 29.

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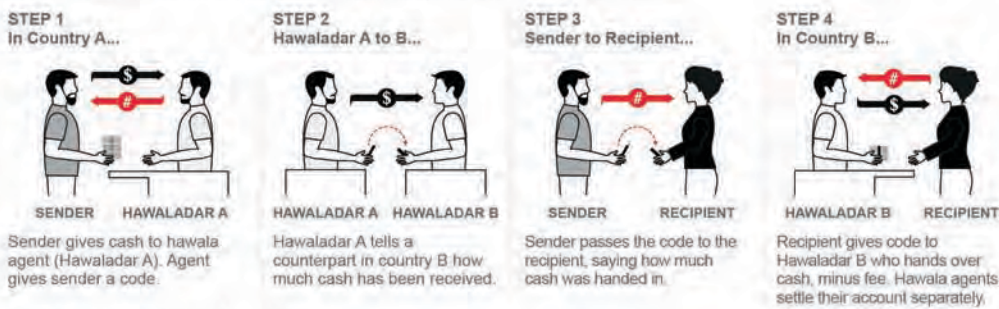
Costs seem to be extremely changeable for a variety of reasons including kidnapping and ransom (estimated at around 40,000 USD for kidnapping in the Sinai) as well as costs like smuggler “transition” fees (between 100-250 USD) when the refugee is transferred from one smuggling network to another. Moreover, the exact means of transit may vary depending upon the agreement with the particular smuggler, e.g. one person may only have agreed to pay to Sudan and then be transferred to another network for the rest of their journey, whereas some may have agreed to pay for their journeys all the way from the Shire camps to Libya. The following is some general information obtained from interviews as well as secondary sources.



Hawala is the primary means of payment to smugglers and traffickers for those transiting through Khartoum. Hawala is a legal method of payment that depends on close personal relationships and does not involve signed contracts or ledgers.

FIGURE 3. How Hawala works

Hawala is a legal but informal means of transferring money across the globe.



[86] With respect to the 25 USD, although not confirmed that this was the direct means of transport, it is common knowledge that in 2011, ARRA was providing low cost transport for refugees to the border.

[87] Reuters Behind the Refugee Crisis, supra at note 38.

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Reportedly, the *hawala* agents are based in Khartoum where money transfers are then arranged to the Somaliland border town of Tug Wajaale^[88]. From there money is cashed out to finance the transportation network feeding across Ethiopia into Sudan.

Although many Eritreans continue to irregularly migrate through Sudan to Libya to the Mediterranean, given more recent concerns about the Islamic State and the dangers to be faced on the Libyan route, there are some reports that Eritrean and other refugees have begun to move through Sudan (Khartoum), to Libya then to the Western part of Egypt and across the Mediterranean at Alexandria, Egypt. Others continue into Jordan and across the waters to Turkey and Greece^[89]. As the route is new, costs are still relatively unknown.

Qualitative data gathering also indicates that some refugees also move from Shire to Juba, South Sudan through the Beninshangul-Gumuz region and also through the Gambella region, although these routes do not appear to be as popular as the one through Metema and Humera towns. Through Beninshangul-Gumuz region refugee migrants, pass through Kurmuk, Gizen, Tongo and Abramo border towns. UNHCR statistics indicate that in the first four months of 2015, 122 males, aged 30-50 were returned to Shire from Assosa town prison (Beninshangul-Gumuz region) after having been caught attempting to irregularly migrate to Juba, South Sudan. Their average length of stay in the camps before attempting to move onwards again was 3 to 6 months and all those interviewed by UNHCR had been detained for a period of 3 to 8 months in Assosa before being sent back to the Shire camps. One refugee reported that he was apprehended by authorities in Gambella and then imprisoned for six months in Shire before being sent to Hitsats camp. From the Shire camps to Assosa town (by bus) and then through Abramo, Ethiopia to Yabus, South Sudan, the cost was cited as 10,000 ETB (~ 500 USD) and no cost estimates were obtained for the route through Gambella.

Interviews revealed that the horrific dangers of trafficking, kidnapping and other abuses found on the Sudanese route appear to be absent on the way through South Sudan. Upon arrival in Juba, it is reported that many Eritreans stay to work given the large presence of an Eritrean diaspora business community. Other reports also indicate that many Eritreans move to Juba willingly with the promise of legitimate work in hotels, restaurants or construction sites, but are often forced to work for little to no pay or are trafficked for sexual purposes^[90]. From Juba, some are purchasing false travel documents and flying to Istanbul, Turkey, where they continue their journey into Europe. Others reportedly travel via land through Sudan and again on to Libya and along the Central Mediterranean Route. Still others reportedly continue on to Uganda.



©UNHCR

[88] Trafficking and Smuggling on the HoA, supra at note 37.

[89] Supported by Stuck in Transit, supra at note 78. Also see Trafficking and Smuggling on the HOA, supra at note 37.

[90] E.S. TIP Report 2015, supra at note 29.

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Eastern route

From the Shire camps, a few Eritrean refugees are also reported to go by foot to Logia, Afar region, across to Djibouti, over the Red Sea to Yemen and further by foot to Israel or Saudi Arabia. Along the route through Djibouti, refugees and migrants have reported witnessing or being victims to a number of crimes including physical and sexual abuse, robbery, interception and detention. There is a shortage of food and water in Obock, Djibouti – the port where migrants typically depart across the Red Sea – and many resort to begging and working in menial labor jobs to pay for the journey to Yemen. The boat ride across the Gulf of Yemen is treacherous, with 95 deaths recorded in sea crossings to Yemen in 2015^[91]. Reported risks upon arrival to Yemen include capture by bandits who torture, starve and severely beat irregular migrants for ransom in the amount of approximately 2,000 USD. From the Shire camps to Yemen the cost has been estimated as 100 USD to get to Djibouti and another 100-150 USD to go across the sea by boat^[92]. From the Shire camps to Saudi Arabia via Yemen, one interviewee indicated that he previously paid 2,000 USD.



VI. Regular migration

Profile of Shire Camps eritrean refugees who indicated an intention to move onwards through regular channels

Almost one-third (29 percent) of Eritrean refugees surveyed in the Shire camps indicated that they intend or would prefer to move onwards from Ethiopia through regular channels. This group is young with almost half (45 percent) between the ages of 16 and 25. The majority are male (60 percent) and single (55 percent). There is a fairly equal distribution in terms of length of time in the camps, with 39 percent having been in the camps for four years or more and another 40 percent under two years. This group is relatively well educated with 73 percent having a grade seven education or higher. More than one-tenth (11 percent) have left Ethiopia in the past and returned and about one-third have family in the camps (33 percent). Amongst the camps, the majority of the survey respondents in Shimelba camp intend to migrate regularly (58 percent) in contrast to Hitsats camp where only 8 percent intend to do so.

Main reasons for intending to move onward through regular channels

Life opportunities as a category figured prominently in the motivation of this group to engage in regular migration, although the emphasis was significantly different than for those who intend to migrate irregularly. While the majority of refugees who intend to irregularly migrate are solely driven by lack of employment, this group are also significantly motivated by the lack of opportunities in the host community and by inadequate educational opportunities. Specifically, the majority of those refugees who intend to migrate regularly do so because of lack of employment (56 percent) and lack of opportunity for oneself and one's family in the host community (54 percent). Almost one quarter (24 percent) also cited insufficient or inadequate educational opportunities as a motivating factor.

Refugees intending to seek regular migratory pathways are also slightly more motivated to move because of protection concerns than the other surveyed groups. Concerns raised include difficulties/feelings of insecurity from other refugees (six percent), fear of sexual exploitation particularly early forced marriage (four percent), and lack of welcome/difficulties with host community (four percent).

[91] Regional Mixed Migration Secretariat, Monthly Summary December 2015, http://www.regionalmms.org/fileadmin/content/monthly%20summaries/RMMS_Monthly_Summary_December_2015.pdf (2015) [RMMS Monthly Summary December 2015].

[92] Ibid.

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Family reunification is an important factor motivating regular migration. Qualitative data gathering indicates that many refugees in the camps, including children, come to Ethiopia to await family sponsorship and have had their journeys, starting from Eritrea, planned by family overseas. Others come to Ethiopia in hopes that their family, who have already successfully moved, will sponsor them. Most refugees who are waiting to move onwards regularly have to go to Addis Ababa, either through regular or irregular channels, to obtain their official travel documents. Registered refugees are not the only Eritreans awaiting family reunification as there are also reportedly some Eritreans in Addis Ababa, who have been smuggled from Eritrea through Sudan, across to Metema and directly to Addis Ababa. These individuals await family reunification in third countries and never claim asylum in Ethiopia.

19 percent of those wishing to migrate regularly are also motivated by their inability to communicate with family and friends in Eritrea. Other peer and family pressures did not seem to have much importance; only four percent influenced by refugees who plan to move, four percent by those who have already gone ahead, four percent receiving verbal encouragement from diaspora to move and only two percent influenced by the known or perceived success of those who have already moved.

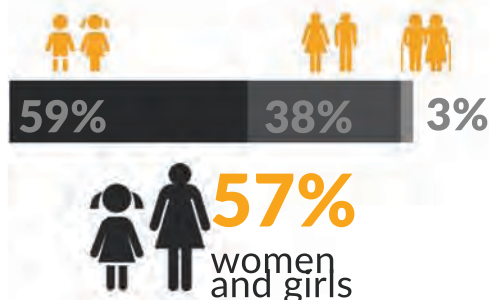
Some refugees wait in the camps in hopes of resettlement. This group is comprised of those who do not have the finances to undertake irregular migration, those who are fearful of the dangers of such a journey and those who recognize that finding work in Europe is not easy. Victims of trafficking, who previously failed at irregular migration, specifically noted that they no longer have the money nor the physical health to undertake the journey. One UASC specifically indicated a desire to wait for resettlement so as not to be a financial burden upon his already impoverished family in Eritrea.

A few interviewees were also applying for educational scholarship opportunities overseas rather than taking the risks of irregular migration.

Afar Camps Afar Region

I. Profile of the population and reasons for flight from Eritrea

There are two refugee camps, Barahle (established 2010) and Aysaita (established 2010), in the Afar region hosting 20,575 refugees of Eritrean nationality and mostly of Afar ethnicity and pastoralist background. The average household size is about 4.4. Some 68% of the Afari refugees are children, while about 57% are women and girls.



Research was only undertaken in Barahle and Aysaita camps. However, it should be noted that due to a number of factors, including the Afari's strong clan ties and structure across national boundaries, many of the refugees are also based in host communities with approximately 17,086 refugees living in Erebti, Dalool and Ayne-Deeb towns. In June 2012, the Government of Ethiopia decided to relocate refugees and asylum seekers in the Afar Region living within the host communities near the border areas, to the camps. While the relocation began in late 2012, owing to a lack of adequate services in the camps and general lack of willingness to move by refugees, the majority remained with the host community.

The Afari Eritrean refugees generally come from the Red Sea area of Eritrea.



Figure 4. Camps in Afar Region. Source: UNHCR

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While many Afaris fled Eritrea claiming similar reasons as other Eritreans, e.g. forced military conscription, being orphaned by the Eritrean regime, being mistrusted by the government for having lived in Ethiopia, lack of peace in Eritrea, and arbitrary detention and restrictions on freedom of movement, others indicate they fled because of suspicion by the Eritrean government that they there were involved in rebel groups and many claim oppression by the Eritrean government of the Afari people and their culture.

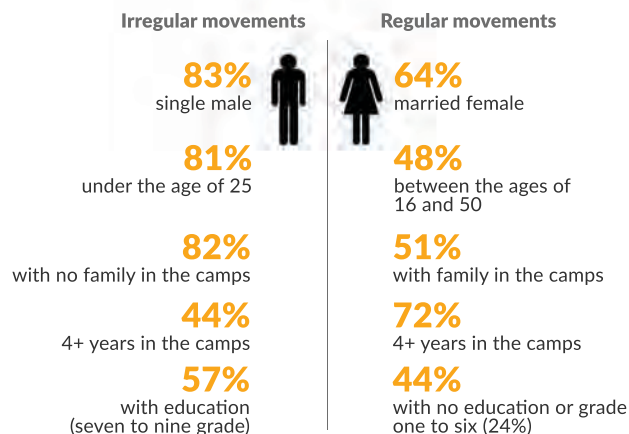
A major challenge for the Eritrean-Afar refugees is the severe drought that affects the regional state hosting them. Basic services implemented in other regions, such as WASH facilities or shelter, are unsuitable for the harsh environment.

II. Onward movements from Afar camps

According to survey data, Eritrean Afar refugees are extremely unlikely to irregularly migrate, with only one percent of respondents indicating an intention to do so. Many Afaris interviewed demonstrated no knowledge of irregular onward migration to third countries. To the extent that it is known, interviews confirmed that the majority of refugees are tied to their families and would not consider such journeys. The majority of the Afari Eritrean refugees surveyed indicated a desire to migrate through regular channels (62 percent).

Life opportunities as a category is a very important factor motivating the Eritrean Afari refugees to move onwards, both regularly and irregularly.

Lack of employment, lack of opportunity for oneself and one's family in the host community and inadequate or insufficient education were all cited as motivating factors by the vast majority (greater than 80 percent) of those intending to migrate through regular and irregular channels. It is worthwhile noting that the lack of life opportunities as a motivating factor feature even more prominently amongst Afaris than amongst the refugees in the Shire and Jijiga area camps.



"How are we supposed to survive and help ourselves if we are not able to work? Refugees do not have rights. We cannot even get work in the community. People spend years on education and it has no income yield in the end."

Barahle camp, male aged 39 who plans to resettle in Canada

Protection issues were raised significantly amongst refugees who declared an intention to irregularly migrate. Specifically, fear of sexual exploitation particularly early forced marriage and problems and difficulties with other refugees and the host community were highlighted. These concerns may arise because of the high rates of FGM and early marriage in the Afar region and potential conflict over resources caused by El Nino related weather phenomenon. Other factors reportedly motivating irregular migration include the scarcity of firewood and inadequate food rations. It was also noted that insufficient opportunities and knowledge of resettlement does drive some to seek irregular migration. In addition, as compared to the general Afari refugee population, those who intend to irregularly migrate had more diaspora connections, 43 percent having family connections in third countries and 21 percent having friend connections.

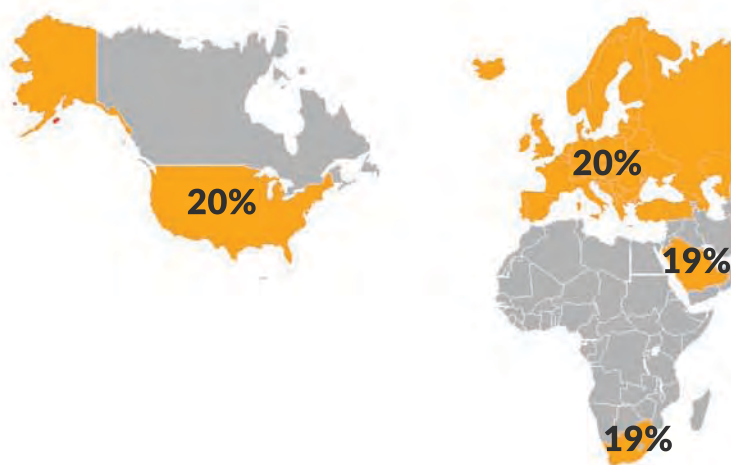
Inability to communicate with family and friends in Eritrea was a motivating factor for regular migration for 41 percent of the survey respondents, related to the fact that it is not possible to call Eritrean phone numbers directly from Ethiopia. Direct and indirect family and peer pressure also appears to play an important role in influencing the intention to move through regular channels. Almost half (45 percent) of respondents stated that they are influenced by those refugees that have already moved onwards, 44 percent influenced by those refugees who plan to move onwards, 34 percent who have been verbally encouraged by diaspora to migrate, seven percent who have been offered financial support to do so and 29 percent who wish to regularly migrate because of the known or perceived success of those who have already done so.

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Other reasons gathered through qualitative interviews for wanting to migrate through regular channels included lack of information on how to organize irregular migratory journeys; lack of diaspora connections; lack of finances; fear of deportation back to Eritrea; desire to ensure family is taken care of; and fear of risks associated with irregular migration. The lack of diaspora connections is corroborated in the survey results with 10 percent indicating they had family in third countries and 13 percent with friends in third countries.

In terms of preferred destinations and costs, the small number of refugees who declared the intention to irregularly migrate indicated Europe, North America, Saudi Arabia and South Africa as destinations. Estimated costs for the journey varied from 169 to 1171 USD.

Desired countries



Expected costs



III. Knowledge of risks and alternatives to irregular migration

For the few Eritrean Afari refugees who intend to migrate irregularly, the majority (57 percent) did not know of any risks. Of the known risks, rejection at the border by officials was the most commonly cited (20 percent). Amongst those who know about irregular migration at all, qualitative interviewees noted risks like drowning, detention death, torture, kidney removal, kidnapping by the Islamic State, slavery, ransom and deportation.

Fifty-eight percent of Afari refugee respondents were aware of legal alternatives to migration. Specifically, 20 percent knew of legal migration and resettlement and eight percent knew of the OCP but only three percent had any awareness of educational opportunities outside the camps. In qualitative data gathering it was confirmed that many refugees in the camps are not aware of resettlement as an option and, for those that do, the particulars of resettlement are not well understood.



SOMALI REFUGEES

Figure 5. Jijiga Camps.
Source: UNHCR



Jijiga Camps Somali Refugees

In Somalia, armed conflict, clan violence, widespread human rights violations, political instability and insecurity, cyclical climatic impacts and low levels of basic development indicators persist. This is exacerbated by high malnutrition rates, extensive food insecurity, vulnerable livelihoods, poor health infrastructure, recurrent disease outbreaks and lack of clean and safe water, poor provision of basic services, including education and pervasive protection violations.

In Ethiopia, Somalis from Central and Southern Somalia are recognized prima facie as refugees, while Somalis coming from other regions undergo Refugee Status Determination (RSD) procedures. Somalis represent the second largest group of refugees in Ethiopia, living across refugee camps in Jijiga and Dollo Ado areas, as well as in Addis Ababa. As of May 31, 2016 there were 251,537 Somali refugees in Ethiopia, living in a protracted asylum situation with limited prospects for durable solutions. The study with Somali refugees was conducted in two of the Jijiga area camps, in the Somali region.

I. Profile of the population and reasons for flight from Somalia

As of May 31, 2016 there were 36,918 Somali refugees in three refugee camps in Jijiga, in the Somali region – Kebribeyah (opened 1991), Aw-barre (opened 2007) and Sheder (opened 2008). Over half the overall population (59%) is under the age of 18 and 10 percent of these are UASC. Research activities were only undertaken in the newer Aw-barre and Sheder camps.

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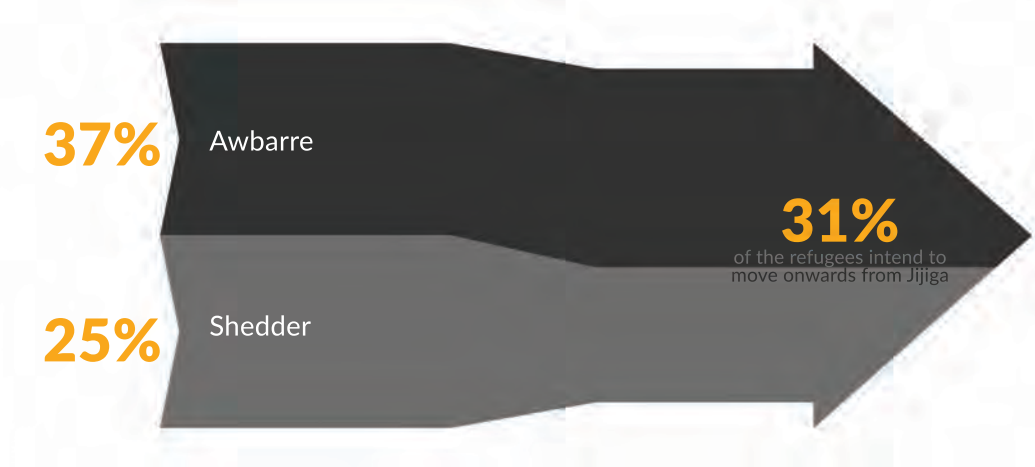
The majority of refugees in the Jijiga area camps come from Mogadishu, Belet Weyne, South Central Somalia and Hargeisa and arrived between 2007 and 2009. Since 2009, while the population of the camps has been relatively stable, the Jijiga area camps have no separate reception arrangements and screening centre for asylum seekers. As such, one of the main protection concerns in the Jijiga area camps is the absence of registration opportunities for new asylum seekers resulting in the majority of new arrivals remaining unregistered. These individuals do not have a formal legal status in Ethiopia and have no access to refugee assistance. This, in turn, hinders early identification of and effective response to protection concerns.

Qualitative interviews reveal that refugees were fleeing terrifying violence, at times targeted at minority groups, and forced conscription of youth into terrorist groups. Many caught any available transport to arrive to the Ethiopian border.

“It was a harsh civil war and everyone was being killed”

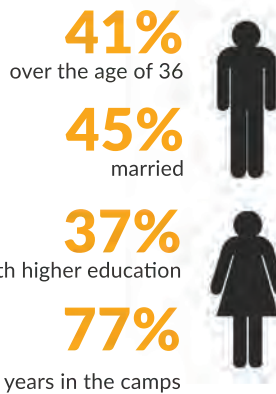
Aw-barre camp, young male

II. Irregular onward movements from Jijiga camps

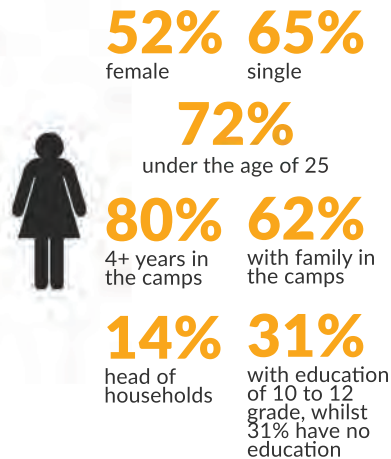


Profile of Jijiga camp Somali refugees who indicated an intention to move onwards irregularly

Profile of Somali refugees who are undecided about irregular movements



Profile of Somali refugees who intend to move onwards



31%
of the Somali refugees intend to move onwards

13%
of the Somali refugees are undecided about irregular movements

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Data analysis shows that female refugees intending to move onwards are generally less educated (45 percent with no education) than their male counterparts (16 percent with no education), are more likely to be between the ages of 19 to 25 and are more likely to be married.

The community view is that the majority of those who irregularly migrate are between the ages of 15 and 25, the age group targeted specifically by smugglers, and a mix of both genders. However, FGDs also indicated a perception that the majority of persons irregularly migrating are teenagers, a finding that was not substantiated in our survey results where only 35 percent of those irregularly migrating onwards were between 16 and 18 years of age. However, it should be emphasized again that the survey did not include those under the age of 16.

Main reasons for moving onwards irregularly



Lack of opportunities and hopelessness

“People leave because they have nothing to do and nothing to look forward to. Death does not look so bad when you’re hopeless.”

FGD Young Men, Aw-barre Camp

In Jijiga area camps, a sense of hopelessness and the lack of anything to do is driving onward migration. Specifically, more than half (57 percent) of those who intend to migrate irregularly cited lack of employment as a major motivating factor. This was raised consistently in qualitative data gathering as well, where interviewees also noted that those who had found work in Jijiga town, as engineers, were not engaging in irregular migration and that more employment opportunities would stem irregular migration.

Another 15 percent of survey respondents indicated a lack of opportunity for oneself and one’s family in the host community as motivating their irregular migration. In qualitative data gathering, a lack of opportunity for those who have finished school, and a lack of support for young men in particular, was specifically mentioned as a motivating factor by school graduates who now have nothing to look forward to and nothing to lose. Lack of entertainment activities and activities to keep the youth “busy” was also mentioned.

Approximately one third (29 percent) of refugee respondents who wanted to migrate irregularly stated that insufficient or inadequate education was a push factor, a factor which was confirmed in qualitative interviews. Primary and secondary schools are available in both Aw-barre and Sheder camps, however, it was reported in qualitative discussions that difficulty in recruiting secondary school teachers that speak the Somali language has created an inability to pass exams for many students and is driving onward migration. As per the Ethiopian curriculum, secondary school education is in English but given that most students do not have high levels of English language ability, in a typical Ethiopian classroom, the teacher first explains the concepts in the local language of the students. As the teachers in the Jijiga camps reportedly only speak Amharic, they are not able to explain concepts in the local Somali language of the refugees, and given the low level of English amongst the Somali refugee population, this leads to difficulties in proper educational instruction.

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Camp leaders were also critical about post-secondary opportunities indicating that there are limited education opportunities beyond high school and, even though 45 youth from Aw-barre camp obtained a post-secondary scholarship to study in Ethiopia, almost half have reportedly irregularly migrated out of the country and the rest “have mental illness” from their inability to utilize their educational training. Of the youth who were aware that scholarship opportunities for tertiary education exist, they felt that there is insufficient financial support for them to provide for living expenses while they undertake their studies outside the camps.

Family and friend considerations including the role of the diaspora

The vast majority (79 percent) of those who intend to move irregularly from the camps indicated that some form of family and friend consideration was influencing their decision to move onwards.

Communication with family and friends in Somalia

While there are no restrictions with respect to phone communication to Somalia from Ethiopia, and indeed Somalia reportedly has excellent network coverage, 22 percent of Somali refugee survey respondents who intend to migrate irregularly indicated this as a motivating factor. The reason for this is unknown and qualitative data-gathering did not provide any explanation.

Family reunification, direct and indirect family peer pressure

Survey results indicate that direct and indirect family and peer pressure play a significant role in motivating irregular migration. Almost half of those who intend to migrate irregularly are influenced by other refugees who plan to move onwards (49 percent) and those who have already moved onwards (48 percent). Over one-third (37 percent) are also influenced by the known or perceived success of those who have already moved onwards and almost a third are motivated by their family situation (30 percent). While “family situation” is not defined, it can presumably be interpreted as a catch all for any family related pressures, direct or indirect, that are motivating irregular migration.

These results were extensively confirmed in qualitative data gathering where it was clear that the success of those who have migrated irregularly, as well as those who were resettled abroad, act as a pull factor for those left behind in the camps, particularly for the youth. “Glamorous” pictures posted on Facebook by those who have migrated (irregularly or regularly) abroad create an image of life in Europe that is a pull factor for those left behind in the camps. Despite the reality that life as a refugee in Europe has numerous challenges, many similar to those found in refugee camps in Ethiopia, those who make it feel pressured to “sugarcoat” the stories they send home or to those already in transit to Europe as they feel that there are no alternatives^[93].

“They ask us what we are still doing here. It’s difficult seeing someone, who was in the camp just a month ago, having a transformed life, completely different to yours.”

Aw-barre Camp, male age 25

[93] Stuck in Transit, supra at note 78.

In contrast, it is interesting to note that the pull to Europe primarily affects the youth and that Somali parents, particularly mothers, are reported to strongly discourage irregular onward migration to the extent that there are reports of mothers making extensive efforts to trace and retrieve their children from smugglers before they have left the Ethiopian borders.

Diaspora

With respect specifically to the role of the diaspora, sixteen percent of potential irregular migrators had family connections overseas and 76 percent had friends overseas. The majority (71 percent) communicate via mobile phone applications, the most popular being Facebook (52 percent), Whatsapp (23 percent), Viber (14 percent), email (seven percent). A small number also communicate using a phone landline (9 percent) and via computer (five percent).

It is clear that it is not merely the existence of diaspora connections that is important in influencing irregular migration but also their level of support, financial and otherwise, is determinative. In terms of finance and support, survey results show that 69 percent of potential irregular migrants were being encouraged by their diasporic connections to migrate out of Ethiopia. In contrast, of those who intend to migrate through regular channels, only 27 percent have diaspora contacts encouraging them to migrate and of those staying in Ethiopia only 21 percent have diaspora connections encouraging them to move and none of this group were offered support to do so. In response to specific questions about financing irregular migratory journeys, eight percent of potential irregular migrators indicated family and friends in Somalia were supporting their journeys, seven percent indicated family abroad were supporting their journeys and 15 percent that friends abroad were supporting their journeys. Focus group discussions and literature reviews confirmed that some Somali refugees draw upon diasporic connections around the world to pay for the costs of irregular migration and facilitate the route, providing information on safe routes and means of passage, to gain information on how to contact smugglers and providing recommendations on good and blacklisted smugglers^[94].

Based on survey data, there appears to be gender differences with respect to the role of diaspora in supporting irregular migration. Female Somali refugees are less likely to be encouraged by family and friends abroad to irregularly migrate (74 percent of males vs. 65 percent of females) but where they are encouraged to leave, the diaspora appear to be more willing to support their migration (11 percent of males vs. 32 percent of females). This preference to encourage males to irregularly migrate is supported in other survey results which indicate that women are more likely to hire smugglers for their journeys (15 percent of men vs. 20 percent of women) and more likely to be organizing the irregular migration themselves (27 percent of men vs. 48 percent of women), whereas men are more likely to have friends organizing their journeys (42 percent of men vs. 21 percent of women).

©UNHCR



[94] EC Study on smuggling of migrants, 2015, supra at note 15.



Protection gaps and issues

One-tenth of individuals who indicated a desire to migrate irregularly raised fear of sexual exploitation, particularly early forced marriage as a motivating factor. Problems with and feelings of insecurity with other refugees was raised by 11 percent of respondents and 6 percent raised lack of welcome and/or difficulties with the host community as a factor. Women were more likely to raise the issue of fear of sexual exploitation than men, whereas men were more likely to raise the issue of problems with and feelings of insecurity with other refugees than women.

It was not possible in the context of this study to determine the exact nature of the fear of sexual exploitation, however, qualitative data collection indicates that women must travel long distances to collect firewood which is subjecting them to possible sexual violence and that FGM and early childhood marriage are still prevalent in the camps.

Qualitative interviews indicate that difficulties with and feelings of insecurity from other refugees may arise from discrimination against Somali ethnic Bantu's in the schools, conflict arising amongst refugee because of limited supply of water at water points and household robberies that were common in the camps prior to the installation of doors on the shelters. Previous research has found that in this region, there is a high degree of homogeneity in terms of religion, language and culture between the refugee and local Ethiopian Somali clan composition; aiding in the acceptance by the local community of the refugees^[95] perhaps explaining the lower levels of concern raised with respect to difficulties with the host community.

Other motivating factors

While not included in the survey, qualitative data gathering found that the small, unappetizing and culturally inappropriate food ration is motivating irregular migration. One factor to consider in this regard is reportedly the large number of people who are still unregistered or have been registered by ARRA as asylum seekers but who have not been given food ration cards, resulting in their reliance upon existing family members in the camp for food.

The vast majority (80 percent) of those who indicate a desire to irregularly migrate have been in the camps for more than four years (and in individual interviews most had been here for 9 years). While there is a regular weekly individual reception for resettlement process update and a monthly meeting with the Refugee Central Committee (RCC)^[96] to discuss the general resettlement policy and related matters, interviews and focus group discussions indicate that despair at never being resettled, at the lengthy resettlement process, or fear/realization of being rejected for resettlement after the interview, were commonly cited as reasons for irregular migration. Some of the despair has particularly been attributed to a misunderstanding amongst refugees that all refugees in Aw-barre camp would be resettled by 2015.

[95] Women's Refugee Commission, "In Search of Safety and Solutions: Somali refugee adolescent girls at Sheder and Aw-barre camps, Ethiopia" (August 2012) available at: http://reliefweb.int/sites/reliefweb.int/files/resources/in_search_of_safety_and_solutions_ethiopia_2012-1percent5B1percent5D.pdf [Safety and Solutions Somali refugees]

[96] The RCC is composed of refugees chosen to represent the interests of broader group.

In the past 6 months, only 4 families were resettled. If you cannot get resettled, you cannot go back to Somalia where you'll be killed for being a 'spy' (if you return from Ethiopia) and you cannot live here, what's your choice?

FGD Young Men, Aw-barre camp

"Resettlement takes 2 to 3 years, in a week, a person can get to Europe!"

Aw-barre camp, widowed male

Risks to irregular migration: awareness and perceptions of the risks and sources of information

Many Somalis are aware of the specific risks that may arise with irregular migration. The most commonly cited risks in the survey were rejection at the border (75 percent), torture (54 percent), sexual abuse (44 percent), slavery (42 percent), drowning (42 percent), ransom (41 percent), detention and prosecution (39 percent), organ removal (34 percent), forced labour (34 percent), physical abuse (34 percent), kidnapping (33 percent) and robbery (26 percent). Document seizure (nine percent) and hunger and thirst (four percent) were also mentioned. Other risks mentioned in qualitative data gathering include killing or coerced drafting by the Islamic State, wild animal attacks, car accidents, forced marriage to smugglers and being fed food cooked in motor oil.

Notably almost one fifth of respondents were not aware of any risks at all (19 percent) and perhaps not surprisingly, women were more aware of the risk of sexual abuse (65 percent) as compared to men (20 percent).

Knowledge of risks affects refugees differently. While some are deterred from irregular migration because of the risks, many are not because of the perception that the benefits of irregular migration outweigh any risks.

"If you make it, it's worth it. It depends on whether you die."

Aw-barre camp, young man

Others indicated that they are deterred by the risks of irregular migration and prefer to stay in the camps and await resettlement or other opportunities.

Respondents' knowledge of the risks of irregular migration came primarily from news reports (61 percent). Also significantly, 31 percent learned about risks through camp workers, 29 percent from family and friends, 26 percent from other refugees and 24 percent from ARRA/IOM and/or UNHCR. Other sources noted were previous personal experience (nine percent), diaspora (seven percent) and previous experience of others (two percent). Interestingly, men are more likely to learn of risks through camp workers (40 percent) than women (23 percent).

Knowledge of alternatives to irregular migration

Forty-four percent of Somali refugees in Jijiga camps were aware of legal alternatives to living in the camps. Specifically, 31 percent were aware of legal migration options and resettlement and 15 percent are aware of educational opportunities outside of the camps. Qualitative interviews indicate that although the general knowledge of educational opportunities are low, the camp leadership is very aware of scholarship opportunities.

Role of smugglers

The Jijiga area smugglers are reportedly part of a larger network that operates from Jijiga to Addis Ababa, Sudan and beyond. In Jijiga itself, the smugglers are reportedly Ethiopian Somalis or Sudanese who are “contracted employees” in the chain, but the main decision making authority lies generally with the Sudanese portion of the network that operates beyond the Ethiopian border. While our qualitative data gathering indicates that the Somali and Eritrean refugee smuggling networks operate using the same personnel and routes, secondary sources drawing on Government of Ethiopia information indicate that in fact the Eritrean refugee and Somali refugee smuggling networks operate in parallel^[97].

According to the refugee youth, the smugglers (‘magafe’ in the Somali language) operate directly in the camps and in Jijiga town. They are reportedly easy to find and prey particularly on the youth with family in the camps and abroad, knowing that their families will pay any amount to secure their safety. Others indicate that the smugglers use hired intermediaries to identify potential clients and generally operate by phone, not dealing face to face with potential irregular migrants anymore. They report that their identities are generally unknown by anyone, even those who have successfully moved onwards to Europe. This points to a trend that the smugglers are targeting youth who guard their identity carefully.

“We never get to see the magafe (smugglers). We don’t know if they are Somali or of any other origin. They are contacted quietly and our children follow quietly.”

FGD, Elder Women Sheder camp

Like the potential Eritrean irregular migrants from the Shire camps, the youth who intend to migrate irregularly do not tell anyone of their plans and reports are that the families only learn about their movements when they receive phone calls demanding money.

Thirty-eight percent of Somali refugee respondents in Jijiga intend to self-organize their irregular migration. Almost a third (31 percent) will have their friends organize, 18 percent will use a smuggler and 11 percent have family organizers. The low numbers of individuals who acknowledge utilizing smugglers may be attributed to the sensitivity of the subject matter or perhaps respondents understood the question as a reference to the overall organizer of the journey, including the finding and retaining smugglers.

In Jijiga camps, parents, and mothers in particular, view the smugglers negatively as criminals who lure away and “colonize the minds” of their children. This is in contrast to the perception amongst the youth that although smugglers are “evil”, they will still use them as “they are the only ones available to help refugees.” The smuggling network is also reportedly heavily utilized by the host Ethiopian community as well, with some noting that the impact on the host community families is particularly severe, e.g. with demands of ransom requiring the sale of all land and possessions.

Hitsats camp/ ©DRC

[97] Trafficking and Smuggling on the HoA, supra at note 37.

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Destinations

Europe is generally considered to be the best destination for Somali refugees who wish to migrate irregularly because of ease of access and convenience to get there, as well as quality of life (74 percent), opportunities for finding work (60 percent) and safety (23 percent). Specific destination countries seem to depend upon where the diasporic connections are the strongest as well as understandings of the asylum process. One interviewee noted a strong preference for Germany amongst the refugee migrant community because of perceptions that obtaining refugee status there is faster than in other European countries.



ITALY
10%



GERMANY
8%



SWITZERLAND
6%



DENMARK
4%

Routes, costs and protection issues

“If they see you’re not from the town, they approach you in Jijiga and offer to take you abroad. That’s how I agreed and they took me to Addis on a truck that was transporting khat. We only travelled at night and slept during the day. In Addis, they collected our cell phones so we did not communicate with anyone.”

FGD, Young Men Aw-barre camp

Northern route

On the Northern Route toward Europe, Somali refugees reportedly leave the camps and transit first through Jijiga town, then through Harar and Debre Zeit towns and finally to Addis Ababa where they wait for a “sufficient” number of irregular migrants to gather. These individuals, like Eritrean refugees from the Shire camps, then travel through Metema and Humera on to Sudan. Those who are caught by authorities are reportedly detained until sent back to their camp or in the case of children, sent back to the camp immediately.

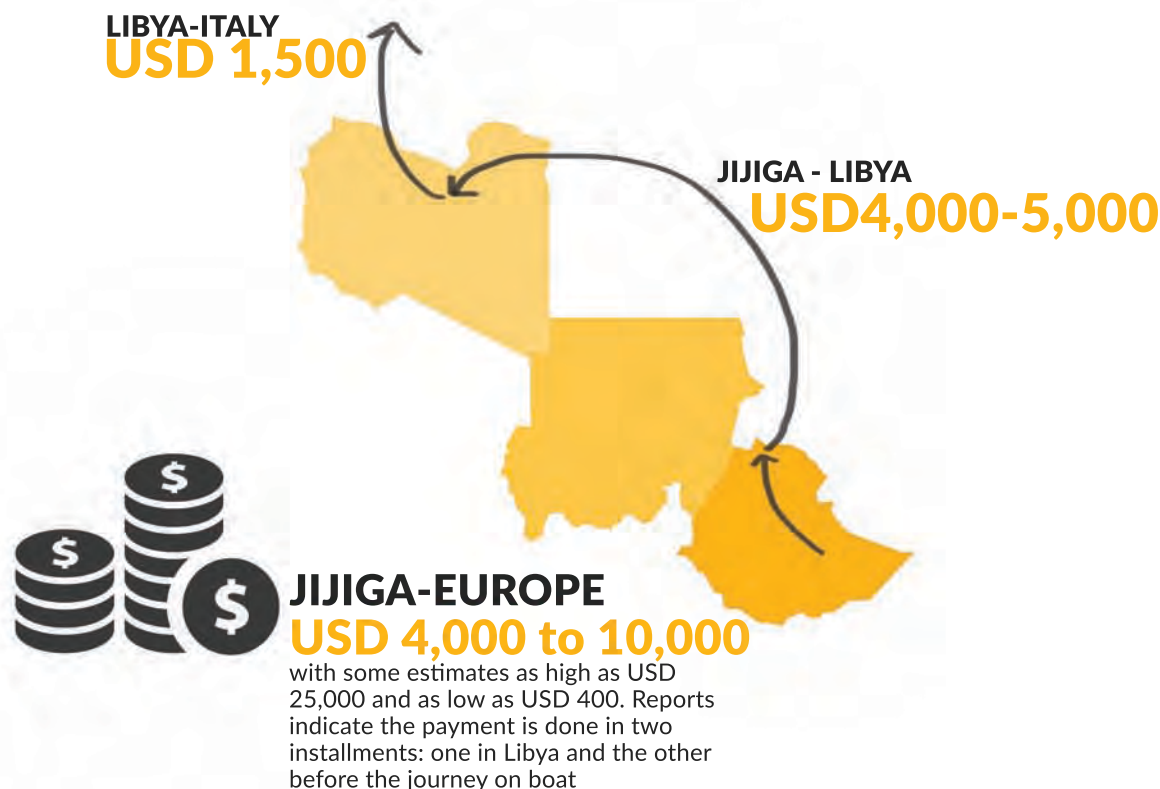
“We were stuffed in a Coaster Bus. They used old, small and outdated Nokia phones to communicate. Travel is only done at night and people stay and rest in hotels during the day. We had travelled for 2 nights and on the last night, one of the refugee passengers tried to escape and was reported by locals who saw the incident and so we were all caught. This was in a place called Humera. My mom had told on me to local authorities but since they were unable to support her in finding me, she traced my movement on her own, all the way to Humera and found me when I was detained there.”

FGD Young Men, Aw-barre Camp



Reports are that Somali refugees are held for ransom by their former smugglers, often resulting in the families selling all their belongings, even valuables or land in their home country, to pay for release.

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Generally, payment is made immediately upon arrival to the agreed upon destination, rather than upfront. Costs for each leg of the journey vary somewhat depending upon what types of services the refugee utilized en route, e.g. hotel cost, food and drink consumed etc. As set out above under the discussion for Eritrean refugees, hawala is the primary means of payment for those transiting through Sudan.

Ten percent of potential irregular migrants from the Jijiga area camps also indicated South Sudan as part of their route towards Europe. Presumably, like the Eritrean refugees, these individuals also stop in Juba to work or obtain travel documents and then continue their journeys from there. From the Jijiga camps to South Sudan, Sudan and then Libya (Benghazi being cited by at least two respondents) to Europe the cost estimate is lower, generally ranging between 1,500 and 3,300 USD.

Eastern route

While there seem to be significant numbers of Somalis reportedly found along the Eastern Route, our research would seem to indicate that these are not typically Somalis originating from Jijiga area refugee camps^[98]. Rather, none of the Somali refugees surveyed or qualitatively interviewed in the study indicated a desire to move along the Eastern route. Interviews confirmed that irregular migrants from Jijiga camps do not take the Eastern route because of the inability to obtain any type of secure work or refugee status in the countries along that route. Additionally, while reportedly Saudi Arabia used to be a preferred destination, the benefits offered by smugglers to go to Europe have now resulted in the Northern route being preferred.

That said, some interviewees did provide cost estimates. From Jijiga area, the cost of getting to Bossaso, Djibouti is reportedly 20,000 ETB (~1000 USD) and from Bossaso across the sea to Yemen an additional 5000 ETB (~250 USD).

[98] RMMS Monthly Summary December 2015, supra at note 92 and Regional Mixed Migration Secretariat, Monthly Summary February 2016, <http://www.regionalmms.org/fileadmin/content/monthly%20summaries/MonthlySummaryFebruary2016.pdf> (2016) which indicate that there were 1,038 Somalis that arrived on the Arabian Coast of Yemen in December 2015 and an additional 29 Somalis that arrived in January 2016. The vast majority of migrants arriving in Yemen are of Ethiopian nationality, with 1,974 arriving in January 2016 and 852 Ethiopians in December 2015.

III. Regular migration from the Jijiga camps

Profile of Jijiga Camp Somali Refugees who indicated an intention to migrate through regular channels

A significant number (40 percent) of Somali refugees surveyed indicated a desire to migrate through regular channels. The profile of this group is well distributed across age categories from 16 to over 50. The majority are female (71 percent), married (66 percent) and have been in the camps for over four years (81 percent). Almost half (49 percent) have family in the camps and of these the majority (62 percent) are heads of their households. A significant portion of this group have no education (31 percent) and about one quarter (25 percent) have between grade 7 and 9 schooling.

Main reasons for moving through regular channels

In terms of life opportunities, the majority (64 percent) want to regularly migrate for work, one quarter for schooling (25 percent) and one-tenth (10 percent) because of lack of opportunity for themselves and/or their families in the host community. Interestingly, potentially regularly migrating Somali refugees are more motivated by the lack of employment than those who intend to migrate irregularly.

With respect to protection issues, almost one-tenth (nine percent) of respondents cited problems with other refugees as a motivating factor for regular migration. Small numbers of individuals raised problems/difficulties with the host community (three percent) and fear of sexual exploitation, particularly early forced marriage (two percent). Based on survey and qualitative data gathering it is not clear what the specific issues are with respect to problems with the host community, although previous studies indicate that in this region there is a high degree of homogeneity in terms of religion, language and culture between the refugee and local Ethiopian Somali clan composition; aiding in the acceptance by the local community of the refugees^[99].

Direct and indirect family and peer pressure appeared to be factors influencing this group's views as one quarter wanted to move because of influence from those who had already gone, one quarter because of influence of those who were planning to go and almost one quarter because of the known or perceived success of those who had already gone. In qualitative data gathering, the lack of diasporic connections as well as inability to finance irregular migration were also noted as motivations for regular migration.

Other reasons cited for regular migration in qualitative data gathering included waiting for potentially imminent resettlement as well as fear of the risks of irregular migration.



[99] Safety and Solutions Somali refugees, supra at note 96.

CONGOLESE (DEMOCRATIC REPUBLIC OF CONGO) REFUGEES

I. Profile of the population and reasons for flight from the Democratic Republic of Congo

As of May 31, 2016, Assosa area camps host 50,347 refugees in six refugee camps – Sherkole, Tongo, Bambasi, Ashura, Tsore and Ad-Damazin. Overall, the infrastructure in the camps is poor and services are underfunded. The recent reduction in food rations has resulted in serious protection risks including exploitation and SGBV. Unlike the Eritrean and Somali refugees from Central and Southern Somali who receive prima facie refugee status in Ethiopia, all persons from the Democratic Republic of Congo must undergo a RSD procedure. There is a backlog of cases pending assessment of the refugee status and there are limited prospects for repatriation and integration. Alternative sources of energy are also lacking; there is limited access to transitional shelter and sex-segregated latrines and, currently, new arrivals are not provided with NFIs.

Congolese refugees are only found in Sherkole camp which, as of May 31, 2016 hosted a total of 11,036 refugees, amongst which 609 were Congolese. Based on individual interviews, refugees from the Democratic Republic of the Congo fled because of ongoing ethnic conflicts, particularly in the Eastern part of the country. Some first fled to Uganda, then Kenya before finally reaching Ethiopia.

II. Irregular onward movements of Congolese refugees from Assosa camps

Profile

Twenty-five percent of Congolese refugees surveyed indicated an intention to move irregularly from Ethiopia. All are male, mostly between the ages of 26 to 35 (55 percent), about half are single (48 percent) and the majority have more than a grade 10 education (56 percent). The majority (63 percent) of this group have also been in Ethiopian camps for over 4 years and have family in the camps (67 percent) of which the majority are the head of the household (71 percent).

Main reasons for moving onwards irregularly

Almost half (48%) of the Congolese refugees are motivated to irregularly migrate because of lack of employment and another forty-eight percent due to inadequateness or unavailability of education. More than half (59%) indicate that lack of opportunity for themselves and their families in the host community is motivating their migration. This is interesting as, unlike the other refugee populations, this factor features more prominently amongst the Congolese than the lack of employment. Moreover, all of the Congolese refugees who intend to irregularly migrate indicated problems or difficulties with other refugees as an issue motivating onward movements, and 22 percent pointed to a lack of welcome and difficulties with the host community. While no information was gathered through qualitative methods that can elucidate the cause of these difficulties with host and refugee communities, it can be hypothesized that feelings of marginalization, both within and outside of the refugee camps, may be due to significant differences in language and culture with the majority Ethiopian host community and Sudanese and South Sudanese refugee populations (with whom they cohabit in the Assosa area camps).



Figure 6. Assosa Camps.
Source: UNHCR

IV. Knowledge of risks and alternatives to irregular migration

The Congolese refugees are well versed in the risks of migration in comparison to the other refugee groups in this study. The majority knew of the risks of torture (74 percent), physical abuse (52 percent), death (52 percent), forced labour (52 percent), robbery (52 percent) and detention and prosecution by authorities (52 percent).

The majority of refugees reported learning of the risks to irregular migration from previous personal experience (52 percent), other refugees (52 percent) and ARRA and IOM (54 percent). Another 22 percent had heard about the risks through camp workers and 19 percent from diaspora connections.

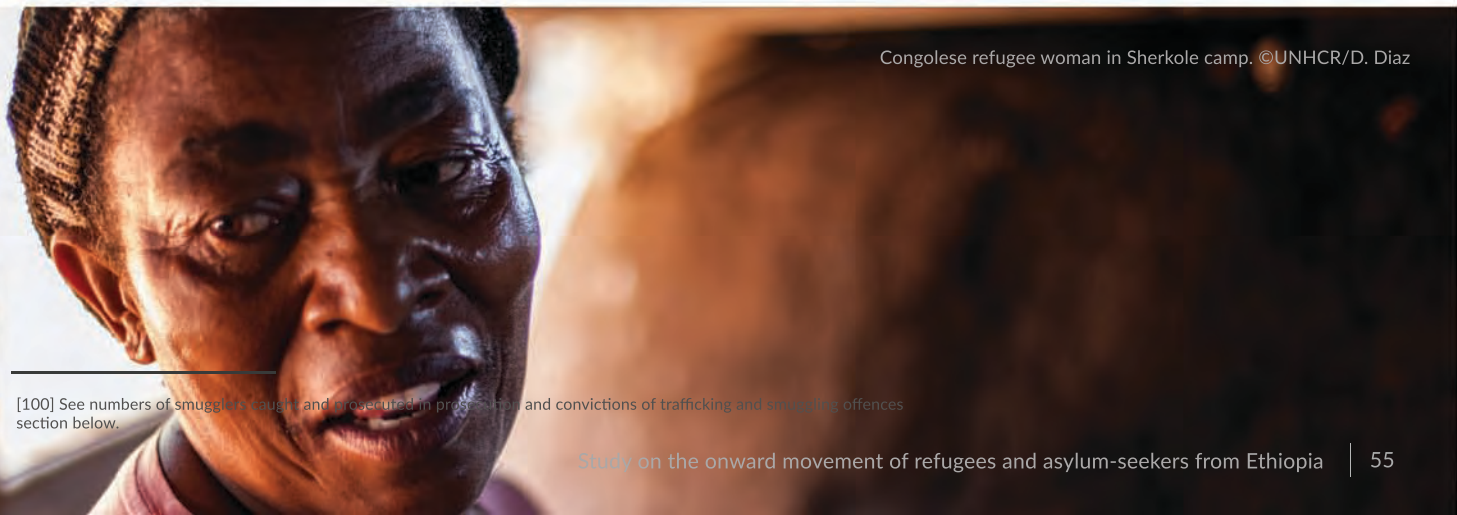
The majority of Congolese refugees surveyed were also aware of legal alternatives to living in Ethiopian refugee camps (81 percent). The most commonly known alternatives are legal migration and resettlement (57 percent). Only three percent were aware of educational opportunities outside of the camps.

Role of smugglers

No Congolese refugees that intend to engage in irregular migration indicated the intention to engage the services of smugglers, a finding that was substantiated in qualitative data gathering. This is an interesting phenomenon given that the study has found that smuggling networks are very active in the Beninshangul-Gumuz region, but they seem to cater only to Ethiopian migrants and Eritrean refugees trying to leave the country irregularly^[100].

Destinations and routes

Thirty-seven percent of the Congolese refugees willing to move onwards irregularly noted Europe as their preferred destination. As per qualitative data gathering, the route utilized is through Sudan and/or South Sudan to Libya and onwards to Europe. Qualitative data gathering also indicates that some Congolese refugees move to Kenya, through Moyale, Ethiopia, and then onwards to Rwanda and South Africa. The cost from Sherkole camp to South Africa was estimated at 4,320 USD.



Congolese refugee woman in Sherkole camp. ©UNHCR/D. Diaz

[100] See numbers of smugglers caught and prosecuted in prosecution and convictions of trafficking and smuggling offences section below.



Data collection tablet/ ©DRC

II. Regular migration

Profile of Congolese refugees from the Assosa camps who intend to move onwards through regular channels

Almost one-third (31 percent) of Congolese refugees surveyed intend to move out of Ethiopia via regular channels. The majority of these are: between the ages of 19 and 25 (63 percent) and almost a third (29 percent) between the ages of 36 and 50; male (86 percent); single (71 percent); have been in the camps between 3 and 4 years (65 percent); have family in the camps (76 percent) of which the majority are the head of their household (76 percent); and are well educated with 64 percent having between a grade 10 and 12 education. None have left Ethiopia and returned in the past.

Main reasons for moving through regular channels

In terms of life opportunities, the most cited motivating factor for regular migration was the lack of opportunities for oneself and one's family in the host community (79 percent). This perhaps could be attributed to the ethnic and cultural differences between the Congolese refugees and the majority South Sudanese refugees living in Assosa camps as well as host community Ethiopians. Half of the survey respondents indicated that limited educational opportunities are motivating their desire to pursue regular channels of migration. Almost one third (29 percent) are motivated by the lack of employment opportunities. Of potential concern and worthy of further study is that 21 percent of respondents indicated that fear of sexual exploitation including early and forced marriage was motivating their desire to regularly migrate and another 29 percent are motivated by problems and difficulties with other refugees. An additional 29 percent are motivated to leave Ethiopia to find a better life elsewhere.

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Refugee child in Endabaguna. ©UNHCR

Profile of refugees staying in Ethiopia & influencing factors

While surveying refugees' intentions to move onwards from Ethiopia, the research team also came across groups of refugees who declared no intention to leave their country of asylum. The vast majority of this group is married, older and have stayed in the camps for more than four years.

The main reasons for staying included the safe environment in Ethiopia, a sense of responsibility towards their families, general satisfaction with life in Ethiopia, as well as lack of connections abroad that could support them through the journey to third countries. Both the fear of the unknown and the knowledge of the risks of irregular migration were also pointed to as relevant factors in the decision to stay in Ethiopia. Interestingly, respondents also mentioned that one reason for staying in Ethiopia was access to paid work (even in the informal market), which allowed them to provide for their families and live in safety.

Eritrean refugees in Shire camps

Very few Eritreans in the Shire camps surveyed indicated an intention to stay in Ethiopia (four percent). This group is older than those who wish to leave Ethiopia, with 72 percent over the age of 26. Like the other groups, most are male (56 percent) but those who wish to stay here are more likely to be married (61 percent) and generally have higher education, with 50 percent of respondents having between grade 10 to 12 schooling. This group is most likely to have been in the camps for under four years with 50 percent having been in Ethiopia under two years and 89 percent under four years.

In qualitative interviews, reasons for staying in Ethiopia include lack of finances to engage in irregular migration, desire to find work in nearby towns and family responsibilities leading to aversion to the risks of irregular migration.

INFORMAL JOBS

4+ 26 years old and above
years in the camps
FAMILY RESPONSIBILITIES
EDUCATED (grade 10 and above) **MARRIED**
LACK OF FUNDS TO MIGRATE

“For those who want it, there's lots of work available ranging from being in charge of water taps in the camps up to working with UNHCR. Those ones who came to stay here, stay here, but those ones who planned to go to Europe have organized their trip long before their initial departure from Eritrea.”

Hitsats camp, female aged 18



Eritrean refugees in Afar camps

Over one-third (37 percent) of Afari Eritrean refugees wish to stay in Ethiopia. The profile of this group is evenly spread out across age groups and gender. The majority are married (60 percent), have family in the camps (80 percent) and are the heads of their households (55 percent of the 80 percent). The majority have been in the camps for over 4 years (61 percent), with almost a quarter (23 percent) that have been here 2 to 3 years. The majority have no education (59 percent) and about one quarter (23 percent) have between grade 1 to 6 schooling.

A small percentage (3 percent) have attempted to migrate irregularly in the past. The high percentage of individuals with no education may arguably be linked to a greater fear of the unknown that it tied to lack of education about the broader world.

Half of those wanting to stay in Ethiopia cited safety as a factor (50 percent) and 37 percent indicated that it is because of the presence of family in Ethiopia. Other reasons cited include happiness with the situation in the refugee camps (16 percent), strong cultural ties to the community (17 percent) and a lack of money to engage in irregular migration (28 percent). These results are confirmed in interviews where respondents indicated a desire to stay in Ethiopia due to general satisfaction with security and life in the camps and because of a lack of money to move irregularly. UNHCR's partners in the area report that refugees move out of the refugee camps to the towns looking for shelter and work, but that refugees generally return to the camps for food distribution.

4+ 26 years old and above
years in the camps
CULTURAL TIES TO COMMUNITY
SAFETY
MARRIED INFORMAL JOBS
no EDUCATION LACK OF FUNDS TO MIGRATE

"I have food and peace here. Why would I ever go?"

Aysaita camp, female age 25

Remarkably, one percent of respondents also indicated a desire to stay in Ethiopia because of work. Anecdotally, refugees are engaged informally in working in a sugar cane factory in Aysaita and also are known to work on road construction as day laborers.

"Some time ago, when the road was being constructed, the youth were engaged in manual labour that provided some earning. Such opportunities are needed."

Barahle camp, male age 22

Qualitative data gathering reveals that some refugees have no knowledge of what regular or irregular migration is, with many of the youth having no knowledge of any countries outside of Ethiopia and Eritrea. Others have decided to stay in Ethiopia because of fear of irregular migration and because of a lack of personal connections in any other countries. This is corroborated in survey results which indicates that only 14 percent have family overseas and 5 percent have friends overseas.

Somali refugees in Jijiga camps

“No I don’t wish to irregularly migrate. Because how my life turns out depends on me, not where I am.”

Sheder camp, male age 18

4+ years in the camps
36 years old and above
FAMILY RESPONSIBILITY
MARRIED
KNOWLEDGE OF THE RISKS
satisfaction with life in **ETHIOPIA**

Sixteen percent of Somali refugees surveyed intend to stay in Ethiopia. The age range of this group older than potential irregular migrators, with 43 percent over 36 years of age and 71% over 26. A slight majority (52 percent) are male, most are married (60 percent), and the vast majority (94 percent) have been in the camps for over four years. The majority have family in the camps (72 percent) of which most are the head of their household (60 percent). Slightly more of this group have grade 10-12 and university education (44 percent) as compared to no education (37 percent).

Survey data indicates that perhaps lack of diaspora connections may be a factor as, in this group, only 16 percent had family and friends overseas. Interestingly however, their diaspora was the most willing to support migration (21 percent of these had been encouraged by diaspora to move onwards and 69 percent of these diaspora connections were willing to provide support). In qualitative data gathering, the reasons provided for staying in the camp were old age, responsibility to take care of family members, fear of the risks of irregular migration, the view that Ethiopia is the best country in Africa and the view that one’s destiny is not based on one’s location.

“Out of 54 African countries, Ethiopia is the best place to live. So, I have not thought about leaving.”

Sheder camp, male age 20

Congolese refugees in Assosa camps

Although no Congolese refugees surveyed indicated a desire to stay in Ethiopia, in qualitative data gathering, interviewees indicated a desire to stay in Ethiopia because it is secure and because they had nowhere else to go.





Smuggling and trafficking in Ethiopia

The importance of addressing trafficking and smuggling in the HoA has long been recognized as an urgent problem. In 2006, the Ouagadougou Action Plan (OAU) to combat trafficking, especially in women and children was launched by the European Union (EU) and African Union (AU) and aimed to develop co-operation, best practices and mechanisms to prevent and combat trafficking in human beings between the nations in the EU and AU. The Khartoum Declaration of 16 October 2014 launched the AU-Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants and set out member state commitments to ratify international conventions on human smuggling and trafficking, to address the socio-economic causes of migration, to strengthen law enforcement efforts, to protect victims, and to foster cooperation with international organizations willing to assist in developing capacities. On 28 November 2014, ministers from Eritrea, Ethiopia, Somalia, South Sudan, Sudan, Djibouti, Kenya, Egypt, and Tunisia met with their counterparts from the 28 EU countries as well as the European and African Union Commissioners in charge of migration and development and the EU High Representative. They launched the “EU-Horn of Africa Migration Route Initiative”, also known as the “Khartoum Process”, which aims to tackle trafficking and smuggling of migrants between the Horn of Africa and Europe. The Khartoum process provides political forum to put forth practical measures at the regional, national and international levels^[101].

On 11-12 November 2015, the EU led the Valetta Summit in Malta to which African states from North, West and East Africa were invited to attend. The Summit concluded with a Political Declaration and Valetta Action Plan (VAP). The VAP is arguably the most comprehensive set of agreed actions on migration management and stability between Africa and the EU. Despite purporting to be one “package” of actions for implementation, states are free to pick and choose what they seek to pursue and/or have funded. The Valetta Summit has given renewed impetus to the commitments made through past processes such as the Rabat Process, Khartoum Process and the Joint EU-Africa Migration and Mobility Dialogue, and their mechanisms have been designated to monitor the implementation of the priorities agreed to in the VAP by participating states.

The following discussion will consider the international and domestic legal and policy framework, with a focus on national laws and policies on trafficking and smuggling in Ethiopia as well as implementation with a focus on the study areas of Tigray, Somali, Beningshangul-Gumuz and Afar regions, with respect to trafficking and smuggling in Ethiopia as well as its current state of implementation.

A. LEGAL AND POLICY FRAMEWORK CONTEXT

I. International norms

Ethiopia is a State party to the United Nations Convention Against Transnational Organized Crime (UNTOC)^[102] that sets out the international framework for the prosecution of organized crime (including trafficking in persons), the protection of its victims and the prevention of the crime.

[101] trafficking and Smuggling on the HoA, supra at note 37.

[102] U. N. Convention Against Transnational Organized Crime, 29 September 2003, G.A. Res. 55/25 [UNTOC]. It was ratified by Ethiopia on 23 July 2007.

The UNTOC is supplemented by three Protocols, two of which are relevant to matters relating to trafficking and smuggling: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol)^[103]; and the Protocol against the Smuggling of Migrants by Land, Sea and Air (Migrants Protocol)^[104]. As per Article 2 of the Trafficking Protocol, it aims to prevent and combat the smuggling of migrants, as well as promote cooperation among States parties, while protecting the rights of smuggled migrants and preventing the worst forms of their exploitation which often characterize the smuggling process.

As per Article 2 of the Migrants Protocol, its purpose is to “prevent and combat the smuggling of migrants, as well as to promote cooperation among States Parties to that end, while protecting the rights of smuggled migrants.”

Ethiopia ratified the UNTOC in 2007 and the Protocols (also known as the Palermo Protocols) in 2012. Ethiopia’s Constitution allows for the automatic domestic recognition of all the international treaties that it has signed on to stating that “all international agreements ratified by Ethiopia are an integral part of the law of the land^[105].”

II. Domestic legal and institutional framework

Ethiopia’s Constitution^[106] provides for numerous fundamental freedoms and rights including: freedom of movement (article 32) and association (article 31); rights to: life, liberty and security of the person (Article 14); life (article 15); liberty (article 17); humane treatment (article 18); fair/due process for persons arrested (article 19), accused (article 20) and/or detained (article 21) by the authorities; equality (article 25); access to justice (article 37); and labor (article 42).

Ethiopia generally prohibits sex and labour trafficking through the Constitution and, previously, through the provisions of the Penal Code of the Federal Democratic Republic of Ethiopia (Penal Code)^[107]. Specifically:

- Article 18 of the Constitution prohibits inhumane treatment including slavery or servitude, trafficking in persons and forced or compulsory labor^[108].

[103] U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, 25 December 2003, G.A. Res 55/25 [Trafficking Protocol]. It is the first global legally binding instrument with an agreed definition on trafficking in persons. The intention behind this definition is to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting trafficking in persons cases. An additional objective of the Protocol is to protect and assist the victims of trafficking in persons with full respect for their human rights. Ethiopia acceded to the Protocol on 22 June 2012 with a reservation not accepting jurisdiction of the ICJ. For more information, see UNODC website at: <https://www.unodc.org/unodc/treaties/CTOC/> and the following link for the full text of the treaties: <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOCpercent20Convention/TOCebook-e.pdf>

[104] The U.N. Protocol Against the Smuggling of Migrants by Land, Sea and Air, 28 January 2004, G.A. Res. 55/25 [Migrants Protocol]. Ethiopia ratified the Convention on acceded to the treaty on 22 June 2012 with a reservation against the jurisdiction of the ICJ. For more information see: <https://www.unodc.org/unodc/treaties/CTOC/>. Note that although trafficking is distinguished from smuggling by the use of force or other forms of coercion as well as having a purpose of movement for exploitation in law, in practice, these definitions have drawn criticism due the difficulty in distinguishing between the two crimes. For example, it is possible for an individual to have been harmed by a smuggler without being trafficked or, as is often the case, an individual may consent to being smuggled but is later sold to traffickers. The treatment of the individuals, when considered from a business perspective, are revealing. A smuggler must provide an effective service to individuals to ensure that their reputations are maintained and business will continue. Conversely, trafficking operates on model of the individual as a commodity from whom the maximal financial benefits should be extracted by whatever means necessary and where fear and a reputation for violence ensure that distant relatives will make requested payments. See *Conditions and Risks of Mixed Migration in North East Africa*, supra at note 17.

[105] Constitution of the Federal Democratic Republic of Ethiopia, 21 August 1995, Article 9(4), available at: <http://www.wipo.int/edocs/lexdocs/laws/en/et/et007en.pdf> [Ethiopian Constitution]. Although beyond the scope of this study, in practice, prosecutors and lawyers appearing before the courts in Ethiopia may rely upon international treaties ratified by Ethiopia. Note however, where there is domestic implementing legislation, the domestic legislation is paramount.

[106] Ethiopian Constitution, *Ibid*.

[107] See the Penal Code of the Federal Republic of Ethiopia 1957, 23 July 1997, Proclamation No. 158 of 1957, available at: <http://www.refworld.org/pdfid/49216a0a2.pdf> [Penal Code]

[108] Ethiopian Constitution, supra at note 106.

• Although no longer in force, the previous relevant provisions of the Penal Code are as follows:[109]:

o Article 243 prohibits the unlawful departure, entry or residence of anyone into or out of Ethiopia and includes specific offenses for those who obtain a benefit from such activities including offenses related to false documents (punishments between 5-15 years of rigorous imprisonment[110])

o Article 596 of the Criminal Code prohibits enslavement (punishment of 5 – 20 years imprisonment),

o Article 597 prohibits trafficking in women and children (punishment of 5 – 20 years imprisonment),

o Article 598 prohibits the unlawful sending of Ethiopians abroad for work (punishment of 5 to 20 years rigorous imprisonment)

o Article 599 makes the relevant laws applicable to illegal associations and juridical persons (maximum fine of 100,000 ETB and dissolution of association or band)

o Article 635 prohibits sex trafficking in women and children (punishment not exceeding five years' imprisonment)

The previous Penal Code scheme was criticized on a number of grounds including that: articles 597 and 635 lacked a clear definition of human trafficking; there was no criminalization of trafficking against adult male victims; there were no protective mechanisms to support victims to take an active role in the investigation and prosecution of traffickers; and there was a lack of legislation preventing the deportation of foreign victims to countries where they could face hardship or retribution[111].

The Ethiopian government has also recognized numerous gaps in the legislation which led to the passage of the new Trafficking Proclamation[112] including that the penalties were inadequate for the severity of the crimes; the crimes focused only on those in charge and not those who were assisting; there were limitations in terms of the ability of the police and prosecutors to properly investigate and prosecute these complex crimes, e.g. lack of specific wiretap laws; crimes were investigated only by federal prosecutors at the federal level resulting in long delays; and there was no support and care for victims and their rehabilitation[113]. In practice, criticism was also leveled at the lack of distinction between smuggling and trafficking offences as public prosecutors had revealed that Articles 596 and 597 were rarely used to prosecute transnational trafficking. Instead, article 598 (smuggling) and article 571 (endangering the life of another) were more commonly used for prosecution because proving the degree of coercion and deception required to establish trafficking was more difficult[114].

The new Trafficking Proclamation, which was adopted on August 15, 2015, supercedes Articles 243, 596, 597, 598, 599 and 635 of the Criminal Code[115].

[109] Penal Code, supra at 108.

[110] Where a sentence of rigorous imprisonment is imposed, the offender has no possibility of obtaining early parole.

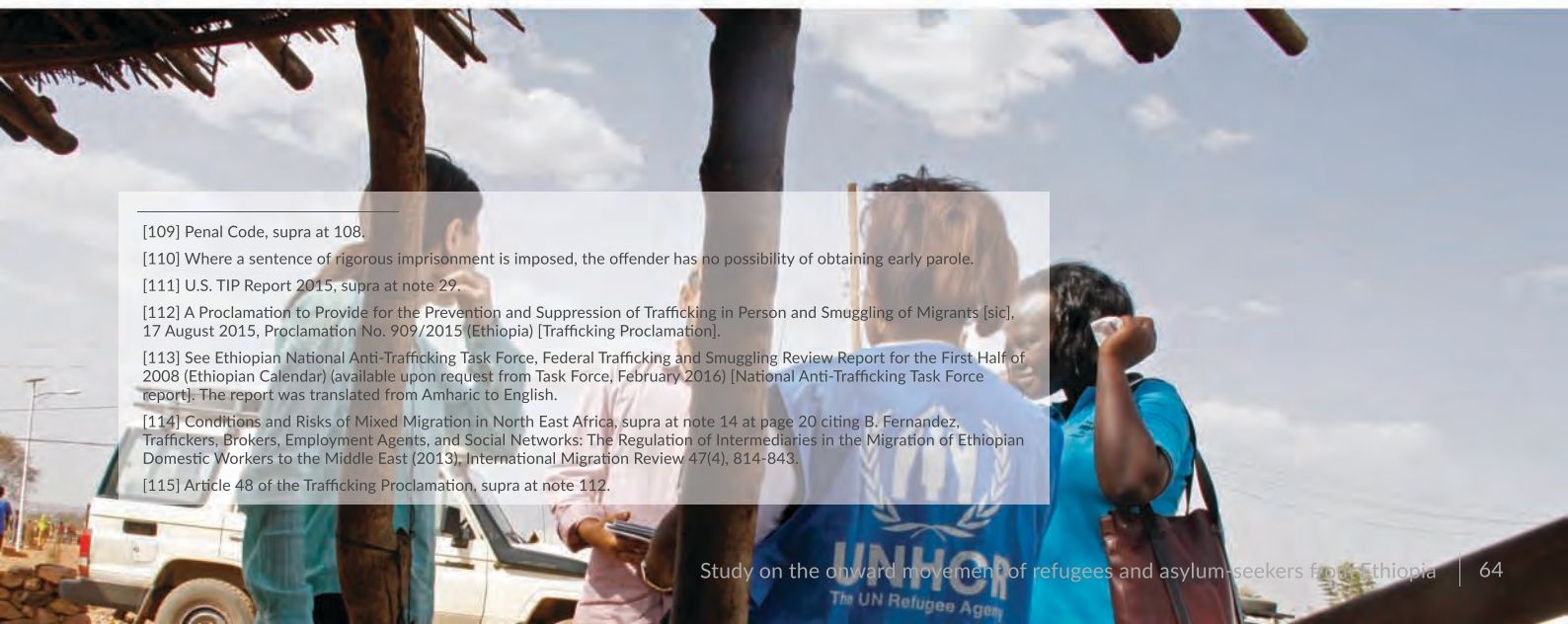
[111] U.S. TIP Report 2015, supra at note 29.

[112] A Proclamation to Provide for the Prevention and Suppression of Trafficking in Person and Smuggling of Migrants [sic], 17 August 2015, Proclamation No. 909/2015 (Ethiopia) [Trafficking Proclamation].

[113] See Ethiopian National Anti-Trafficking Task Force, Federal Trafficking and Smuggling Review Report for the First Half of 2008 (Ethiopian Calendar) (available upon request from Task Force, February 2016) [National Anti-Trafficking Task Force report]. The report was translated from Amharic to English.

[114] Conditions and Risks of Mixed Migration in North East Africa, supra at note 14 at page 20 citing B. Fernandez, Traffickers, Brokers, Employment Agents, and Social Networks: The Regulation of Intermediaries in the Migration of Ethiopian Domestic Workers to the Middle East (2013), International Migration Review 47(4), 814-843.

[115] Article 48 of the Trafficking Proclamation, supra at note 112.



The Proclamation attempts to align the Ethiopian domestic legal framework with its international obligations by defining terms like “human trafficker” or “migrant smuggler”, “exploitation” and “victim” (Part One); criminalizing and setting out penalties for a range of activities relating to trafficking and smuggling in persons (Part Two); providing for preventative, investigative and procedural processes (Part Three); providing for the protection, rehabilitation and compensation of victims (Part Four); establishing a fund to protect, control and rehabilitate victims (Part Five); and establishing mechanisms for national (Part Six) and international cooperation (Part Seven)[116].

It is also noteworthy that in 2015, the Government of Ethiopia also finalized its National Plan of Action to Combat Trafficking in Persons 2015/6-2020/1, in which action against trafficking in persons is based on four pillars: prevention of trafficking; prosecution of traffickers and their accomplices; protection of victims of trafficking and those most vulnerable to trafficking in persons (TIP) and; local, national and international partnership to combat TIP.

Ethiopian Governmental anti-trafficking structures

The National Anti-Trafficking Committee, chaired by the Deputy Prime Minister, was established in June 2011 and was also given a legislative basis in Article 39 of the Trafficking Proclamation[117]. The Committee is tasked with coordinating activities designed for victim protection; assistance and rehabilitation; advising on policy plans and implementation; accommodating interests of victims; combatting trafficking and smuggling; and incorporating the social impact of smuggling and trafficking into the educational curriculum. Membership includes the Ministry of Justice; Ministry of Foreign Affairs; Ministry of Labour and Social Affairs, Ministry of Women, Children and Youth Affairs; Ministry of Education; Regional States; other governmental organizations; religions institutions; charities and societies; and other organizations. Although not set out in legislation, the Government of Ethiopia has stated that similar councils have also been set up at the Regional, Woreda and Kebele levels[118] with plans to establish them in other regions, such as Beninshangul Gumuz.

The National Anti-Trafficking Task Force, established by Article 40 of the Trafficking Proclamation, is accountable to the National Committee and is responsible for designing and implementing policies, strategies, action plans and measures to protect and assist victims in collaboration with government, aid partners and international organizations. The Task Force is led by the Ministry of Justice and has 25 members including the Ministry of Foreign Affairs; Ministry of Labour and Social Affairs; Ministry of Women, Children and Youth Affairs; Ministry of Education; and National Security and Intelligence Services. Non-governmental organizations are not permitted to participate in the Task Force.

The Task Force reportedly operates in accordance with a 5 year plan and has four sub-groups: victims’ support sub-group led by the Micro and Small Enterprises Development Agency; justice and law enforcement sub-group led by the Ministry of Justice; prevention subgroup led by the Ministry of Labor and Social Affairs; and the monitoring and evaluation sub-group led by the Ministry of Education[119].

In addition, the Ministry of Justice has established a secretariat which has reportedly already started operations, composed of experienced federal public prosecutors, to support the Task Force. By February 2016, the Task Force itself had met six times and the sub-clusters four times. Since the beginning of the reporting period the following has reportedly been accomplished[120]:

[116] According to key informant interviews, the Trafficking Proclamation, *Ibid.*, is currently being revised and may address the concerns raised as well as English translation issues.

[117] Trafficking Proclamation, *Ibid.*

[118] U.N. Human Rights Council Working Group on the Universal Periodic Review, Ethiopia’s National Report Under the Universal Periodic Review Mechanism, 4 August 2009, A/HRC/WB.6/6/ETH/1 [Ethiopia UPR Report].

[119] National Anti-Trafficking Task Force report, *supra* at note 113.

[120] *Ibid.*

The Ministry of Justice has conducted an extensive advocacy program for the Trafficking Proclamation and issued a directive to regional justice bodies to send the National Task Force a report about their activities to ensure greater coordination. Discussions with the federal courts to establish new court sessions for only Trafficking Proclamation related offenses were held and led to the implementation of two special courts in Addis Ababa and Dire Dawa. There are plans to establish four additional special sessions in Addis Ababa.

Pursuant to the delegation of authority to the regions under Article 47 of the Trafficking Proclamation, the Regional Bureaus of Justice have also reportedly formed Regional Anti-Trafficking Task Forces. These Task Forces have undertaken activities such as the promotion of local employment opportunities and access to vocational training and engagement in “community conversations”, informed by an IOM developed manual that focuses on irregular migration, human trafficking and smuggling and responses to the challenges of irregular migration^[121].

Articles 41 to 44 of the Trafficking Proclamation further imposes responsibility on the Ministry of Justice, Ministry of Foreign Affairs and the Police including to: increase public awareness of all aspects of human trafficking and smuggling and best practices for combatting the crimes; cooperate with law enforcement actors and other relevant stakeholders from different countries on matters relating to trafficking and smuggling; collecting data on victims including in the conditions and countries in which they are found; conducting assessments of trafficking and smuggling risk in different countries; supporting Ethiopian nationals in countries where smuggling and trafficking is found; collaborating with relevant stakeholders on investigations, information exchange and capacity building to suppress.

To speed the investigation and prosecution process, Article 47 of the Trafficking Proclamation delegates implementation to the regional justice bureau and regional police.

The Department for Immigration and Nationality Affairs is mandated to monitor all exits out of the country and accordingly checks for necessary authorization to leave the country at exit points like the Bole International Airport. While it also patrols land routes out of the country, limitations on resources results in an inability to control all the routes^[122]. Border control practices appear to vary significantly depending upon the region. For example, in Somali region reportedly people cross the border freely, without need to show national identification. Rather, the lightly manned border points are primarily concerned only with the trading commerce being transported back and forth across the border. Refugees crossing the border generally make their way to the refugee camps on their own. In Tigray, arriving refugees are met by militias or government troops at the border and transported to Endabaguna Reception Centre. In Amhara region, arriving Eritrean refugees are reportedly screened by immigration officials and, if allowed to enter, are sent to the Shire camps (for more specific information please refer to services to victims of trafficking section).

The Ethiopian government has also reportedly established three Joint Border Administration Committees with Djibouti, Kenya and Sudan, and is in the process of establishing one with Somaliland, to manage borders and address irregular migration and illegal trade^[123]. In addition, in December 2013 Ethiopia and Sudan signed an MOU on cooperation to fight irregular migration and human trafficking.

[121] Marius Oliver, National Labour Migration Management Assessment: Ethiopia (August 2015), International Organization for Migration [Labour Migration Management Assessment].

[122] Yoseph Endeshaw, Mebratu Gebeyehu and Belete Reta, Assessment of Trafficking in Women and Children in and From Ethiopia (undated, pre-2006), International Organization for Migration [Assessment of Trafficking in Women and Children, Ethiopia].

[123] Fourth Meeting of the Regional Committee on Mixed Migration, Ethiopia, October 28-29 2014, available: http://www.regionalmms.org/fileadmin/content/sector_publications/Note_Co_Chairs_4th_Meeting_of_RCMM.pdf

Victims of trafficking

With respect to victims of any offence in the Trafficking Proclamation, a fund to “prevent, control and rehabilitate victims” has been given a legislative basis in Article 32. Article 26 of also requires the government to assist victims including: through procedures for identification, rescue, repatriation and rehabilitation; provide information on protection services available including legal and health services; institute referral mechanism for further assistance and support; and ensure that victims are not kept in police stations, detention centres or prisons.

While it is not clear who is responsible for the foregoing activities, presumably based on the governmental structures set out above, the Minister of Justice will assist in providing information on protection assistance and support for legal proceedings, the police will assist in identification and rescue of victims and the Victims Support Sub-group (formed under the National Anti-Trafficking Task Force) will also play a role in referrals to assistance and support.

The government has established Human Trafficking Control Centres in Amhara, Southern Nation Nationalities and Peoples Regional States and some parts of Addis Ababa^[124]. With funding from IOM, the government has also established reception centres at some border posts for Ethiopian citizens who are victims of trafficking to provide advice, first aid and other services as well as return victims to their families^[125]. These reception centres do not provide any services to refugee victims of trafficking.

Although Article 28 of the Trafficking Proclamation makes clear that the Article 26 provisions relating to assistance to victims also apply to foreign nationals who are victims and are found in Ethiopia, non-national victims of trafficking have only one month to partake in these services. Article 26(5) sets out that any person who is not a national cannot stay in Ethiopia for “more than one month, unless he is required for testimony in the judicial process” and that appropriate measures be taken to repatriate foreign national victims of crimes to their country of origin (Article 28(4)). Additionally, there are no specific provisions dealing with those victims of trafficking who are registered refugees and asylum seekers in Ethiopia.

Legislative gaps and technical concerns

A number of noteworthy concerns with the Trafficking Proclamation were raised by stakeholders interviewed during the research as follows:

- The definition of “victim” in Article 2 has been identified as too broad. It currently includes any person who “sustained harm, including mental and physical injury, emotional suffering, economic loss or substantial violation of basic human rights due to the commission of the crime”. Arguably this could lead to confusion with respect to the difference between trafficking, where there is always a victim, and smuggling, where there may not be a victim;
- The death penalty is imposed where trafficking or smuggling results in death or serious bodily harm to the victim and the offender is the leader of a criminal organization or party to a large scale crime (article 6). It has been argued that this punishment is too severe for the nature of the crime;
- Failure to report cases of trafficking or smuggling may result in a significant 5-year term of imprisonment (Article 12). This raises concerns, particularly for family members and those who may not know this positive obligation;

[124] Labour Migration Management Assessment, supra at 121.

[125] Ethiopia UPR report, supra at note 118.





- There is inconsistency in terminology and definitions in the text of the English translation of the Trafficking Proclamation as well as between the Amharic and English versions. The term “refugee” is defined in Article 2 of the English translation as meaning “any person who fulfills the criteria’s stipulated under Refugee Proclamation” [sic]. However, the term “refugee” does not appear anywhere else in the English version. Rather, the term “migrant”, which is not defined in Article 2, is used throughout the English translation of the Trafficking Proclamation. In the Amharic version, the term “refugee” is defined as per the English version, and used throughout the Proclamation. Acknowledging as well that the Amharic version takes precedence over the English version in any situation where there is conflict, the fact that only “refugees” may be victims of smuggling and its related offences makes it not possible to prosecute those who committed any smuggling related offence against an Ethiopian national. Ministry of Justice prosecutors confirmed that this is a problem that is overcome in practice by prosecuting the smuggling of Ethiopians under the previous, now invalidated, Penal Code offences, with the agreement of the hearing judges;

- As the Trafficking Proclamation has repealed Article 243 of the Penal Code, prosecutors are unable to generally prosecute illegal movements into and around the country^[126];

- In an attempt to prevent the onward migration of potential witnesses to crimes under the Trafficking Proclamation (and contrary to Article 26(4) which explicitly indicates that victims should not, in any case, be kept in police stations, detention centres or prisons), it is reported that witnesses are being detained against their will until they provide their testimony, presumably on the basis that they infringed Article 243 of the Penal Code (already repealed). This raises concerns about the validity of compelled testimony as well as imprisonment without a legal basis;

- The Article 7 offences related to identity cards or travel documents do not clearly require “financial material gain” as an element of the offence. This could result in the criminalization of certain actors who are not profiting from the crime, for example, family members who may be providing fraudulent identity documents;

- While the Trafficking Proclamation appears to be fairly comprehensive in the inclusion of both primary and secondary actors to crimes, it does not clearly criminalize attempts to commit the stated offenses nor does it clearly criminalize the organizing or directing of another person to commit one of the offenses (as required by set Article 5(2) of the Trafficking Protocol and Article 6(2) of the Migrants Protocol). While attempts and the organizing and directing of crimes are covered under Articles 27 and 32 of the Penal Code respectively, the inconsistency between the extreme specificity and then absence of primary and secondary provisions could arguably lead to confusion.

III. Implementation

This section will consider how the Trafficking Protocol and thus its related international conventions have been implemented in Ethiopia with a focus specifically on refugees and asylum seekers in regards to the prevention of smuggling and trafficking, protection of victims and the prosecution and conviction of traffickers and smugglers.

[126] Given the gap in the law, Ministry of Justice prosecutors have reportedly been given permission to continue to use the invalidated Article 243 of the Penal Code, supra at note 108, until such time that that the Trafficking Proclamation, supra at note 112 is amended.

Before beginning, it may be worth noting the concerns identified by the National Anti-Trafficking Task Force with respect to the general coordination for implementation of the Trafficking Proclamation^[127]. These concerns include a lack of coordination and standardization between the federal, regional and city level anti-trafficking Task Forces; a lack of full participation by all government institutions in implementing their assigned tasks; the fact that the victims' fund (meant to prevent, control and rehabilitate victims of crime) is not yet operational and does not have a detailed operation plan; limited efforts with neighboring countries to dismantle smuggling networks; and a budget shortfall to implement the plans of the Task Force.

Prevention (including information sessions)

Activities were conducted by the Ethiopian government to prevent trafficking generally in Ethiopia, but not related to refugees and asylum seekers in particular. Specific activities in 2014 included:

- Collaboration between the National Anti-Trafficking Task Force and IOM to launch a community conversations trafficking awareness program which was conducted in over 325 neighborhoods with the participation of 25 to 40 residents in each neighborhood session, including local and district officials^[128];
- Two monitoring trips by the National Anti-Trafficking Task Force to the four primary regions of the country where the majority of trafficking victims have originated;
- Nationally owned media companies supported local NGOs in airing a court-based drama series, which portrayed child labor in the agricultural sector^[129];
- The government, in partnerships with NGOs, distributed 42,000 leaflets outlining causes and consequences of child labor, as well as 6,500 manuals portraying personal stories of victims of child labor^[130];
- The government participated in the production and broadcast of both a documentary and weekly radio program addressing the causes and consequences of child labor and human trafficking^[131]; and
- The promotion of local employment opportunities and access to vocational training^[132].

Refugee children at Endabaguna/ ©UNHCR

[127] National Anti-Trafficking Task Force report, *supra* at note 113.

[128] U.S. TIP Report 2015, *supra* at note 29.

[129] *Ibid.*

[130] *Ibid.*

[131] *Ibid.*

[132] Labour Migration Management Assessment, *supra* at note 121.

Camp level prevention activities

Shire

The study found that, up to 2016, there has been limited concerted and regular effort in undertaking information dissemination activities on irregular onward migration and its risks. Activities implemented in the past include, for example, a UNHCR “key messages” document that was circulated to implementing partners in Shire camps with guidance on how to discuss onward migration with refugees including risks of leaving, advantages of staying and ways to protect themselves if they decide to go. There have reportedly also been some efforts by deportees and the Shimelba camp RCC to provide information to refugees about the risks of irregular migration. In Endabaguna Reception Centre, Innovative Humanitarian Solutions (IHS) provides newly arrived UASC with information about irregular onward migration and the risks involved. JRS also reportedly has efforts to communicate migration messaging through plays and concerts aimed at youth in Mai-Aini camp and also now in Adi Harush camp. These activities are uncoordinated with no consistent and prolonged approach as there is reportedly a lack of strong coordination on onward migration and no clear strategy for programming. While there was an IOM led Anti-Secondary Migration Task Force of Eritrean Refugees Hosted in Tigray Region which was started in April 2015, no activities and no follow-up were reported during the timeframe of the study. This lack of coordination is evidenced by the fact that relatively few individuals in any Shire camp reported learning of the risks of onward migration from UNHCR partners (of all respondents only 4 percent in Hitsats camp, 5 percent in Adi Harush camp and 16 percent in Mai-Aini camp and 18 percent Shimelba camp had learned of any risks of migration primarily from “camp workers”), with most learning of the risks through news reports and no one reportedly learning of these risks from ARRA, IOM or UNHCR in 2015.

In April 2016, UNHCR Ethiopia launched the E-Platform “Telling the Real Story” project, an information campaign that targets Eritrean and Somali refugees in countries of transit and first asylum in Africa and having as destination Europe. The campaign aims at informing refugees about the full scope of the perils and difficulties related to irregular onward movements to Europe, but also about other possibilities to find protection and durable solutions. Ultimately it hopes to empower refugees to take an informed decision with respect to possible onward movements. The main tool of the information campaign is an e-platform, where testimonies of Somalis and Eritreans that have arrived irregularly to Europe are recorded. These testimonies can be accessed on the internet in the languages local to Somalis and Eritreans, with subtitles in English. By the time the present study was concluded, and given the early implementation stages of the project in the Shire camps, it was not yet possible to assess its impact on the population.

In terms of preventing smuggling activities in the camps themselves, the Government of Ethiopia has the primary responsibility to ensure security in the camps. In the Shire camps, there are camp police composed of refugee incentive workers, acting in every camp. However, their role is limited to providing an initial response to petty crime such as thievery, resolving domestic disputes and dealing with intoxicated persons. Any serious cases like smuggling are referred to ARRA. While it is known by camp police that there are smugglers operating in the camps, it has been noted that it is difficult to lawfully detain them given the reluctance on the part of refugees to provide any information to law enforcement.



With respect to identifying and tracking missing children, UNHCR's child protection implementing partners reportedly conduct a daily headcount for UASC under kinship, foster and group care arrangements in Mai-Aini, Hitsats and Adi Harush camps. This daily count is provided to UNHCR on a monthly basis. UASC in Shimelba camp are not included in this count as reportedly the situation of onward movement of UASC is minimal from this camp (100 UASC are in this camp and almost all are reportedly separated and living with extended family members). Where UASC are reported to have left the camp, the child protection partner shares the list of names with UNHCR and ARRA. Based on our field research, little coordinated effort is undertaken to follow-up on the whereabouts of missing children. Previous reports indicate that social workers in Mai-Aini camp provide reports of missing children to local authorities but key informant interviewees did not know what actions are taken for follow up.

Jijiga

Until 2016, ARRA and UNHCR reportedly undertook some onward migration awareness raising, although these activities are not targeted specifically towards the youth, which is the population that is predominantly moving. These efforts have had relative success amongst the irregular onward movers as study results indicate that, although most refugees learn of the risks of onward migration from news sources (61 percent) almost one quarter (24 percent) of all respondents had learned of knowledge of risks to migration from ARRA, IOM or UNHCR and almost one third (31 percent) from UNHCR's partners in the camps.

Reports from Jijiga area camps have indicated that some families report that their children were lured away by smugglers to local authorities, but informants were not aware of resulting actions. Conversely, other reports do indicate that reporting missing refugee youth to ARRA has resulted in ARRA assisted return of the refugees to the camp.

In 2016, UNHCR's E-Platform Information Campaign "Telling the Real Story", described above, was also launched in all camps in Jijiga, and implementation is ongoing.

Addis Ababa

In Addis Ababa, organizations like the Norwegian Refugee Council (NRC), Jesuit Refugee Services (JRS), Development and InterChurch Aid Commission (DICAC) and Opportunities Industrialization Ethiopia (OIC-E) have urban refugee programming in partnership with UNHCR that could arguably be seen as targeted towards delaying onward migration, although no organization is reported to have specific programming targeted towards onward movement. For example, NRC currently operates an urban livelihoods program whereby they have been providing cash assistance to selected Eritrean OCP refugees to attempt to start small businesses in the informal sector and OIC-E undertakes urban vocational training activities for urban refugees. NRC and OIC-E are also currently in the process of constructing an education centre for Eritrean OCP and urban refugees that will also provide services to a certain percentage of the host community. The Eritrean RCC in Addis Ababa has indicated that although it counsels against irregular onward migration and talks about the risks, they do not have enough influence or respect in the broader refugee community to deter others from going.

Protection for refugee victims of trafficking

As noted in the Domestic Legal and Institutional Framework section above, Article 26 of Ethiopia's Trafficking Proclamation provides a clear legislative basis for victims' services including prevention and rehabilitation. There is however, no clear guidance about refugee and asylum-seekers victims of the crimes covered by this legislation. Although Article 28(1) of the Proclamation makes it clear that services are to be provided to foreign national victims, it also requires that such victims be repatriated to their country of origin as soon as possible.

Even with respect to Ethiopian nationals who are victims of trafficking, there are a number of gaps in protection services. There are a few national non-governmental organizations that provide services including medical assistance, shelter, counselling and reintegration activities such as livelihoods training and the Ministry of Justice reportedly provides legal aid to victims of trafficking. However, specific gaps in service provision have been noted including the lack of a standard victim referral mechanisms to identify, refer and rehabilitate victims; lack of proper registration of and support to victims caught at checkpoints; insufficient numbers of reception centres to provide services for returnees and victims from border areas and various cities; and a lack of effort to repatriate foreign national victims of trafficking who wish to return to their country of origin^[133].

There are reports that Ethiopia has recently developed a national referral system for victims of trafficking with the support of IOM, however the research team was unable to obtain a copy of such a referral system^[134]. Recently, in March 2016, IOM held a "Workshop to design specialized support packages for vulnerable groups including victims of trafficking, refugees, unaccompanied minors, and migrant women." The results of this workshop were not released during the study.

Based on qualitative data gathering, the actual services available to refugee victims of trafficking in Ethiopia seem to depend upon where they are found. The following will discuss protection services provided for refugee victims based upon location.

Arrival in Addis Ababa from Egypt

Ethiopian embassy officials in Egypt, reportedly regularly visit places of detention to assist and bring home Ethiopians, have been assisting similarly detained Eritreans come to Addis Ababa by issuing them Ethiopian travel documents^[135]. Often these Eritreans come to be in official detention after having paid ransom to their kidnappers or having escaped by other means from captivity and torture^[136]. In the past, individual diaspora members have also worked tirelessly to free, assist and send to Ethiopia those Eritreans who were being detained and tortured by traffickers like the Bedouin in Egypt (For example, see case study of Dr. Al Ganesh below)^[137].



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[133] National Anti-Trafficking Task Force report, supra at note 113. Also see U.S. TIP Report 2015, supra at note 29.

[134] Labour Migration Management Assessment, supra at note 121.

[135] This activity is reportedly undertaken as a result of advocacy efforts by the Eritrean RCC in Addis Ababa.

[136] For background on this see for example, Human Rights Watch, I wanted to lie down and die, supra at note 31 which found that from 2010 to 2013 Sudanese traffickers have kidnapped Eritreans in eastern Sudan and sold them to Egyptian traffickers in the Sinai who have subjected at least hundreds of Eritreans to horrific violence to extort money from relatives.

[137] Information that was revealed through qualitative interviews with Eritrean refugee deportees and key informants in the diaspora.



Refugees in Addis Ababa/ ©UNHCR

Upon arrival in Addis Ababa and initial screening by Ethiopian Immigration officials, these Eritrean victims of trafficking are separated from the Ethiopian returnees and met by ARRA and members of the Addis Ababa Eritrean RCC^[138]. There are conflicting reports about the availability of medical care upon arrival, with some indicating that no medical services are provided to the victims of trafficking. Others have reported that victims of trafficking are provided with medical and ambulance services if necessary and a stipend for temporary stay in Addis Ababa. The RCC assists them in finding group accommodations and provides general advice and guidance as to the best means to return, or go for the first time, to the Shire camps. Transportation costs to the Shire camps are provided by ARRA^[139]. Upon arrival in Shire, these refugees are presumably directed to Endabaguna reception centre where they register as necessary. It should be noted that there is no official mechanism to track whether these individuals have actually gone to Shire camps and furthermore no mechanism where by Addis ARRA informs its Shire counterparts that these individuals may be arriving.

As of June 2014, 2,317 Eritreans had been brought to Ethiopia rather than repatriated to Eritrea, with the peak number of individuals arriving in Ethiopia in 2011 (837 individuals). Coinciding with the erection of the Israel/Egypt wall at the end of 2013, the numbers of Eritreans arriving in Bole International Airport, Addis Ababa has decreased dramatically with 120 arriving in June 2014 and approximately 100 in all of 2015.

Assistance to Victims of Trafficking outside of Ethiopia: the case of Dr. Alganesh

Dr. Alganesh is an Eritrean-Italian woman who negotiates for the release of kidnapped migrants, mainly Eritreans, from the Sinai desert. She is well known amongst the Eritrean refugee and diaspora communities. Captive refugees held and tortured for ransom in the Sinai contact Dr. Alganesh with the help of local prominent Bedouin families. After negotiations to lower the ransom fees, and sometimes payment for the release of kidnapped Eritreans, she provides further support such as paying for flights or ensuring accommodation and medical care in Egypt before such individuals are deported to Ethiopia.

Dr. Alganesh founded Gandhi NGO that currently informally operates a feeding program for vulnerable children in Mai-Aini camp. In the past, Gandhi NGO has also reportedly provided informal shelters (one for women and one for men) in Addis Ababa for refugee deportees that serviced a total of eight refugee deportees (4 men and 4 women) who all were in need of physical and/or psychosocial treatment as a result of their experiences. The victims were mostly those who had survived ordeals in the Sinai and were rescued by Dr. Alganesh herself. They were housed in rented apartments and were provided by ARRA with medical leave permits and were not considered to be part of the urban refugee program. These refugees received a stipend and food, as well as sanitary items for the women, from Gandhi NGO. ARRA additionally provided a medical leave allowance. No other services, e.g. in house counselling or support, were provided. Within months of beginning this project, there were reports that the victims were abusing alcohol and khat and engaging in dangerous and harmful activities – the men reportedly getting into fights and all victims reportedly engaging in reckless sexual activities. As such, it was decided that urban shelters for refugee victims of trafficking were not a viable solution and instead, all victims of trafficking were sent to Shimelba camp.

[138] Ethiopian nationals who have been deported from or are returning from other countries are referred to the onsite airport medical centre where they receive medical assistance and referrals to national NGOs providing assistance to victims of trafficking like Good Samaritan Association (GSA) and Agar.

[139] Reportedly 700 birr since 2014.

Arrival at the border

Eritrean refugee victims of trafficking (and other Eritrean refugees) arriving at the border are not necessarily allowed into or back into the country. For example Eritrean refugees who were deported from Israel^[140] to Uganda, reportedly move to Kenya and across into Ethiopia where, if caught, they are turned back to Kenya on the basis of national security considerations.

In Metema town, Ethiopian nationals can utilize the migrant reception centres which provide basic first aid, food and water, as well as assistance in going back to their place of origin in Ethiopia. Refugee victims of trafficking entering the country through Metema town do not receive services in these centres^[141]. Rather, upon arrival at the border in either Metema or Humera towns, Eritrean refugees are first screened by immigration officials on various matters, including previous refugee status, criminal warrants, migratory etc. Due to national security considerations some individuals are turned back to Sudan. For example, a common migratory route reported is to leave Ethiopia through Humera, go to Hamdait, Sudan, enter Eritrea, go back to Kasala, Sudan and then back to Ethiopia through Metema. This route raises concerns amongst immigration officials that these individuals are in fact involved in the smuggling network and are returning to Ethiopian refugee camps to recruit more migrants and refugees. Further services depend upon which town the refugee entered Ethiopia.

According to government officials interviewed, for those refugees arriving in Metema, if a refugee is allowed to enter the country after initial screening, ARRA provides such individuals food but they are expected to cover their own accommodation costs. Although ARRA does not have an office in that town, they have officials embedded within the immigration office. For those victims of trafficking who arrive who have severe physical or mental injuries due to their experiences and have no money to pay for accommodation or medical services, they are asked by government officials to utilize their Sudanese SIM cards to contact family in Eritrea or abroad to pay for their expenses. These individuals are temporarily put into hotels with their mobile phones held as collateral. Refugees who are able to travel are escorted to the Shire camps by ARRA officials at their own expense.

In Humera, according to government officials, if an individual is allowed to enter the country after initial screening, the ARRA office provides a living stipend, including providing medical services for such individuals to survive until such time that they are transported to the Shire camps in ARRA vehicles, at ARRA's expense.

In the refugee camps

Each of the four regions has standard operating procedures (SOP's) for child protection (CP) and SGBV which include referral pathways for survivors of trauma. As would be expected, the SOPs are different in each region with different levels of attention paid to victims of trafficking. For example, for Assosa area camps, there are CP SOP's that provide details concerning identification and case management of children in need of protection and also include a specific section on how to manage with child trafficking including prevention and assigns responsibility for assisting with rehabilitation and reintegration. In contrast, the SGBV referral pathway does not specifically mention trafficking victims. In the Shire camps, the SGBV SOP recognizes that physical, sexual and psychological violence can include trafficking in women and provides a comprehensive referral pathway for survivors of SGBV in general.

[140] Due to restrictive policies in Israel, Eritreans are not recognized as refugees and are instead provided temporary residence permits that must be renewed every three months. Since last year, Israel has been offering Eritrean and Sudanese refugees the option to accept one way tickets to their country of origin or another African country, or face imprisonment. See William Booth, Israeli government to refugees: Go back to Africa or go to Prison, Washington Post, May 14, 2015, available at: https://www.washingtonpost.com/world/middle_east/toughening-its-stance-toward-migrants-israel-pushes-africans-to-leave/2015/05/14/e1637bce-f350-11e4-bca5-21b51bbdf93e_story.html

[141] Ethiopian victims are identified by immigration officials or police and are directed to the reception centres where they receive some services including first aid and water. From there, through a partnership with the federal police, victims are assisted to reunite with their families wherever they may be in Ethiopia.

However, there are no specific guidelines on how to manage the cases of trafficked women in particular. In the Afar camps, the CP SOP provides guidelines on how to handle children victims of trafficking and other abuse including referral pathways and case management but does not set out specific guidelines for victims of trafficking. In Jijiga, there is a SGBV SOP that sets out the roles and responsibilities of each implementing partner with respect to survivors, including medical, psychosocial, case management and legal recourse, but there is no specific component to deal with victims of trafficking. Similarly, the CP SOP provides for identification, registration, documentation and referral care pathways for children with protection needs, and while there is a section that mentions the reintegration of child victims of trafficking, no specific guidance is provided. What is clear from these guiding documents is that there is not significant or consistent attention paid to the unique needs and concerns of victims of trafficking who may be in the camps.

The study specifically focused on the Shire camps where it is known that many victims of trafficking reside. Although psychosocial support is available in two of the Shire camps (as described below), there are no specific services targeted for victims of trafficking or their families nor adapted to the particular needs of refugee victims of trafficking^[142]. Victims of trafficking may be identified in the course of the Best Interests Assessment (BIA) which is undertaken for all UASC arriving in Endabaguna Reception Centre. Between January 2014 and June 2015, 121 such children were identified as vulnerable and survivors of abuse, neglect, violence and exploitation. Limited capacity in the Shire camps and lack of systematic mechanisms to identify and refer victims of trafficking leave victims with the burden of having to approach camp workers to seek assistance.

Victims of trafficking interviewed indicated that there was a lack of services to victims of trafficking with special physical or psychological needs. While one victim of trafficking in Mai-Aini camp and one survivor in Shimelba camp had received some psychosocial counseling from CVT and MSF-H respectively, others were not aware of the possibility and complained vehemently about the lack of services and support. Medical treatment, especially for women with reproductive organ health issues is said to be lacking. KII's confirmed that more support is needed with respect to service provision to refugee and asylum victims of trafficking and smuggling.

“My wife was deported to this country from Egypt in a wheelchair. She was thought to be dead when she was thrown out. When she arrived in Ethiopia, the wounds all over her body smelled and she was not even provided with a blanket nor a soft bed to sleep on.”

Adi Harush camp, male

Generally, trafficking victims may access any service available to all Shire camp residents. Of relevance are the services offered by the Centre for Victims of Trauma – Ethiopia (CVT) that operates in Mai-Aini and Adi Harush camps, providing six - month group psychotherapy sessions; psycho education workshops on trauma related issues and coping/problem solving skills; sensitization and community event activities designed to increase support for survivors of trauma; and mental health training for partner organizations.

[142] The Ethiopian government does not provide direct assistance or any financial or in-kind support to victims of transnational trafficking but rather relies upon the services of non-governmental organizations (See U.S. TIP Report 2015, supra at note 29 for more information). These organizations solely provide services for Ethiopian nationals who have been victimized. For example, the national NGO GSA provides shelter, counseling and livelihood activities for Ethiopian returnees exclusively.

Similarly, MSF-Holland provides services in Shimelba and Hitsats camps that include vocational and livelihoods skills training, general medical services, psychosocial counseling and psychiatric care (Shimelba only). MSF-H also has community awareness program sessions about their services in all the camps to inform the general population about services available and assist people in identifying symptoms of potential psychosocial and psychiatric issues. IRC additionally provides training for sexual trauma clinicians and works with SGBV prevention and response in all four camps. NRC implements child protection activities across all camps, shelter in Adi Harush and youth employment initiatives in Adi Harush and Mai-Aini camps.

General programming challenges affecting the Shire camps include a lack of qualified psychiatric doctors and the high turnover of trained refugee incentive workers, like social workers, who could assist in identifying victims of trafficking, as many leave on irregular onward movement themselves.

Access to legal aid for victims of trafficking in the Shire camps was not identified as an available service in individual interviews. UNHCR has indicated that there is legal aid for victims of trafficking and other persons of concern (including detainees and SGBV survivors) in the Shire camps, but that this system needs to be strengthened and more information made available to persons of concern.

Resettlement was identified as an issue of concern amongst many victims of trafficking in the Shire camps who were interviewed. Concerns were raised that, even though such victims were told they would have their cases reviewed for consideration by resettlement countries, many victims of trafficking were still in the camps and did not have any updated information about their cases. In 2015, 564 persons were resettled under the category of “Survivors of Violence and Torture”, although it is not clear what number of these were victims of trafficking.

Prosecutions and convictions of trafficking and smuggling offenses

Due to a lack of a systematized reporting mechanism for trafficking and smuggling offenses, it is difficult to obtain and verify information about the prosecution, conviction and sentencing rates for trafficking and smuggling offenses in Ethiopia^[143]. Moreover, given the relatively recent passage of the Trafficking Proclamation as well as its noted problems (see Domestic Legal and Institutional Framework Section above) it is difficult to obtain and verify information about specific prosecutions under that law.

Keeping in mind these limitations, the following information, primarily obtained from law enforcement and judicial officials as well as secondary reference materials, broken down chronologically, has been gleaned:

2014

- “Some” traffickers and smugglers were found guilty and sentenced from 5 to 15 years of imprisonment^[144].
- The Ethiopian Federal Police’s Human Trafficking and Narcotics Section reportedly investigated 99 suspected trafficking cases and the federal government reported prosecuting 93 cases involving 118 defendants. Of these cases, the Federal High Court convicted 46 individuals and had 58 ongoing cases. Sentences reportedly ranged between two and 11 years imprisonment^[145].

[143] This is a criticism that has been remarked upon in the past by UN mechanisms. See for example the UN Committee ICCPR concluding observations from 2011 where concern was raised about the lack of information on the investigation and prosecution of trafficking cases, found at: http://www.bayefsky.com/pdf/ethiopia_t4_ccpr_102.pdf U. N. Human Rights Committee, Consideration of Reports Submitted by States parties under Article 40 of the Covenant: Concluding Observations Ethiopia, 19 August 2011, CCPR/C/ETH/CO/1.

[144] Ethiopia UPR Report, supra at note 118.

[145] U.S. TIP Report 2015, supra at note 29.

- Courts in the Southern Nations, Nationalities and Peoples Region (SNNPR) reportedly investigated 468 alleged child trafficking cases at the district level^[146].

- There were no sex trafficking prosecutions initiated by the government^[147].

- There were no investigations, prosecutions or convictions of public officials allegedly complicit in human trafficking offenses^[148].

- Cases originating in Asgere Tsimbila woreda (which includes Hitsats camp and Endabaguna reception centre), Tigray region, include:

- o In May 2014, an Ethiopian man was charged with aggravated kidnapping (Articles 589 and 590 of the Penal Code with a maximum sentence of 25 years) of three Eritrean children from Hitsats camp. The man kidnapped the children and attempted to obtain ransom payments from their relatives in Israel, Dubai and Adi Harush camp. The family in Adi Harush camp contacted the camp police, who informed ARRA, who involved local law enforcement. The smuggler was apprehended and the trial is ongoing at the State High Court in Shire.

- o In April 2014, a 30 year old Ethiopian man who normally worked as a chauffeur was caught trying to transport 16 Eritrean refugees in a truck over Tekeze River (on the road to Humera) when he was caught by police. The refugees were to pay him 90,000 Eritrean Nakfa through the informal hawala system upon arrival to their destination in Sudan. He is currently being tried at the State High Court in Shire.

- o In April 2014, three Ethiopian nationals tried to smuggle 27 Eritreans through Humera to Sudan. At the Tekeze River, in fear of being caught, they dropped the refugees off and had them try to cross the river on foot. The smugglers were apprehended by the police and the 28 Eritrean refugees picked up and brought to the police station. Each refugee had paid between 70-90,000 Eritrean Nakfa. The case is currently being heard at the State High Court in Shire.

Between 2014 and 2015

- Between 2014-2015 the federal police of Ethiopia reportedly investigated 400 cases of human smuggling and made 200 arrests, most of which related to smuggling on the Northern route^[149].

- In Assosa region, in 2014/15 there were reportedly seven cases relating to smuggling and trafficking where the verdict had been delivered, eight people still on trial and another six people whose cases had been closed due to insufficient evidence.

- A record of arrests of smugglers obtained from Mai Tsebri town, Tselemti woreda (Tigray region near Adi Harush and Mai-Aini camps) indicated that 35 smugglers were apprehended (23 cases) involving the smuggling of between 1 and 22 individuals (with a median number of 3). No destination was indicated, but the majority of individuals being smuggled paid about 1500 ETB. About half were caught on foot and the other half in vehicles. About half the individuals apprehended were Eritrean (17 out of 35) and the other half (18 out of 35) Ethiopian nationals. All individuals were apprehended between March 30, 2015 and November 28, 2015^[150]. It is unclear whether these individuals were charged and if so, under what legislation.

[146] Ibid.

[147] Ibid.

[148] Ibid.

[149] Trafficking and Smuggling on the HoA, supra at note 37.

[150] Key informant who provided the research team with a list of apprehended smugglers, Mae Tsebri town, Tselemti woreda.



After the passage of the trafficking proclamation

- The National Task Force has reported that between September 2015 and February 2016, 294 Trafficking Proclamation cases at the regional and federal levels were investigated and of these 69 smugglers and traffickers were sentenced, 12 cases the accused were found not guilty and 16 cases were closed due to inadequate evidence. The specifics provided are as follows^[151]:

- o 21 cases involving Proclamation offenses have been investigated and tried at the federal level;

- o Including ongoing cases from previous years, verdicts were handed down from federal courts in 28 cases and in 14 of these cases, sentences were imposed ranging from two to 18 years as well as monetary fines. For example, one specific smuggling case from northern Shoa, Amhara region was sentenced to 18 years and a 7,500 ETB fine;

- o In Oromia region, 47 cases were investigated and verdicts given in 23 of these;

- o In Amhara regional state, 109 cases were investigated and 73 tried. Four of these were sentenced to between four and nine years imprisonment and a fine of 10,000 ETB; 48 witnesses were provided with protection;

- o In Tigray region, “over 20 smugglers were caught and many were put on trial and sentenced”;

- o In the SNNPR there were 66 cases on trial. Verdicts were handed down in 31 of those cases, six cases were dropped, five closed due to inadequate evidence and 24 are still in progress;

- o In the “Criminal Investigation Division of the East”^[152] 11 smuggling verdicts were handed down with sentences ranging between six and 12 years imprisonment and a 15,000 ETB fine; 31 cases are still in progress and 18 cases have been sent to the federal police for further investigation;

- Our data gathering indicates that in Shire, Endasilase zone, Tigray region, in 2015, there have been reportedly:

- o 4 to 5 cases charged under the new law. These included the arrest of hotel owners where 20 Eritrean refugees were being held during smuggling.

- o 15 cases (including 8 Eritrean) with four of the 15 perpetrators reportedly sentenced with between 8 and 19 year imprisonment terms

- o Arrests were made of between 8 and 19 individuals.

- In Jijiga there is a case of a smuggler who was caught near Harar smuggling refugees, two of which are children from Sheder camp.

- There was one successful prosecution of an Ethiopian national who smuggled refugees at the federal level in Addis Ababa. On September 4, 2015, he took four Eritrean refugees from Hitsats camps, promising them that he would help them get to Djibouti through Aysaita. The refugees agreed to pay him 6000 ETB each and gave him 10,000 ETB total prepayment. The day after they embarked on their journey they were caught in Logia by police, via an anonymous tip. On December 15, 2015, he was convicted of smuggling under Article 9(2) of the Trafficking Proclamation and sentenced to six years rigorous imprisonment with a fine of 21,000 ETB. While this offence is generally punishable with rigorous imprisonment from 10 to 15 years and a fine from 100,000 to 500,000 ETB, the court reduced his sentence pursuant to Article 79 of the Penal Code (General Extenuating Circumstances) because of a number of mitigating circumstances including, his admission of guilt; the small amount that had actually been paid; the fact that he was not educated; and because of his calm behavior in general.

[151] National Anti-Trafficking Task Force report, supra at note 113.

[152] Presumably comprising Jijiga and Afar regions.

Impact of the trafficking proclamation on prosecutions and convictions

In terms of the positive effects of the Trafficking Proclamation on prosecutions and convictions for trafficking and smuggling offenses, it was found that the perception of some law enforcement officials interviewed for this study is that the rate of smuggling in the country has decreased with the government awareness raising about smuggling^[153]. For example, reportedly there used to be 20-30 trafficking cases annually in Jijiga before 2015 but this number reportedly decreased to 10 in 2015. Moreover, the increased penalties under the Trafficking Proclamation allow for bail denial to suspected smugglers and traffickers which assists in preventing suspect disappearance before the trial^[154].

To the extent that prosecutions and convictions are low (although it is difficult to conclude this based on the cases gathered for the purposes of this study and considering that information is not easily accessible), this can arguably be tied to lack of proper implementation of the laws. In 2014, prior to the passage of the Trafficking Proclamation, criticism was leveled by the international community against Ethiopia for failure to investigate and prosecute internal trafficking crimes and failure to support and empower regional authorities to effectively do so. While regional law enforcement was trained to identify trafficking victims, they lacked the capacity to properly investigate and document cases, including collecting and organizing relevant data^[155]. Under the new Proclamation there is inconsistent knowledge and usage about the new law itself in the various regions studied. Nonetheless, initiatives by UN agencies are reportedly underway to strengthen the capacity of law enforcement agents and support the Government with the implementation of the new legislation.

Nationally, implementation problems in ensuring prosecutions and convictions under the new law have been noted to include: gaps in protecting witnesses and victims when enforcing the law; ambiguous wording in the Trafficking Proclamation which have caused disagreements in interpretation^[156]; and the illegal detention of potential witnesses, e.g. detention of persons who have engaged the services of smugglers or are victims of trafficking, to ensure their testimony in court.

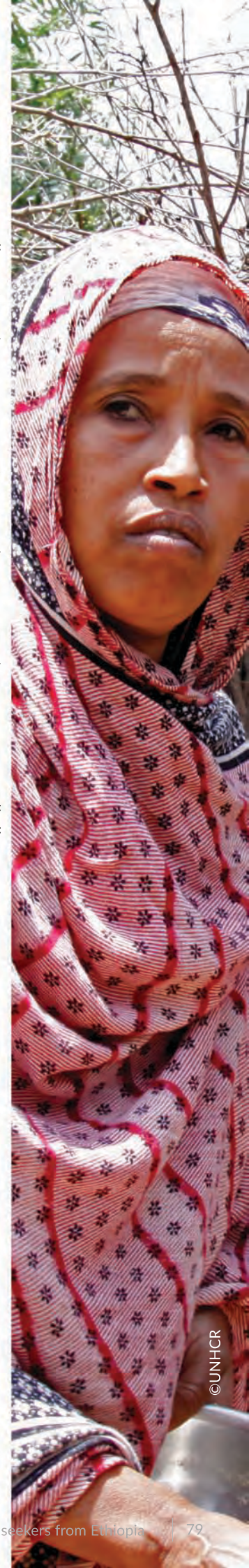
In Tigray, although there appears to be a high level of awareness of the laws dealing with trafficking and smuggling amongst the judges and ARRA officials spoken to, authorities raised some concerns during key interviews. These were mainly related to the very limited knowledge or understanding of frontline government officials about trafficking and smuggling, its harms, or what needs to be done to address the issue; as well as the fact that refugees generally refuse to testify against smugglers due to a desire to ensure that smuggling networks remain open.

[153] Key informant who indicated that the Trafficking Proclamation, supra at note 112 has resulted in a 60 percent decrease in the flow of smuggling in the region and other KILs who have noted less smuggling activity in the Shire area.

[154] Key informant who confirmed that Article 63 of Proclamation 185 of 1961, the Criminal Procedure Code of Ethiopia, November 2, 1961 (Ethiopia) allows for bail to be denied where the offence carries the death penalty or rigorous imprisonment of 15 years or more.

[155] United States Department of State, Trafficking in Persons Report 2014 (July 2014), found at <http://www.state.gov/documents/organization/226844.pdf>

[156] National Anti-Trafficking Task Force report, supra at note 113.





In Jijiga town, the judiciary, although aware of the new legislation, reportedly still utilizes the old (invalidated by the Trafficking Proclamation) Penal Code provisions to charge, prosecute and sentence trafficking offences. Indeed, the public prosecutor interviewed by the researchers was not aware of the existence of the new Trafficking Proclamation.

In Addis Ababa, some federal Ministry of Justice prosecutors are of the view that Trafficking Proclamation offences can only be tried in Addis Ababa at the federal level and not regionally. This understanding seems to conflict with Article 80(4) of the legislation, which states that the State High Courts (located in each zone) can exercise the jurisdiction of the Federal First Instance Court.

Weaknesses in the legal and investigative process that affect trafficking and smuggling convictions in Ethiopia and worldwide include:

- The nature of the crime itself, being secretive, trans-jurisdictional and transnational in nature, makes it difficult to obtain enough evidence against traffickers to effectively prosecute^[157];
- The speed at which witnesses and victims disappear or move on again make it difficult to build and bring a case^[158];
- Determination of whether a crime has actually been committed is challenging. Victims or witnesses may not report any crime due to the general lack of public awareness about the criminal nature of trafficking, or to ensure the continued existence of the smuggling networks. There is often not a systematic and proactive reporting system in place and the police might only become aware of cases where victims or their family members lodge complaints or are referred from other organizations^[159];
- A lack of available human resources in law enforcement agencies and the judiciary to ensure the timely handling of trafficking cases^[160];
- Disappearance of the accused leading to the closure of trafficking cases^[161];

[157] Assessment of Trafficking in Women and Children, Ethiopia, supra at note 122.

[158] Ibid.

[159] Ibid.

[160] Ibid.

[161] Ibid.



Summary of findings

A. ONWARD MOVEMENTS FROM REFUGEE CAMPS IN ETHIOPIA

The study found that Eritrean refugees in the Shire camps are the group most likely to irregularly migrate onwards from Ethiopia, with 56 percent indicating an intention to do so. Amongst the unaccompanied youth between the ages of 16 and 18, this rate was even higher, with 71 percent indicating an intention to move onwards. Indicative of the high rate of onward movements is that, in spite of an average rate of 2,000-3,000 new arrivals per month, official camp populations have remained relatively stable, with similar number of new arrival registrations and ration card inactivations for those absent from the camps for more than three months.

Other population groups intending to leave towards third countries include Somali refugees in the Jijiga area camps, where one-third intend to migrate irregularly; and Congolese refugees in the Assosa area camps, where one quarter intend to move irregularly.

The study also found that Eritrean refugees living in Afar region camps are extremely unlikely to move onwards irregularly to third countries, with only one percent of respondents indicating an intention to do so. Rather, the large majority (62 percent) wish to migrate through regular channels. Many Afaris interviewed demonstrated no knowledge at all of the possibility of irregular onward migration to third countries.

B. PROFILES OF REFUGEES INTENDING TO MOVE IRREGULARLY

Eritrean refugees in the Shire camps falling under this category are predominantly young, male, single, relatively well educated and without family in the camps. The majority has been in the camps for less than two years. Significant number of unaccompanied and separated Eritrean children are also on the move, departing from Shire camps, where an average of 250 UASC go missing per month. These children are mostly male, living in community care arrangements and are from Hitsats camp.

Somali refugees in Jijiga camps intending to move onwards are equally men and women, primarily single, young and relatively well educated. Most have been in the camps for more than four years and have family members in the camps. Gender analysis shows that female Somali refugees intending to migrate are generally less educated, slightly older and more likely to be married than their male counterparts. Youth of both genders are particularly targeted by smugglers.

Congolese refugees in Assosa camps intending to move irregularly are all male, fairly young, well educated, likely to have been in Ethiopia for over four years and most have family members in the camps.

The few Eritrean refugees in Afar camps intending to move onwards irregularly are mostly male, under the age of 25, better educated than the general Afari Eritrean refugee population, single and with no family in the camps. Almost fifty percent have been in the camps for more than 4 years.

C. MAIN REASONS FOR MOVING ONWARDS

All population groups of refugees intending to move onwards from Ethiopia had fairly similar motivations:

1) General feeling of hopelessness

Nearly all refugees mentioned a sense that they cannot have a real life in Ethiopia, nor do they have any expectation of “good” or success. Refugees also mentioned that the feeling of having nothing to look forward to make “death not look so bad”, as a reference to their willingness to accept any risks to reach a place where they are able to have a dignified life.

2) Lack of access to work and livelihoods

Between approximately 60 to 80 percent of refugees intending to move irregularly from Ethiopia indicated that they are motivated to do so because of their inability to access to work and livelihoods, and this rate is particularly higher amongst the youth. Increasing desperation resulting from inability to financially support or repay family in their country of origin, in Ethiopia or elsewhere, coupled with the frustration of having nothing to do in the camps and seeing life pass by without any meaningful achievement, were highlighted as some of the main push factors for onward migration.

3) Inadequate or insufficient education opportunities

Some 50% of refugees, particularly the Somalis and Eritreans in Afar camps, mentioned that inadequate or insufficient education features prominently as a push factor for onward movements. Inadequate or insufficient education opportunities were also often linked to what happens beyond graduation of post-secondary schooling: return to the camps and a complete inability to apply their skills and knowledge to productive livelihoods.

4) Limited alternatives to regular migration

There is a strong desire to achieve family reunification, particularly amongst the UASC and young adults. Nonetheless, refugees claim that either they are not aware of or do not have access to reliable information regarding family reunification procedures. Moreover, restrictive eligibility criteria and differing concepts of family ties lead to skepticism on the part of refugees to family reunification being an actual possibility for them.

Likewise, limited opportunities for resettlement are commonly cited as reasons for irregular migration. Despair at never being resettled, the lengthy resettlement process, and fear/realization of being rejected for resettlement after the interview are reasons reported by refugees for losing hope and resorting to irregular migration. According to refugees, “resettlement takes 2 to 3 years. In a week, a person can get to Europe”.

5) The role of the diaspora: family and peer pressure

The most important pull factors for irregular migration amongst the youth are direct and indirect family and peer pressure, often articulated directly or through perceptions of success conveyed through social media by other refugees who have arrived in Europe. The vast majority have friend or family connections overseas and their existence, as well as their level of support, financial and otherwise to potential irregular migrants, is highly influential on the decision to undertake irregular migration. Those without diaspora connections are less likely to irregularly migrate and if they do, tend to take more dangerous piece meal migratory routes.

6) Other push factors

Protection issues were also raised as a push factors, most significantly fear of sexual exploitation, particularly early forced marriage and FGM, and feelings of insecurity from other refugees. Other push factors include inadequate food rations and the reportedly difficult living conditions in some of the camps - extreme heat, coupled with malaria and no water or electricity, no access to cooking utensils (and for many a lack of knowledge of how to cook with the limited food rations in general) and no basic NFIs like blankets.

D. AWARENESS AND PERCEPTIONS OF RISKS TO IRREGULAR MIGRATION

The study has demonstrated that the majority of refugees, including children, who choose to embark on irregular onward migration have at least some knowledge of the migratory dangers involved at different stages.

Refugees who cited knowledge of particular risks mentioned awareness about the legal and physical risks including: physical abuse; death; kidnapping; torture; sexual assault (for both men and women); drowning; ransom; organ removal; forced labor; robbery; rejection at the border; car accidents; being left behind in the desert; crocodile attacks during river crossings; hunger and thirst; forced religious conversion; and being burned with melting plastic.

Knowledge of risks affects refugees differently. While some are deterred from irregular migration because of the risks, many are not because of the perception that the benefits of irregular migration outweigh the risks. Some have indicated that it is better to take risks and have a chance at success than stay in Ethiopia where there are no opportunities to have a “real life”.

Most refugees learned of risks through news reports and articles. Additional sources include other refugees, family and friends, UNHCR’s partners in the camps, diaspora, previous personal experience and through the experience of other refugees. Such information is conveyed via phone calls from family and friends abroad; social media like Facebook, accessed on mobile phones or through internet café’s in neighboring Ethiopian towns; and information sessions upon arrival to refugee camps in Ethiopia.

E. REFUGEES WHO PREFER TO STAY IN ETHIOPIA OR PURSUE OTHER OPPORTUNITIES

The study found two groups of refugees who either intend to pursue or await opportunities for resettlement and opportunities for regular migration (e.g., family reunification, scholarships); or who simply do not want to leave Ethiopia.

While surveying refugees’ intentions to move onwards from Ethiopia, the research team came across groups of refugees, primarily Eritrean’s of Afari descent, who declared having no intention to leave their country of asylum. The majority of refugee populations in this group are married, older and have stayed in the camps for more than four years.

The main reasons for staying were the safe environment in Ethiopia, a sense of responsibility towards their families, general satisfaction with their situations, as well as lack of connections abroad that could support their journey to third countries. Both the fear of the unknown and the knowledge of the risks of irregular migration were pointed to as relevant factors for the decision to stay in Ethiopia. Interestingly, respondents also mentioned that access to work (even in the informal market), which allowed them to provide for their families and live in safety, was a reason for staying in Ethiopia.

Those refugees who want to migrate through regular channels refugees are largely Eritreans of Afari ethnicity. Amongst other Eritreans and Somali refugees, an average of 30-40 percent declared that they wish to migrate through regular channels.

Amongst this group, and similar to those who intend to engage in irregular migration, the feeling of hopelessness stemming from the lack of employment and insufficient/inadequate education opportunities were cited as the main motivating factors. Lack of diaspora connections linked to inability to finance irregular migration, as well as fear of irregular migration and hopes of resettlement were also raised as factors for pursuing regular channels.

Family reunification, particularly family sponsorship for children, is a significant pull factor and indeed one of the main avenues for regular migration towards third countries. Some refugees are also still hopeful that they will be resettled to third countries or are looking for educational scholarships overseas, preferring to wait for these options rather than risk the dangers of irregular migration, take on the financial burden of such a journey and/or recognizing that finding employment in Europe is not easy.

F. SMUGGLING NETWORKS AND PREFERRED ROUTES

The smugglers or their intermediaries operate directly in the camps and neighboring towns, and target mainly the youth with diaspora connections or strong family connections in Ethiopia. The networks are generally heavily utilized not only by refugees but also by the host community. For refugees, making contact with the smugglers is not difficult, whether through personal connections or through smuggling intermediaries. The refugee/smuggler relationship is multifaceted and not restricted to simple views of victim and criminal but rather understood from the point of view of mutual interest. To protect this network and themselves, the refugee community is generally extremely secretive about the smugglers and their personal travel plans, although have been known to cooperate with law enforcement in certain egregious trafficking cases.

Refugees in Ethiopia intending to move onwards indicated Europe as their primary and preferred destination. Movements towards Europe is perceived as a cost-effective and well-established route; less difficult security wise to enter as compared to countries like Canada, the United States and Australia; combined with quality of life, opportunities for finding work and safety. Few respondents indicated an intention to go along the Eastern Route towards Yemen and beyond. For some, reluctance to take this route stems from a perception that it is difficult to obtain any type of work or refugee status in the countries along that route.

The main transit points in Ethiopia mentioned by refugees irregularly migrating towards third countries were the towns of Humera, Metema, Assosa, Jijiga, Harar, Debre Zeit and Addis Ababa. Countries of transit included Sudan, Egypt and Libya, but to a lesser extent also South Sudan, Kenya, South Africa and Turkey.



Refugee students in Dollo Ado camps/ ©UNHCR

G. TRAFFICKING AND SMUGGLING IN ETHIOPIA: LEGAL AND INSTITUTIONAL FRAMEWORK

Ethiopia is a State party to the UNCTOC and its corresponding Trafficking and Migrants Protocols. The obligations under these international instruments are generally implemented through the Trafficking Proclamation of August 2015. Pursuant to this Proclamation, Ethiopia has in place a number of governmental structures designed to address trafficking. The National Committee to Combat Trafficking in Persons is chaired by the Deputy Prime Minister and is tasked with coordinating a wide range of matters related to combatting trafficking and smuggling and victim protection, assistance and rehabilitation. The National Anti-Trafficking Task Force is accountable to the National Committee and is responsible for designing and implementing policies, strategies, action plans and measures to protect and assist victims of trafficking.

While the Proclamation rectified the problems with the previous Penal Code provisions, there have been a number of gaps and technical issues which have been identified with the Trafficking Proclamation itself, including inconsistencies in terminology and definitions that makes it difficult to prosecute those who have committed any smuggling related offenses against Ethiopian nationals.

With respect specifically to refugees and asylum-seekers, the provisions of the Trafficking Proclamation are not implemented in such a way to provide sufficient prevention, protection and prosecution of trafficking and smuggling offenses.

The study found that there is a general lack of strong coordination on activities aimed at preventing irregular onward migration of refugees in the camps and in the urban setting, including with respect to coordination of information campaigns and initiatives to follow-up on the location of missing children.

In terms of protection services for victims of trafficking, there are no specific organizations that offer services specifically for refugee victims of trafficking in Addis Ababa or in the camps under study. While Shire camp refugee victims of trafficking are able to access the general protection, medical, psychosocial support, education and shelter arrangements available to all refugees, there is no significant or special attention paid to the unique needs and concerns of victims of trafficking who may be in the camps and there are limited efforts undertaken to identify victims of trafficking.

It is difficult to obtain and verify information about the prosecution, conviction and sentencing rates for trafficking and smuggling offenses in Ethiopia. There have been successful cases of prosecution and sentencing of traffickers and smugglers under the previous Penal Code provisions and some of the cases are still ongoing. Under the new Trafficking Proclamation, there have been 294 investigations and 69 traffickers and smugglers have been sentenced. Geographically, these cases are found throughout the country, federally and in Amhara, Oromia, Tigray, SNNPR and Somali regions. Despite these reported prosecutions, there is inconsistent knowledge and usage of the new Trafficking Proclamation in the various regions studied as well as at the federal level.





Policy recommendations

Preventing or mitigating irregular onward movements

Based on the foregoing findings, a number of recommendations are made to prevent or mitigate against dangerous onward movements.

A. PROGRAMMING

1. Increase the livelihood opportunities and employability of refugees and asylum seekers in the formal or informal sectors. The means to accomplish this may range from implementing in practice the already existing legal avenues for refugees to access work permits or seek amendments to the existing labour laws; the establishment of special economic zones for refugees to work; to merely increasing refugee incentive pay and opportunities for those already employed in the camps, by actively engaging refugees in the delivery of services that will benefit their communities. Consideration should also be taken to providing labor protection conditions for refugee workers.

2. Expanding Ethiopia's "Out of Camp Policy", currently limited to Eritrean refugees only, to other nationalities and/or groups of refugees with vocational, family or other interests and reasons to reside outside of camps, which will give refugees an opportunity to build a meaningful life outside the camps.

3. Increase the numbers and quality of recreational and entertainment activities available to refugees in the camps and in the host communities, particularly for the youth, to provide them with more of a semblance of a "real life". In relation to this, implement programming that could be helpful in creating a sense of real community, particularly in the Shire camps.

4. Increase the availability and quality of education in all camps. As a corollary to this, ensure that the schools are accessible to all students and that students are provided with the support to learning the local language and basic essentials to make school a successful experience, e.g. meals, clothing and books.

5. Find means to assist Eritrean and Somali refugees to learn of the well-being of their families and loved ones in their countries of origin.

6. Implement creative and culturally appropriate programming for the youth in Shire and Jijiga to build self-confidence and explore ways to counteract negative peer pressure and family pressure to undertake irregular migration. This programming could be combined with sessions which assist in dispelling myths about life for refugees in Europe.

7. Undertake regular assessments in the camps to address protection needs that may be prompting some individuals to irregularly migrate.

8. Improve, to the extent possible, the quantity and cultural appropriateness in the provision of food rations and NFIs like clothing and soap. This is particularly necessary in Hitsats camp.

9. Increase and improve follow-up on cases of missing children in the camps, particularly the UASC. This can be done, for example, by providing timely alerts to local authorities, especially authorities along the routes commonly utilized by smugglers, of cases of missing children. In addition, coordination in terms of information sharing with other actors along the Northern Route, particularly in Sudan and Libya but also in Europe would assist in understanding the phenomenon and providing appropriate protection services for children, particularly UASC, in the camps as well as along the migratory route.

B. INFORMATION SESSIONS AND AWARENESS RAISING

Build upon existing initiatives like the E-Platform “Telling the Real Story” project, undertake extensive ongoing and continuous information and awareness campaigns, that are appropriately age and gender targeted, in all camps with respect to:

1. Legal migration, including family sponsorship, reunification, and work migration to dispel myths and assist those who may have valid claims.
2. Resettlement, including transparent and easy to access methods to ensure that refugees have up to date information about their resettlement cases.
3. Access to post-secondary scholarship opportunities in Ethiopia. Information on these learning opportunities should be made available not just to those in high school but also to those in elementary and secondary school to give them some hope for the future.
4. Availability of the Out of Camp Policy and other opportunities to live outside the camps, for those in the Shire and Afar camps. This could include a number to contact to obtain more information and support.
5. Creative awareness raising activities on the particular risks to irregular migration, especially with the youth. Efforts should be made to ensure that participants understand how such risks could apply to their specific situations. Consider the incorporation of safe migration modules into such sessions, e.g. how to protect themselves against risks if they do in fact choose to irregularly migrate. Secondary research suggests that individuals tend to respond better to information if the messenger and that individual have demographic and behavioural similarities. Thus, messaging coming from social networks regarding the risks of irregular migration are of great importance as irregular migrants tend to listen to each other and their families and rely on these relationships to undertake their journeys^[162].

C. COORDINATION MECHANISMS

1. Establish and operate a strong coordination mechanism in each region to address irregular onward movement of refugees. Ideally, the issue of onward movements of refugees should be included and mainstreamed in the existing governmental structures (National Committee and Anti-Trafficking Task Forces), as the phenomenon affects Ethiopian nationals and refugees alike. These mechanisms should provide overall guidance and support for all activities to address and prevent onward movement and deal with the ramifications of onward movement on programming. This mechanism should also undertake regular impact assessments are undertaken to ensure effectiveness of any onward migration programming.
2. At a national level, mainstream migration considerations into all refugee programming, e.g. factor in the high levels of irregular migration amongst refugee incentive workers in the Shire camps to better plan for movements of staff to ensure high quality services.
3. Consider establishing cross-border coordination mechanisms with partners in Sudan and Libya to increase protection services for those who have embarked on irregular onward migration.

[162] EC Study on smuggling of migrants, 2015, supra at note 15.



D. OUTREACH

1. Engage with Eritrean and Somali diaspora communities to explore ways to cooperate in order to mitigate against dangerous irregular migration. These discussions should incorporate discussions about creative and effective means to assist family and friends in the camps to prevent irregular migration, e.g. investing in businesses and programming in the camps. In addition, discussions should include ways to message information about onward migration including risks of the journey and actual life in destination countries to ensure maximum impact.

E. FURTHER RESEARCH

1. Undertake further longitudinal research to examining the Afari Eritrean refugee context given the high numbers of individuals who desire to stay in Ethiopia or only wish to move onwards through regular channels. Further research could also explore the dynamics and reasons behind other population groups who have no intention to move onwards, even in contexts where the majority of refugees are on the move.

2. Appropriately tailored and child protective research should be undertaken on trends and drivers of irregular migration specifically focused on children and UASC as a sub-category.

3. Further study should be taken with respect to the large urban Eritrean and Somali populations (both registered refugees and other persons of interest). Little is known, from a quantitative perspective, with respect to the needs of this group nor their intentions with respect to irregular migration.

F. IMPROVEMENTS TO THE TRAFFICKING PROCLAMATION AND IMPLEMENTATION

1. Revise the Trafficking Proclamation to have the smuggling related offenses clearly apply to those who smuggle both refugees and Ethiopian nationals.

2. Revise the Trafficking Proclamation to require the need “financial material gain” in the offense related to falsification of identity and travel documents to be consistent with the Migrants Protocol.

3. Consider revising the Trafficking Proclamation as set out in the technical concerns listed in the Domestic Legislation and Compliance Section of the report.

4. Increase capacity of law enforcement officials, including police, prosecutors and judges, with respect to understanding the provisions of and implementation of the Trafficking Proclamation. Priority should be placed specifically on officials operating in the Shire and Jijiga area camps as well as along the known migratory paths within Ethiopia.

G. IMPROVEMENT OF SERVICES TO REFUGEE VICTIMS OF TRAFFICKING

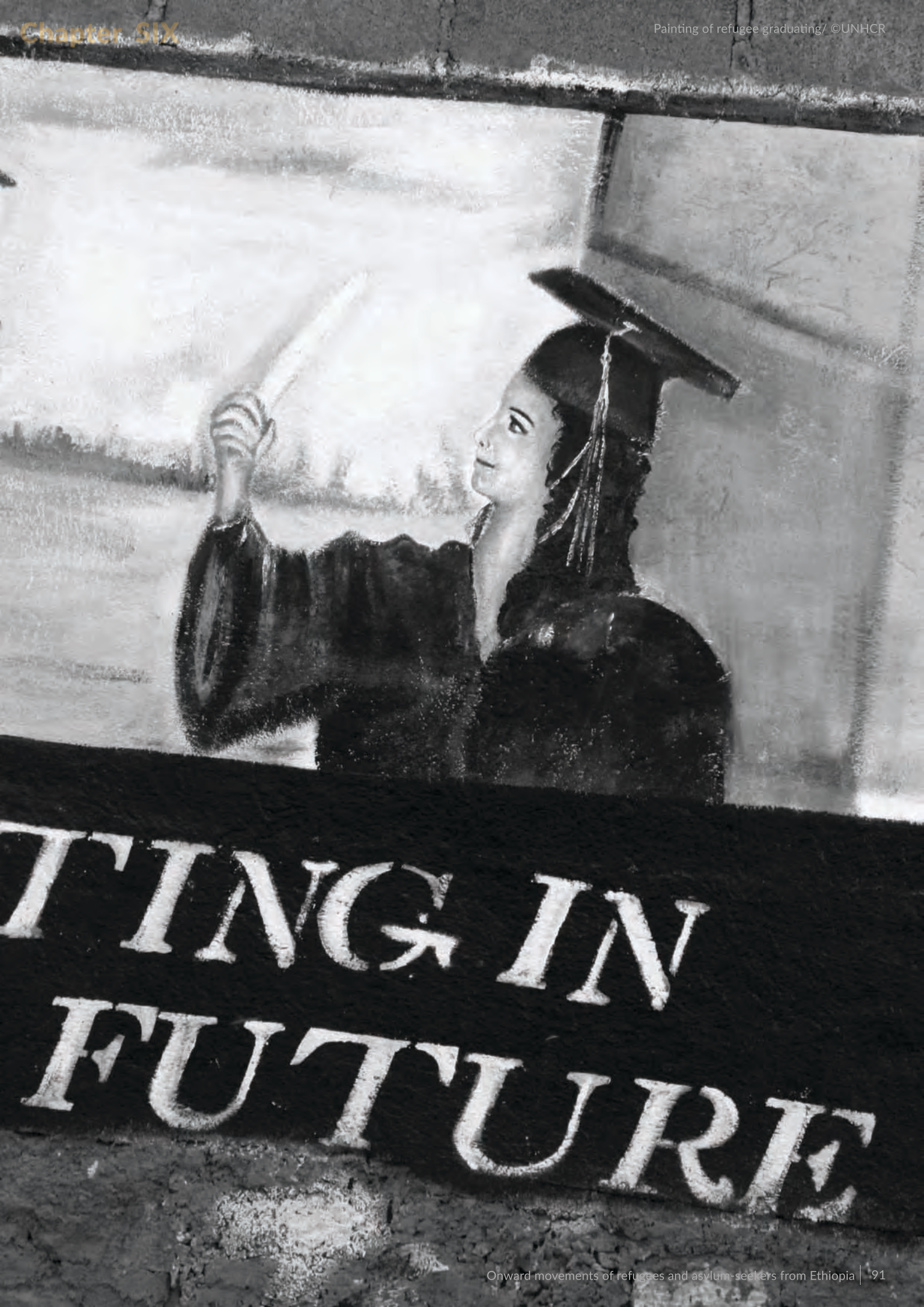
1. Establish SOPs in relevant camps to assist in the specific identification and referral of refugee victims of trafficking to appropriate services. Increase the capacity of relevant implementing partners to provide tailored services to victims of trafficking, specifically in the Shire area camps.

2. Ensure partners consider the needs of trafficking victims specifically in their service delivery of food and NFIs, medical, educational and psychosocial activities.

3. Seek to protect the rights of victims of trafficking by ensuring they are not detained until they provide testimony and also ensuring the provision of legal aid and access to justice in Addis Ababa and also in all the camps.

4. As an essential component of reintegration, ensure that victims of trafficking, and their families and communities are considered in any programming.

5. Improve and provide consistent identification and referral services to refugee victims of trafficking in Ethiopia. Ensure that such victims are provided medical services at their port of arrival, and provided proper accommodations and the necessary transport to the relevant refugee camps. Furthermore, improve coordination between the port of entry and the reception centres at each camp to ensure proper service provision and case management.



LIVING IN
FUTURE

Bibliography

A. LEGISLATION

Constitution of the Federal Democratic Republic of Ethiopia, 21 August 1995

Directive for Refugees who leave the camp for different reasons, issued by the National Intelligence and Security Service Administration for Refugee and Returnee Affairs, 07/11/2007 (Ethiopian calendar) (Unpublished) [ARRA Directive].

Federal Democratic Republic of Ethiopia, Proclamation No. 409/2004, "Refugee Proclamation", article 21(3), available at: <http://www.refworld.org/docid/44e04ed14.html> [Refugee Proclamation]

Penal Code of the Federal Republic of Ethiopia 1957, 23 July 1997, Proclamation No. 158 of 1957 [Penal Code]

Proclamation to Provide for the Prevention and Suppression of Trafficking in Person and Smuggling of Migrants [sic], 17 August 2015, Proclamation No. 909/2015 (Ethiopia) [Trafficking Proclamation]

Proclamation 185 of 1961, the Criminal Procedure Code of Ethiopia, November 2, 1961 (Ethiopia)

U.N. Convention Against Transnational Organized Crime, 29 September 2003, G.A. Res. 55/25.

U.N. Protocol Against the Smuggling of Migrants by Land, Sea and Air, 28 January 2004, G.A. Res. 55/25

U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, 25 December 2003, G.A. Res 55/25.

B. ACADEMIC ARTICLES AND OTHER DOCUMENTS

Assefaw Bariagaber, "Globalization, Imitation behaviour and refugees from Eritrea," *Africa Today*, Volume 60, No. 2 (Winter 2013) pp. 2-18

B. Fernandez, "Traffickers, Brokers, Employment Agents, and Social Networks: The Regulation of Intermediaries in the Migration of Ethiopian Domestic Workers to the Middle East" (2013), *International Migration Review* 47(4), 814-843.

Centre for Victims of Trauma - Ethiopia, Information pamphlet (unpublished updated August 26, 2015).

Ethiopian National Anti-Trafficking Task Force, Federal Trafficking and Smuggling Review Report for the First Half of 2008 (Ethiopian Calendar) (available upon request from Task Force, February 2016) [National Anti-Trafficking Task Force report].

European Commission, DG Migration & Home Affairs, "A study on smuggling of migrants: Characteristics, responses and cooperation with third countries" (September 2015), available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/study_on_smuggling_of_migrants_final_report_master_091115_final_pdf.pdf [EC Study on the Smuggling of Migrants, 2015]

European Commission Fact Sheet, Questions and Answers: Smuggling of migrants in Europe and the EU response (January 13, 2015), available at: http://europa.eu/rapid/press-release_MEMO-15-3261_en.htm

Bibliography

Eurostats, Five Main Citizenships of (non-EU) asylum applicants, 2015 (number of first time applicants, rounded figure) YB16.png, (last accessed April 27, 2016), http://ec.europa.eu/eurostat/statistics-explained/images/1/18/Five_main_citizenships_of_%28non-EU%29_asylum_applicants%2C_2015_%28number_of_first_time_applicants%2C_rounded_figures%29_YB16.png

Fourth Meeting of the Regional Committee on Mixed Migration, Ethiopia, October 28-29 2014, available: http://www.regionalmms.org/fileadmin/content/sector_publications/Note_Co_Chairs_4th_Meeting_of_RCMM.pdf

Frontex, Central Mediterranean Route, <http://frontex.europa.eu/trends-and-routes/central-mediterranean-route/>, (last accessed April 27, 2016).

Human Rights Watch, "I wanted to lie down and die – trafficking and torture of Eritreans in Sudan and Egypt" (February 11, 2014), available at: <https://www.hrw.org/report/2014/02/11/i-wanted-lie-down-and-die/trafficking-and-torture-eritreans-sudan-and-egypt> [Human Rights Watch, I wanted to lie down and die]

IGAD Background Paper, "Human Trafficking and Smuggling of Migrants in the Context of Mixed Migration Flows: State of play in the Horn of Africa" (draft, October 2015), 6th IGAD Regional Consultative Process

Ilse van Liempt and Joreoen Doomernik, "Migrant's Agency in the Smuggling Process: The Perspectives of Smuggled Migrants in the Netherlands" (2006), International Migration Vol. 44(4) [Migrant's Agency in the Smuggling Process]

Infographic, Migrant Crisis: Migration to Europe explained in seven charts, B.B.C., January 28, 2016, found at <http://www.bbc.com/news/world-europe-34131911>

International Organization for Migration, Mediterranean Sea: Data of missing migrants, <https://missingmigrants.iom.int/mediterranean> (last visited April 26, 2016) [IOM Data of missing migrants].

Jan-Paul Brekke, "Stuck in Transit: Secondary migration of asylum-seekers in Europe, national differences, and the Dublin Regulation" (September 30, 2014) Journal of Refugee Studies Volume 28, No.2 [Stuck in Transit]

John S. MacDonald and Leatrice D. MacDonald, "Chain Migration Ethnic Neighborhood Formation and Social Networks" (1964), The Milbank Memorial Fund quarterly 42: 82–97

Marius Oliver, "National Labour Migration Management Assessment: Ethiopia" (August 2015), International Organization for Migration [Labour Migration Management Assessment]

Millena Belloni, "Cosmologies of Destinations: Roots and routes of Eritrean forced migration towards Europe" (2015) (unpublished Ph.D. dissertation, University of Trento) [Cosmologies of Destination].

Miram van Reisen, Meron Estefanos and Conny Rijken, "Human trafficking in the Sinai: Refugees between life and death" (October 2012), found at: http://www.eepa.be/wcm/dmdocuments/publications/Report_Human_Trafficking_in_the_Sinai_Final_Web.pdf.

MHUb, "Conditions and Risks of Mixed Migration in North East Africa, Study 2, November 2015" (November 2015), found at: <http://www.mixedmigrationhub.org/wp-content/uploads/2015/11/Conditions-and-Risks-in-Mixed-Migration-in-North-East-Africa.pdf> [Conditions and Risks of Mixed Migration in North East Africa].

Bibliography

Rachel Humphris, "Research Paper No. 254: Refugees and Rashaida: Human smuggling and trafficking from Eritrea to Sudan and Egypt" (March 2013, UNHCR), <http://www.unhcr.org/51407fc69.html>.

Refugees International, *Forgotten People: The Kunama of Eritrea and Ethiopia* (February 18, 2004), <http://reliefweb.int/report/eritrea/forgotten-people-kunama-eritrea-and-ethiopia>

Regional Mixed Migration Secretariat, "Abused and Abducted: The plight of female migrants from the horn of Africa in Yemen" (October 2014), available at: http://www.regionalmms.org/fileadmin/content/rmms_publications/Abused___Abducted_RMMS.pdf

Regional Mixed Migration Secretariat, *Monthly Summary December 2015*, http://www.regionalmms.org/fileadmin/content/monthly%20summaries/RMMS_Monthly_Summary_December_2015.pdf (2015).

Regional Mixed Migration Secretariat, *Monthly Summary February 2016*, <http://www.regionalmms.org/fileadmin/content/monthly%20summaries/MonthlySummaryFebruary2016.pdf> (2016).

SAHAN Foundation and IGAD Security Sector Program, "Human Trafficking and Smuggling on the Horn of Africa - Central Mediterranean Route" (February 2016), found at: http://igad.int/attachments/1284_ISSP%20Sahan%20HST%20Report%20%2018ii2016%20FINAL%20FINAL.pdf [Trafficking and Smuggling on the HoA].

Samuel Hall Consulting, "Living Out of Camp: Alternative to camp-based assistance for Eritrean refugees in Ethiopia" (2014), commissioned by the Norwegian Refugee Council.

Selam Gebrekidan, *Behind the refugee crisis, families in the West willing to pay and pay*, Reuters (February 24, 2016) [Reuters Behind the Refugee Crisis].

Tuesday Reintano and Peter Tinti, "Survive and advance: the economics of smuggling refugees and migrants to Europe" (November 2015), Institute for Security Studies.

U. N. High Commissioner for Human Rights, "E-platform: Telling the Real Story, Information campaign for Somalis and Eritreans heading for Europe" (unpublished 2015).

U.N. High Commissioner for Refugees, *Ethiopia Fact Sheet* (February 2016), available at: <http://reliefweb.int/sites/reliefweb.int/files/resources/EthiopiaFactSheetFebruary2016final.pdf> [UNHCR Ethiopia Fact Sheet].

U.N. High Commissioner for Refugees, *Europe Refugees & Migrants Emergency Response: Nationality of arrivals to Greece, Italy and Spain January 2015 - February 2016* (2016), found at: <https://data.unhcr.org/mediterranean/download.php?id=864>

U.N. High Commissioner for Refugees, *Mediterranean boat capsizing: deadliest incident on record* (April 21, 2015), available at www.unhcr.org/553652699.html

U.N. High Commissioner for Refugees, "Smuggling and Trafficking from the East and Horn of Africa: Progress Report" (2014), found at: https://www.unodc.org/documents/congress//workshops/UNHCR-Smuggling_and_Trafficking-Progress_Report-screen-final.pdf

U. N. Human Rights Committee, *Consideration of Reports Submitted by States parties under Article 40 of the Covenant: Concluding Observations Ethiopia*, 19 August 2011, CCPR/C/ETH/CO/1.

U.N. Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in Eritrea*, Sheila B. Keetharuth, A/HRC/29/41 (June 19, 2015), found at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/129/07/PDF/G1512907.pdf?OpenElement>

Bibliography

U.N. Human Rights Council Working Group on the Universal Periodic Review, Ethiopia's National Report Under the Universal Periodic Review Mechanism, 4 August 2009, A/HRC/WB.6/6/ETH/1 [Ethiopia UPR Report].

U.N. Office on Drugs and Crime Legislative Guides for the Implementation of the United Nations Convention Against Transnational Crime and the Protocol thereto (2004) [UNODC Legislative Guide].

United States Department of State, Trafficking in Persons Report 2015 (July 2015), found at <http://www.state.gov/documents/organization/245365.pdf>

United States Department of State, Trafficking in Persons Report 2014 (July 2014), found at. <http://www.state.gov/documents/organization/226844.pdf>

United States Department of State, "Trafficking in Persons Report 2013" (June 2013), found at: <http://www.state.gov/documents/organization/210739.pdf>

William Booth, Israeli government to refugees: Go back to Africa or go to Prison, Washington Post, May 14, 2015, available at: https://www.washingtonpost.com/world/middle_east/toughening-its-stance-toward-migrants-israel-pushes-africans-to-leave/2015/05/14/e1637bce-f350-11e4-bca5-21b51bbdf93e_story.html

Women's Refugee Commission, "In Search of Safety and Solutions: Somali refugee adolescent girls at Sheder and Aw-barre camps, Ethiopia" (August 2012) available at: http://reliefweb.int/sites/reliefweb.int/files/resources/in_search_of_safety_and_solutions_ethiopia_2012-1%5B1%5D.pdf [Safety and Solutions Somali Refugees]

Women's Refugee Commission, "Young and Astray: An assessment of factors driving the movement of unaccompanied children and adolescents from Eritrea into Ethiopia, Sudan and Beyond" (May 2013), available at: <http://www.refworld.org/docid/51a84a764.html> [Young and Astray].

Yoseph Endeshaw, Mebratu Gebeyehu and Belete Reta, "Assessment of Trafficking in Women and Children in and from Ethiopia" (undated, pre-2006), International Organization for Migration [Assessment of Trafficking in Women and Children, Ethiopia].

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