

**UNIVERSITY OF NAIROBI
DEPARTMENT OF SOCIOLOGY AND SOCIAL WORK**

**FACTORS THAT FACILITATE HUMAN TRAFFICKING INTO KENYA: A
CASE STUDY OF NAIROBI CITY**

**CHRISOSTIM WANYONYI MUNIALO
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DECLARATION

I declare that this research project is my original work and has not been submitted for examination in any other university or for any other award.

Chrisostim Wanyonyi Munialo **.....**
Reg. No. C50/62031/2010 **Signature** **Date**

This research project has been submitted for examination with my approval as University Supervisor.

Dr. Beneah Mutsotso **.....**
Signature **Date**

DEDICATION

This work is dedicated to my family for their support during my studies and to all those who value continued study for the future is theirs

May the Almighty God richly bless you.

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LIST OF ABBREVIATIONS AND ACRONYMS

AIDS:	Acquired Immune Deficiency
EU:	European Union
GAO:	Government Accountability Office
HIV:	Human Immune Virus
ILO:	International Labour Organization
IOM:	International Organization of Migration
LRA:	Lords Resistance Army
NGO:	Non-Governmental Organization
NSPD:	National Security Presidential Directive
OCPD:	Officer Commanding Police Division
STIs:	Sexually Transmitted Infections
TIP:	Trafficking in Persons
TVPA:	Trafficking Victims Protection Act
UK:	United Kingdom
UNICEF:	United Nations Children's Fund
UNODC	United Nations Office of Drugs and Crime
US:	United States

ABSTRACT

Globally, trafficking on humans is calmed to be one of the most profitable illicit trades after drugs and firearms trafficking. It generates billions of dollars annually. More than 2.5 million individuals annually are compelled to perform tasks that are undignified which frequently resulting from human trafficking. It continues to grow at an alarming rate hence a concern at all levels. It is estimated that 137 countries are involved in human trafficking. Existing studies have investigated human trafficking in Kenya as a country of origin as well as transit. This study investigated human trafficking in Kenya as a country of destination. The study sought to develop the profiles of trafficked persons; factors that facilitate trafficking of humans to Nairobi; the context from which victims of human trafficking are pushed; and to establish the modus operandi of the human trafficking into Nairobi. The study reviewed the literature on factors that motivate human trafficking, characteristics of victims, the push factors, alluring factors. The study used rational choice theory and modern slavery theory. The research site was Nairobi city particularly Pangani police station and Nairobi Remand Home where victims of human trafficking were found. The study adopted a qualitative design with a limited quantitative application. Due to the fluidity of the primary respondents, convenient sampling was used. Therefore a census was undertaken as all the victims of trafficking found and willing were interviewed. The primary method of data collection was key informant interviews with police, probation and prisons officers. Approximately, 36 human trafficking victims were interviewed in two institutions. Key findings were: most victims were young people aged between 19-25 years, they had a low level of education. Travelled within a short time from origin to destination, a few had prior employment experience, most of the victims were not married, there was no significant gender difference between them, all had originated from Ethiopia and Somalia, and all came to Nairobi by road. Open borders, ethnic groups straddling border areas, collusion by motorists and police officers manning roads were the main facilitating factors for entry into Nairobi. The alluring factors were: the promise of employment, the promise of safety and better wages. The modus operandi was characterised by particular routes that seemed favourable, the introduction of victims to a trafficker, little knowledge of a person in the destination, promises of employment which were often false. The recommendations were: law enforcement officers on the roads must combat human trafficking; regional governments need to network better on the borders to control the trade, introduction of human trafficking in the school curriculum, creation of public awareness, implement anti-corruption measures along the identified conduit roads.

CHAPTER ONE: INTRODUCTION

1.1 Background of the Study

Globally, it is projected that human trafficking forms one of the most attractive illegal business. Also, matched to drug trafficking as well as firearms smuggling. It accumulates billions of dollars yearly for sophisticated criminal lords and syndicates. Generally and on the most occasion, it is assumed that globally at minimum 2.45 million persons are compiled to execute undignified, brutalizing and unsafe work and in poor working conditions similar to slavery. It has not been established whether the increase in human trafficking incidences are because of the improved determinations to inspect, discover and report criminal occasions or if it is instigated by an exact upsurge in the occurrence of the crime globally. (Oram, 2011).

In regards to current international crime affecting communities, trafficking on humans is one of among the most common crime. The illegal business in human beings trafficking is perpetually up surging at a worrying rate hence causing more concerns to responsible governing bodies and the international community at large. Present statistics from UNODC on human trafficking trends suggests that the menace of trafficking on human is expanding rapidly and 127 national states are being affected out of the 137 countries globally. Besides, real statistics at both local and international levels continue to be unclear. It is also challenging to attain trustworthy statistical information based on trafficking because the business is illegal and all those involved in the business disguises themselves. Also, it is alleged that some of the trafficking syndicates are powerful hence they influence the investigation bodies.

Nonetheless, according to Oram, (2011), there are different ways that trafficking is defined. Besides, there is no agreement or statistics on the exact proportion or number of trafficked operation as well as the victims that are reported annually. Though, numerous international agencies estimate the syndicate annually to be between 700,000 and 3 million trafficked victims internationally. Such statistics include the TIP, (2010) report.

According to the International Organization for Migration (IOM), nearly one hundred million immigrants globally and about four million trafficking incidences are not reported. The United States Department of State approximates that at in a particular moment, there are more than hundreds of thousands of individual being illegally ferried or stationed to be trafficked. A report by TIP, (2010) shows that more than 800,000 individuals have been trafficked internationally also more than one million are at national level for countries of their origins.

Human trafficking accounts for sexual exploitation when being trafficked, labour service trafficking as well as trafficking for cultural practices such as ritual performances, especially removal of body parts and organs for sacrifice. Trafficking also happens locally and regional, which means at national levels Kenya in particular with a particular pattern of human tracking also at regional levels, for instance, East Africa region which comprises of a specific type of tracking activities. For instance, Indian's trafficking arrangements established that 90 percent of trafficking activities are domestically-orientated whereas 10 percent occurs at regional or international levels. Regardless of the types of trafficked victims, each incidence that happens normally comprises of all gender, and groups, with the most common one being tracking on children and women. According to UNODC, (2009), several countries that experience human trafficking are either the origin of the social problem or destination at times can be used as transit zones. Nonetheless, the country may experience all the three trafficking dimensions

Notwithstanding that different groups of people are potential victims to trafficking, Women and children are faced with severe impact regarding the entire population. According to Richard, (1999), several immigrants are a possible victim of inhumane treatment and poor working conditions and are enormously suffering at the hands of their traffickers. A section of traffickers have pushed migrants beyond the provision of domestic services, but rather sexual harassments and physical assault. For instance, Richard, (1999) claims that bullying, sexual exploitation, and brutality are tools utilized by the traffickers.

A study by Winer, (1997) found that Chinese trafficker is known for being brutal to their trafficked victims. The author also asserts that they subject the victims to robust labour services without payment and also working under poor conditions. Winer, (1997) further claims that the trafficker used sexual and physical assault to the victims and at times they rape female victims and extort the male counterparts. Several immigrants have claimed that they are subjected to horrible treatment including forcing them to have sex with indoor pets for the human trafficking lords, death threats, locked up to sleep in toilets instead of bedrooms they are entitled to regarding their human rights. Also, a group of police missions has revealed the victims are chained with handcuff and heavily beaten to prevent them from escaping (Chin, 1999).

Legal minds have recounted that in legal terms on human trafficking, governments in Asian such as Korean one have misunderstood and perceives that human trafficking is similar to commercial sex and prostitution. The misinterpretation has not changed despites the inception of Palermo protocol spearred by the UN to combat organised crime. The perception further grew worse in Korean after the inauguration of the Trafficking Victims Protection Act. It was ranked as a third Level country in 2001 regarding human trafficking. The Korean government responded by launching an inter-ministry authority to fight to traffic and subsequently initiated a commercial sex service prevention law and policy. Despite demonstrations by commercial sex workers and civil society, Korea has instituted a comprehensive anti-prostitution law and policies, which has been considered as a remarkable milestone since 1961 (European Union & Asia Dialogue, 2014). The reform incorporated prison sentences and penalties for any person that engages in the illegal business as well as prostitution and sex industries. The situation illustrates a severe negative consequence of the anti-prostitution and prosecution-oriented framework of the TVPA and other U.S. trafficking policy globally (EU-Asia Dialogue, 2014).

There are various forms and activities of trafficking in Sub-Saharan region of Africa, three such as trafficking children generally trafficking for the provision of domestic-related work and labour services in farms as well as sexual exploitation both in their country and internationally (Sita, 2003). Secondly, women trafficking in from outside the

East Africa bloc majorly targeted by owners of sex and pornography companies (IOM, 2003). Usually, human trafficking happens in different stages. They comprise manipulation, forced child labour, provision of domestic-related services and sexual services, especially on women and young female's, locally and internationally. A majority of African countries are aware that human tracking is one of the most notable forms social crisis, and that child trafficking is typically purported to be a bit ruthless as compared to women trafficking (IOM, 1996). For instance, Western and Central Africa have a high human trafficking prevalence as almost usual. Coupled with this, a report by UNICEF, (2003) showed that more than 70% of victims are from the region as compared to 33% of the victims who were from Eastern and Southern Africa regions.

In Africa, human trafficking concerns are prominent mainly because of poverty and weak economies. Also, absolute poverty in rural areas compels low-income families to push their children and loved ones to the traffickers, under an alleged reason of providing the victims with opportunities to secure good jobs for an improved livelihood (Dottridge, 2002). Unemployment, family break-up simply because weak social background and affiliation which are created because of death, divorce, and child neglect. Also, the issue of HIV/AIDS which has left numerous children orphaned. All these factors make the population vulnerable to the trafficking syndicate (ILO, 2003; Moore, 1994). Unemployment and poverty are vital influences that cause people to traffic in Sub Saharan Africa. In Senegal for instance, divinity tutors compel children to solicit for money, water, and food in the streets. Hence, the livelihood nature instigates the disadvantaged population to be susceptible to a human right violation from adults and they are forced to join into crime, as well as abuse substance and sexual violations. Ideally, homeless children are extremely susceptible to human traffickers as they are utilised as an object of armed conflicts (child soldiers) (Aderinto, 2003).

According to IOM, Kenya hosts more than 360,000 refugees but also still having an intensified inflow of refugee from countries such as from Sudan and Somalia (IOM, 2011). Kenya is nonetheless well-known for being a hotspot for human trafficking and smuggling of goods and services. For the period of post-election violence, in 2008, more

than 300,000 people were displaced internally and as a result was vulnerable to several human rights abuse, together with human trafficking and smuggling of good and services (IOM, 2011). Besides, Kenya has also been reported to be a source of origin, transit, and trafficked victims destination for the immigrants (IOM, 2011). Regarding countries in the Middle East that are known for human trafficking include; Saudi Arabia, UAE, Qatar as well as Kuwait and Yemen. They also host the majority of female trafficked persons from Kenya. Other destinations where Kenyans are also trafficked include Germany, Italy and South Africa for domestic labour and prostitution (IOM, 2008).

According to a report conducted by TIP Report (2010), numerous efforts being made to combat illicit trafficking on people but they are not being implemented effectively. The report shows that widespread human trafficking is being instigated by humanitarian disasters experienced in East African states. The menace has also been caused by continuous conflicts in some areas such as Northern Kenya, Northern Uganda and Eastern parts of Kenya. The trafficking lords take the advantage of the conflict situations to sneak into refugee camps, and conflict area zone socialites the already vulnerable population, especially women and children (UONDC, 2016)

According to numerous reports published by IOM Kenya, the organization reports that powerful human trafficking agencies are hosted in Kenya and with a well organised international network that targets and identifies possible persons and communities that are easily solicited to join the trafficking wagon (IOM, 2008). Nonetheless, a report by US Department of States, (2017) echoes that female adult person are more probable to be targets of human trafficking recruiters who mainly view them as mature enough to provide manual labour (domestic work) as well as sex services.

IOM, (2007) report cites that, the increased presence of illicit trafficking in Eastern Africa is because of reluctances and corruption by state agencies such as immigration departments, criminal investigation dockets as well as police forces since they engage in accepting bribes and allowing traffic firms into and out of the region at the border points even after presenting fake travel documents. The sentiments are echoed by UNODC,

(2016), which lists for significant causes of illicit transits of humans, which comprises, the expanding domestic market for illegal substance in East Africa and the entire African continent; increased international flights, mainly to Middle East, poor tools to manage human trafficking, which create a favourable platform for East Africa to be a transit point of not only drug trafficking, but also human illicit trafficking, and corruption and unethical behavior amongst law enforcers and custom officers stationed at the airports and border points.

Gona, a trade unionist and academic expert from the University of Nairobi cited that trafficking of children in Kenya is also extensive and many activities have not been documented. Studies showed children were being removed from their rural homes to urban centres to work as a domestic house helps and sex worker for some established sex industries (The East African Standard, May 11, 2007).

"The entire network starts when young female leave home to come to urban centres in the guise of looking for a job, they join prostitution - the dream of each woman is to get a white man and be taken abroad," said Akinyi. She said her organisation was involved in restoration and relocation of females that have been married abroad and turned into slaves.

Unwillingness of responsible authorities to create strong measures, policies and laws has largely impeded the combat against human trafficking and other related social problems. Consequently, Kenya's Attorney General Office has been trying to formulate laws to restrict an act of human trafficking. Also, social challenges such as poverty, limited education, and homeless children are highly susceptible to numerous human rights violation including being trafficking victims.

The Kenyan government has been compiled by the international community to formulate, legislate and implement a comprehensive national policy to combat human trafficking. On the other hand, the Director of Public Prosecutions has continuously expressed inadequate support by the responsible public agencies to enact and implement policies

that would facilitate a much easier platform to fighting trafficking and framework of prosecuting the offenders

Various trafficking methods are being used by the recruiters that targets, especially young adults, females, and teenagers. For examples, this population is being enticed with fabricated promises for better lives and job opportunities. Though, because of limited knowledge or exposure, these population later realizes that they are already victims and instead of the promise made, there being exploited, tortured, forced to work, and at times killed. Parents to the victims are also enticed by being given gifts and at times the money to let their children join the syndicate.

Traffickers also use sophisticated techniques such as kidnapping and stealing the victims. They investigate and visits places such as children home, maternity, churches, schools, and refugee camps. They normally use the prevailing situation such as conflicts to conduct raids that aim at kidnapping and stealing the victims. Other traffickers abduct children without the knowledge of the parents or responsible institutions. This form of track is claimed to be used by organised criminal groups such as Al-Shabaab and other groups that capture the victims for human sacrifice and cultural practices. Forced and child labour is predominant in Kenya, with a projection of 41.3 percent of teenagers between 10 and 14 years of age being misused. Similarly, several women that have just delivered are allegedly involved in human trafficking, where they exchange their newborn babies to the traffickers in terms of money.

“Alice came to the Unites States. with Njuguna-Githinji in the hope of a better life,” Harris said. Instead, she was mistreated by Njuguna-Githinji, who failed to pay Alice hourly wages that comply with federal minimum-wage standards.” Kim added, “In addition to hourly wage violations, there is substantial evidence that our client was a victim of false imprisonment, fraud and intentional infliction of emotional distress.” Although fully aware of her alleged mistreatment, Alice refrained from contacting authorities after she

was threatened that she would be deported if she spoke to others about her work, Harris said.

"Some trafficking offenses could be prosecuted under laws addressing child labour, forced detention for prostitution and the commercial exploitation of children, but no trafficking-related offences have been prosecuted," the report says in its assessment of Kenya. "Kenyan police officials continue to deny that trafficking is a problem."

Nevertheless, contrary to these, it is claimed by government departments that in other places in the same assessment that Kenyan officials are increasingly engaged with the United States to create anti-trafficking platforms. The report cites that check-points to oversee and identifies human trafficking activities were created in the police in 2017 as an initiative by the US government. A particular situation of commercial sex among children in Kenya indicates that people recruit and exploit disadvantaged children instead of dedicating a parental love and care to them, which suggests that moral degradation has partly increased the human trafficking situation in our contemporary society.

Early and forced marriages on children have also been noted as a type of sexual exploitation. They are usually among the indigenous societies in Kenya such as but not limited to Massai, Turkana, Borans. According to the IOM, (2008) report. A section of parents is known to marry off their young school-going aged girls to older men to obtain school fees of their male siblings. Some societies go-ahead to pawn their girls in exchange for cattle, money, and other gifts.

1.2 Problem Statement

Numerous academic studies have examined the extent of human trafficking and provided testimonies that Kenya is a bedrock in of trafficking and smuggling in terms of origin and destination. Though, the dynamics of this phenomenon regarding pull and push factors remains unknown. In terms of the origin of the menace, Kenyans have been trafficked internationally from the Middle East to Europe and South Africa for the provision of domestic labor and sexual services. The methodology used to identify, recruited and

transported, can be only known to the victims and the traffickers. In terms of Kenya being as a human trafficking route and transit, victims are passed through Kenya to countries from and to such as Ethiopian, Uganda, and Somali. Also, Indians are trafficked through Kenya en route to South Africa and the Asia, particularly Middle East.

Trafficked victims that are adults also face poor working conditions without payment or poor wages and working conditions and are restricted or no access to some of the basic human rights. Further, studies on females that are victims of the illegal business revealed that the challenges discussed poses enormous consequences to the mental, physical, social, health, and reproductive, which causes the victims to face numerous challenges in life, contract diseases such as HIV, brainwashed, traumatised, abuse substance in trying to cope up with the situation, and on worst cases some die or even murdered.

A study by CRADLE, (2014) established that human trafficking, specifically on children are based on exploitation in different forms such as child forced labour, poor working conditions, and restriction to access education, physical torture sexual abuse, and prostitution as well as servitude among others. The report further indicated that 41.3% of children both male and female aged between 10-14 years are trafficked to provide cheap labour services. Generally, factors facilitating the trafficking of children comprise homelessness, poverty, limited exposure, and education. The report cited that there is an inadequate reporting of trafficked individuals.

According to 2013 TIP report, Kenya is ranked on the second category watch lists, for now, three successive years. The ranking poses a risk of being ranked as category three unless the country shows satisfactory development in combating the illegal trade to have sufficient recognition for best tiers in terms of human trafficking. In general, category two slot is only for national states that do not fully conform to the United States. Trafficking Victims Protection Act contains minimum standards to obtain a better ranking.

The ranking is given based on the determination for the countries to demonstrate effort in ensuring full obedience to the provision of the counter-trafficking. Much of the existing information on human trafficking is about Kenya as a transit country. This study is focused on Kenya as a destination country and the network through which they are processed.

1.3 Research Questions

This research was guided by four key research questions, which comprise the following:

- (i) What are the profiles of trafficked persons, forms of trafficking in Kenya?
- (ii) How are trafficked persons recruited?
- (iii) What are the pull and push factors for human trafficking to Nairobi?
- (iv) What are the sources, transit routes, modes of transportation for trafficked Persons in Kenya?

1.4 Objectives of the Study

To assess the condition of human trafficking to Nairobi by analysis of the policies and character of the problem with the view of preventing, controlling and advising mitigation measures by state and international agencies in the criminal justice system.

1.4.1 Specific Objectives of the Study

- i. To identify the profiles of trafficked persons and forms of trafficking in Kenya.
- ii. To find out the factors that facilitate human trafficking into Nairobi.
- iii. Establish the context from which victims of human trafficking are pushed.
- iv. Identify the modus operandi of the enterprise regarding recruitment, transit routes, moreover, modes of transportation for trafficked persons in Kenya.

1.4 Study Justification

Credible reports about human trafficking have been made in Kenya, but the scale and magnitude of the problem largely remain un-researched. Most of the existing information is based on newspaper reports. There is need therefore to follow up with primary data to

contribute to this virgin field of social inquiry. The purpose of this study was to confirm that human trafficking takes place in Nairobi and that Kenya is a destination.

1.5 Study Scope and Limitation

The study scope is mainly limited to forms and types of human trafficking, the facilitating factors, recruitment techniques and channels of transportation. The scope was limited to Nairobi County as the point of destination.

CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

Chapter two of this study analyses literature on the aspects that motivate, the consequence of human trafficking on societies, routes used by traffickers as well as victims' destinations. Besides, this chapter examines Kenya's human trafficking laws and the relevant theoretical background.

2.1. Facilitating Factors

There exist systematic research studies on human trafficking in Kenya, but some motivating factors for trafficking in the East African region have emerged. These factors range from personal characteristics, the economic situation of the trafficked individuals, characteristics of their family, networks, and home community.

2.1.1 Personal Characteristics

Regarding personal attributes, trafficked individuals are exposed to the problem because of life constraints such as unemployment as compared to underlying forces in the societies that these victims come from (ILO, 2006). Even though, most of the victims are passively enticed to join human trafficking rather than those who are actively recruited by the trafficker. Frequently, those individuals who are trafficked as well as their family members would search for assistance out of their circumstances; hence susceptible to the traffickers. These victims usually search for the better source of livelihood, a job in other destinations, which pushes them to escape their existing condition.

A majority of the illegal trade victims might perhaps have been street dwellers with no or limited educational qualifications as such, end up with limited employment opportunities. In some cases, multiple female (women and girls) are chased either by their families or society. Others are dismissed from their workplace because of the challenges associated with their gender such as pregnancy (Pearson, 2003). A research conducted by KIWOHEDE, (2016) an NGO working with female victims of trafficking in Tanzania, claimed that sexually exploited women/girls who also have limited educational interest,

perform well below in schools as other even do not have access to education as well as high rates of school dropout are exposed explicitly to trafficking(Kamala et al., 2001). Besides, numerous young adults and children, 50(20%) of total sample whom to the Organisation interviewed indicated illiterate, prostitution as being the primary source of livelihood in the city.

According to Fitzgibbon, (2003) an exploited person may be further at risk of being trafficked. For instance, the author advances that, domestic workers in West Africa and Dar-es-Salaam whose employers are sexually abusing them opted for unplanned and early marriages. The idea is also observed by Kamala and others, (2001). Though, sections of other individuals and families, regardless of being victims of these social problems, end up not being victims of human trafficking. However, Mwami and others, (2002) assert that there is a minimum understanding of factors which inspire some people to be more resistant to trafficking regardless of numerous risk factors.

Poverty is regularly pointed out as a cause of trafficking. For instance, there have been reports of positive correlations between the impoverishment of parents and their likelihood to believe the promises made by traffickers (Fong, 2004). Overwhelmingly, research concludes that individuals are vulnerable because of unmet needs for sufficient livelihoods.

Kadonya et al., (2002) observed that 15% of teenagers interviewed in a survey were employed in the informal sector, indicated that life constraints inspired them to search for employment as their primary motive for being at the location where they were currently working. Also, poverty, which implied a lack of means of supporting themselves and limited job opportunities were echoed by 40% of the respondents who were commercial sex exploited teenagers. Another research conducted in Tanzania also established that factors that motivate the surveyed individual to join human trafficking wagon was because of challenges getting work, which left them with no choice but to accept the exploitative labour force (Kadonya et al., 2002).

None of the research reviewed discloses the facts that trafficked victims are generally unemployed, as compared to others who were also interviewed in the same region that human trafficking occurs. Though, multiple claims reported and indicated that there might be a correlation between employment, social and financial challenges such as poverty, unemployment, and limited education livelihoods, and human trafficking in sub-Saharan Africa. However, they were merely based on opinions, rather than statistics from verified demographic data.

The statistics came from slum dwellers who were in total desperation and poverty such as street children, street beggars who mainly live without support from families and institutions in Africa's major cities. Unpredictable migration and human trafficking among youths were instigated and intensified by the gap between lack of employment opportunities and economic crisis (Adepoju, 2005).

Occasionally, occupations of victims in trafficking are for own benefit and at times to explore other sources of income to support their family through allowances upon a successful trafficking mission and also recruitment. Kamala et al., (2001) asserts that most women may be forced into human trafficking to support their family. For youths, they benefit from the business to facilitate their livelihood and that of their families to have an extra income from trafficking their relatives in case they lack means of livelihood entirely. The trend is motivated with a perception of taking their loved one into trafficking so that they could also have living (Adepoju, 2005).

Such vulnerability of women can be established in the aspect of unemployment. Then again, the basis of latter is anecdotal proof rather than logical analysis. It is possible for most women to have fewer livelihood options when their likelihood of acquiring land and capital as well as wages are considerably low, which compels them to opt for migration opportunities as suggested by Kamala et al, (2001). Notably, the social and cultural practices that marginalise women illuminate on "feminisation of migration." Besides basic needs, women can seek opportunities to pay off debts (Kamala et al., 2001). A perception that working in cities is less arduous and has more pay than working in the

countryside is popular in the modern world. Such a desire for quick and easy payoff can turn out to be a precursor for women trafficking and exploitation.

Nonetheless, other studies suggest that people's hope for a better life does not necessarily imply that their primary goal is a perfect life: "nearly 80% of the girls interviewed do not necessarily desire to be rich. Instead, their primary goal is to access good life" (Kamala et al., 2001). Given this, migration of women can be perceived as an attempt to access more freedom (Pearson, 2003).

2.1.2 Family and Social Networks

Ideally, the level of strength incorporated with nature of a person's associations determines their trafficking conditions. For instance, those who is weak social background, orphanage, widow, homeless and the divorced women are usually vulnerable trafficking. Also, females and children with domestic violence are a deeply considered risk to the social problem. What is more, those known to any person who was trafficked in the destination area are provided with a much more comfortable and safer migration by the traffickers. In light to this point, having colleagues already known to the trafficking syndicate, will put pressure and entice other potential individuals to join the wagon. However, the encouragement could be a risk factor for trafficking.

Adepoju, (2005) states that orphanage is related to extreme poverty, powerful work and child labour, as well as levels of school dropout, especially for young schooling girls who come from burdened families that are not able to raise to school fees. Moreover, these people are from social backgrounds with poor children protection; traditional beliefs that are outdated and only enhance social behaviours such as human trafficking.

Children that lose one of their parents or guardian are also perhaps poised to be influenced to join human trafficking as a mean of survival (Adepoju, 2005). Nonetheless, numerous factors that facilitate the behaviour are degenerates because of social problems, rather than collapsed family structures are of these trafficked victims (ILO, 2006).

Irresponsible parents who resort to child neglect and child labour also facilitate the behaviour, whether unknowingly or not.

A broad body of research has also observed that the presence of large family size among most cultures in Sub-Saharan orchestrates the human trafficking syndicate. As advanced by Adepoju, (2005), parents or guardian of large family size are unable to provide basic needs to their children, and other go a mile to force them into child labour, early marriages, and other social behaviours such as engaging in human trafficking so that they can provide for their siblings. Besides, a study in West Africa disclosed a relationship between the bearers of a large family as being irresponsible parents to their children (ILO, 2001).

Kamala, (2001) accounts that women, especially those forced into marriages, sexually abused may also encounter challenged that motivates them to migrate from their origins in the name of dodging their husbands or parents only to land in the hand of traffickers (Kamala et al., 2001). However, UNICEF, (2003) notes children exiting their homes might have encountered severe physical abuse and social problems.

The study observed that only 3% of the children in Tanzanian are commercially sexually exploited because they were kicked out of their homes by their parents. Also, these findings concur with Fitzgibbon, (2003) study, which revealed that children left their homes because of socially-related problems such as forced marriages, sexual abuse, and child labour, whereas 20% escaped due to physical assault and neglect. Though, a study conducted by Fong, (2004) disclosed that some of the children left their home with the consent of their parents or guardians. Situations like these happen as a result of economic challenges such as poverty and need to obtain another source of livelihood

2.1.3 Community Characteristics

Economic situations both at homes and at society levels instigate concerns that propel people to be vulnerable to social problems such as human trafficking. However, UNICEF, (2003) lists other environmental and political aspects are also to some extent

influential. The aspects include political marginalisation, lack of protective services to those that try to escape unlawful — also, the susceptibility of working and frequently having cases of unfavourable working conditions from their employers and other related factors. These aspects, when put together creates fear often the essence of the inability for the victims to return home after migrating regarding youths, small social opportunities in rural areas, as compared to youths in urban centres. The aspect could explain why most trafficking victims are formed in rural areas.

Studies reveal that whereas the universal and compulsory primary education offers a certain level of child protection, it is not enough to protect these children from human trafficking recruitment. The ideas are some of these recruiters gain access to these schools and entice the young one to join the trade by promising them good lives(Pearson, 2003). According to Adepoju, (2005) some rural areas have reduced coverage of secondary schools and once the youths have graduated from primary school. They are left to idle. A World Bank report, (2009) indicated that few secondary schools in rural areas lead 45% school dropout cases and the youths would instead seek any form of employment than staying with their parents at home amidst of child neglect and mistreatments. Kamala and other, (2001) asserts that professional training opportunities in rural are essential to reduce the gap and concerns over human trafficking. A report from a Tanzanian survey showed that nearly a significant proportion surveyed children working in informal areas disclosed training at (14%) whereas employment was at (15%), as the factor reported by the respondents for migrating or join the illegal business (Kadonya et al., 2002). The absence of educational and training facilities in remote communities explains the factors behind children and youths joining illegal businesses and availing themselves exploitation by trafficker's and consenting to false assurances (UNICEF, 2003).

2.2 Appealing Factors

Trafficking businesses to those interviewed seem lucrative, hence attracting many stakeholders as opposed to non-exploitive types of labour since it is not taxable, and stakeholders are submissive because they are promised decent perks. A trafficked person

usually are diversified regarding cultural, languages, and traditions hence being an asset to trafficker because of dependency.

Trafficked victims, especially homeless children are more exploitable since they are less expected to have good bargaining power as compared to those with homes and families. There are no advocators to negotiation on behalf of them to the traffickers regarding working conditions and bonuses. Besides, in some cases of domestic work and sexual exploitation, the trafficker may be concurrently their custodian, therefore, utilise their status to exploit them further. Whereas, the similar power dynamics does not happen with adults, putting in mind that there are different settlement pattern in Eastern African region also different economic settings, for instance, those coming from a rural location. Victims of human trafficking may be reliant on their well-endowed trafficking representatives or managers for accommodation. The victims happen to utilise all of their resources to migrate as soon as they arrive at the destinations they are already indebted. Thus they became desperate, and they have no chance but to accept any offer presented to them. These aspects, maker trafficking managers to have the ability to maintain control and fully influence the victims.

2.2.1 Agricultural and Domestic Work, Prostitution, and Sexual Exploitation

Generally, the act of trafficking is not limited to labour supply for either illegal purposes or open trades, but the type of workload included in the entire business is regulated formally by pulls trafficked labour force. For instance, East Africa region is alleged to have trafficking that is informed by the need of provision of labour for large-scale farming labour is prevalent and revealed by numerous sources (Adepoju, 2005) and in the mining sector (United States Department of State, 2006).

Sufficient evidence implicates East Africa of having domestic work oriented human (Pearson, 2003). Also, Kibuga, (2000). Indicates that internal trafficking, particularly for domestic employment, has been documented in some countries in East African such as Kenya and Tanzania through in urban areas. Many parents in urban areas usually work outdoor therefore require a substitute person to take care of their homes as well as

children. However, there is a massive shortage of the service, especially at a low cost, which also complies with the set standards in urban areas. Hence, the Urban and rural connection is robust in East-Africa region regarding domestic labour. The aspect also could facilitate a reduced amount of formal types of human trafficking because of domestic labour.

Recently, international trafficking mainly for domestic work is raising concerns. There are numerous reports of Nairobi youths going to the Middle East and other Asian destinations to work as house helps. On the other hand, reports have also shown that Kenya, Ugandans, and young Burundian females are continuously trafficked to Europe for domestic work (UNICEF, 2003). Some have been smuggled into North America from Kenya (United States Department of State, 2006) to be domestic workers.

Regarding domestic sex, there have been allegations that are indicated in Adepoju, (2005), and UNICEF, (2003) reports which claim Tanzania and Kenya girls have been smuggled to oversee to act adult movies for some international sex industry. Times it happens internally for entertaining tourist (Fitzgibbon, 2003). The need for the sex industry in East Arica is taking advantage of the human trafficking and largely depend on young girls. Also, these girls are promised proper payment are guaranteed privacy (US Department of State, 2006). There are reported instances of sexually abused girls from Uganda in the United Kingdom (Somerset, 2004). Young females from South Africa and East Africa are taken to Europe as sexual slaveries according to Adepoju (2005) study. Although trafficking related to sex tourism could be highly profiled and consequently is well documented, there is specific proof which links domestic sexual trade as being much higher when it comes to reasons for being human trafficking. For example, in Tanzanian research disclosed that merely 20% of respondents involved in commercial sex with high-class individuals who were mostly tourist, as their primary clients (Kamala et al., 2001). Also, a Kenyan survey found that Kenyans form a more significant proportion regarding client zones for prostitution and sexually exploited among children, especially in the coastal region of Kenya (Jones, 2006). Lastly, Kenyan armed forces usually are utilise trafficked victims as sexual objects and taken to the soldiers. Some detailed reports

indicate that British Army in Nanyuki has occasionally been accused of sexual slavery against the trafficked female victims (UNICEF, 2003).

2.2.2 Military Service Related Work

Because of a prolonged conflict between the Lords Resistance Army popularly referred to as the LRAs who targets civilians to hurt and the Ugandan government, there was a considerable need for trafficked labour for military operations in the region. Despite, most of the work is for combat responsibilities, sexual servicing of soldiers and military support purposes also create substantial needs. The Armed forces would either directly or indirectly rely on this trafficked victims to supply labour. The kidnapping of civilians from East African countries and beyond such as Congolese citizens, and mainly by the LRA militants, is considered to be the uppermost trafficking syndicate in the region. Hence, the level of human rights violation is profound by the tremendously powerful techniques utilised by the recruiters. The involvement of soldiers in the title of human trafficking is questionable since they are required to protect the citizen. Such incidences have been extensively reported and condemned (Human Rights Watch, 2003).

According to Human Rights Watch, (2003) report, the LRA rebels depend on trafficking since they have no public goodwill for their operations. The rebel leader target children to recruit them as child soldiers since the rebel group does not have a fund to pay its soldiers to fulfill its operations. The recruited child soldiers are exposed to severe dangers and hardships. The soldiers are involved in looting, punishing civilians, and counter-attack the Uganda People Defence Forces (UPDF) in the Northern region of Uganda (Human Rights Watch, 2003).

A study by Human Rights Watch, (2003) claims that LRA has approximately abducted more than 20,000 children since it started its operations as a rebel group. Besides, there have been allegations that linking UPDF of forcefully and indirectly recruiting children, especially by coordinating with the Local Defence Forces in Northern Uganda (Human Rights Watch, 2003). A study by ILO and Government of Uganda, (2004) showed that 17% of children that had escaped or been released were boys that were performing

combatants duties such as, spying, messengers, cooks, and porters. These roles exposed the young boys into more dangerous activities, which involved lifting heavy loads, walking long distances without food and water, exposed to diseases with no treatment in case infected, and risk of attack in the field since they are war. Finally, armed forces in Uganda are reported to tend employing the trafficked labour to offer sexual services to the military men. Even though some women, there are different forms of rewards they are entitled to which guarantees an equal level of treatment while others were enslaved. Some of the victims could have sex with several soldiers, and others strictly were meant to offer sex services to top profile soldiers (Human Rights Watch, 2003).

2.2.3 Other Forms of Exploitation

Pearson, (2003) asserts that some labour terms are exploitative, therefore, there particular demand that should not be seen in there fullness such as demand of women as only being wives. The situation has increased the essence whereby some traditions placed sanctions to women such as forced and early marriages. In this regard, women have been involved in situations that force them to migrate and join their purportedly “new husband” despite having not ever seen them before. The act is considered to be a high profiled human trafficking. Women have been subjected to hidden acceptance of transitional sex relationship as labour because of the trafficking; it might be unfortunate to see a legally distinct or personally experienced by victims as rape as a case of force of demand and supply. Ideally, the problem is of specific concern as opposed to children that do not agree to the transactional sex. Nonetheless, it is essential to think about ways regarding the forces and dynamics of the market which facilitates the high demand for children in the Eastern African region. They comprise the risks associated with the trade, levels of awareness and civilisation among the victims in the region. For instance, the increased risk usually have consequences towards pedophiles to migrate and pursue a more reachable and minor risk when delivering he trafficked children. Also, there are domestic markets, which are formed by customs and existing suspicions of HIV and AIDS infection that favours children based on short and long-term sexual companions. In conclusion, numerous examples show the utilisation of trafficking victims for traditional purposes such as ritual practices and cultural objections in East Africa (Fitzgibbon,

2003). Generally, the practice may consist of religious leaders not only using trafficked victims for labour services, but also other purposes such as scarification whereby the victims' body organs such as tongue, hearts, blood, kidney and so on have been reported to be used the trafficking lords for ritual purposes (Fitzgibbon, 2003).

2.3 Trafficking Flows

Available literature shows that East Africa region experiences both national and global trafficking. For example, Kenya had fourteen, Tanzania was at ten, while Uganda recorded eight. There was a correlation between a number of trafficking flows and the level of urbanisation; this suggests why Kenya rated high. Also, the presence of high concentration of labour intensive businesses determines trafficking flows. Nonetheless, the literature shows that rural areas and shanty towns have the highest proportion where these trafficked persons are sourced as a point of origins. On the other hand, urban centres, in the East African region were the point of destinations since urban centres have extensive economic activities such as tourist centres, better hotels, and industries (ANPPCAN, 2005). Regarding the point of origin particular in Kenya, the Western and Northern regions emerged to have a high level of the point of origin of the trafficked individuals (US Department of State, 2006). However, as indicated earlier on, there was a limitation regarding research conducted on trafficking in the East African region and the fact that there were limited primary sources reviewed most of the sources were particularly from UK studies.

In general, regions or to some extent countries were points of traffic flows because of geographic and demographic attributes based on the origin and destination of human trafficking. This flow is facilitated with factors such as the availability of direct transit routes, means of logistics, and accessibility of the potential people for trafficking. Regarding transit routes, Kenya and Tanzania were noted as hotspots. Conversely, Ethiopian is purported to have high rates of trafficking women to Europe as well as Middle East (Adepoju, 2005). A UNICEF, (2003) study reveals Uganda as a major transit point of origin, however, does not indicate the type of trafficking activities (UNICEF, 2003).

2.4 Impact of Trafficking on Individuals and Communities

2.4.1 Victims of Trafficking

Trafficking usually has got impacts ranging from persons' health to many future life opportunities. However, the reviewed works highlight factors that primarily pose effects on the social lives of children. A study by ILO that focused on child labour in Africa established that trafficked children are basically at health risks such as heart problems, various forms of food and chemical poisoning, and they are exposed to other unhealthy substances and dangerous tools that bring them closer to infections, physical accidents, harsh working conditions that make them exposed to physical fatigue. (Masudi et al., 2001). A broad body of research also indicates that a majority of the trafficked children do not have access to medical service and practices such as immunisation, deworming, and general health care in case they fall ill.

The trafficked victims are exposed to other social problems such as substance and alcohol abuse. Traffickers may perhaps be forced to utilise drugs and alcohol as a method of controlling their trafficked victims. Also, there occurrences when victims abuse substances as a way of adopting with a newer situation. In regards to sex during trafficking, it is considered as one of the most demanded services by the traffickers. Hence this comes with risks, such as STIs and unplanned pregnancies especially to the victims since the possibility of having protected sex is low. A study undertaken in Tanzania disclosed that the trafficked children who also engaged in either forced on commercial sex were vulnerable to Sexual Transmitted Infections as well as HIV/AIDs (Human Rights Watch, 2003)

The trafficked targets have high possibilities of being denied essential life opportunities since the majority of them are discontinued from school to join the trafficking cohort. Research documented indicates that most of the trafficked victims are disrupted while attending their primary education (Somerset, 2004). The findings of the report also resonate with Annan et al., (2006) study which also found out that a majority trafficked population in Northern Uganda were abducted while in schools by the LRA rebels.

Literally, because of the abductions, the children are forced to miss out education which could have to unlock their future social opportunities.

2.4.2 Communities

Trafficking consequences on various societies in East Africa region have never been systematically reported, though some of the potential effects of human trafficking to these societies globally include:

- Eradication of cultural information – parents or guardians are incapable of passing on traditions since human trafficking weakens social affiliation and generations (in case any family member is a victim of human trafficking);
- Need to introduce new social values that uphold the need to respect family, gender and diversity, especially in rural societies to the returning victims;
- Decrease in children’s social opportunities, especially on education and healthy wellbeing as well as the development for trafficked population, particularly children;
- Reduced wages and poor working conditions due to competition from the trafficked population and forced child labour;
- Eradication of human resources from societies, which also facilitating a decline in economic development and increased dependency;
- Worsening public safety and the reduced rule of law in societies;
- Unethical public officials, especially the those at the immigration office, which increases corruption ;
- Powerful and organised crime networks and the introduction of other forms of human trafficking such as drug and weapon trafficking, as well as smuggling.
-

Several examples indicate an emerging conflation of human trafficking and prostitution by the U.S. government. First, recent policy measures under the Bush administration purport a unique link between prostitution and trafficking (GAO, 2006). A recent state Department Publication entitled “The Link Between Prostitution and Sex Trafficking” suggests this perspective. This document suggests that trafficking is both a cause and effect of prostitution yet made assertion based on reports that are unsubstantiated by valid

research methods and data (GAO, 2006). A section of scholars have disputed these assertions and challenged the research upon which the claims are based and have called upon the government to support more reliable research in the formulation of public policy. Even a Government Accountability Office (GAO) Study released in July 2006 report that U.S. government estimates of human trafficking “are questionable” and “in doubt because of methodological weaknesses, gaps in data and numerical discrepancies (GAO, 2006).

In Feb. 2002, President Bush authorised National Security Presidential Directive 22 (NSPD 22) identifying trafficking as a national security issue. According to the Bush administration, the relationship between Trafficking and organised crimes poses a transitional threat and raises terrorism concerns. The Department of Justice Report on anti-trafficking efforts cites to NSPD 22 and emphasises that prostitution is one of the sources behind sex trafficking. The report emphasises official presidential policy to heighten criminalisation and enforcement against prostitution as a primary technique to mitigate human trafficking (NSPD, 2002).

2.5 Kenya’s Legal Framework

Chapter four of the Kenyan constitution, which is the Bill of Rights encompasses essential rights and freedoms, some of which can be the basis of safeguarding persons in trafficking (GOK, 2013). They comprise the following components; right to life, equality and freedom from discrimination, right to human dignity, protection against slavery, and forced labour and freedom of movement and housing and safeguarding of victims of crimes.

The discussed Bills of Rights contains a cross-section of exploitations that are common to the acts of smuggling and human trafficking such as torture, homicide, brutal treatment to victims, discrimination, restriction of movement and where the person has been employed, poor payments. It emphasizes that misuse shall comprise at a minimum, the exploitation of the prostitution of other forms of sexual exploitation, child or forced labour as well as other all forms of slavery or using human organs as objects of sacrifice.

2.5.1 The National Plan of Action

The government of Kenya developed the National Plan of Action for combating human trafficking 2013-2017 (GOK, 2013). The framework was a response to the following factors. Kenyan government does not entirely conform to the minimum principles for the eradication of human trafficking. In 2008 it was reported that Kenya's anti-trafficking efforts improved markedly over the reporting period, mainly through more celebrated investigations of a suspected trafficking case. In 2014, trafficking in persons reports state that Kenya is currently at Tier 2 watch list. Generally, tier 2 implies that Kenya government has not demonstrated evidence of increased effort of combating human trafficking. Their efforts remain uncoordinated and lack strong oversight creating an environment conducive to trafficking.

Article 9 of the Palermo protocol obligate states to establish comprehensive policies, programs and another measure to prevent and combat trafficking in persons and to protect victims of TIPs especially women and children from re-victimisation.

The Kenya National plan to combat Human Trafficking is articulated in 3Ps approach, namely:

- a) Prevention
- b) Protection and
- c) Prosecution

The 3Ps paradigms – prevention, protection and prosecution continues to serve as the fundamental framework used by governments around the world to combat Human Trafficking. The U.S. also follows this approach, reflected in the United Nations procedure to avert, overpower and penalise trafficking physically (Palermo protocol and the U.S. TVPA).

2.5.2 Prevention

Prevention efforts are essential aspects of the global movement to observe and fight Human Trafficking. Previous efforts focused on the public sensitisation movements that inform and educate communities in source and destination about Human Trafficking.

Present initiatives comprise; amending laws that omit classes of workers from labour law exploitation. The initiatives provide for a dynamic labour law enforcement strongly in main sectors where trafficking typically originates and promotes implementing principles that address substantial susceptibilities. In deterrence, the stresses are on capacity building, raising public awareness and reduction in fraudulent employment opportunities.

2.5.3 Protection

Referred to as protecting victims to alleviate damage suffered as victims of trafficking as a result of any mistreatment and consequences they could have experienced such as social, physical and mental abuses. Protection is essential to the victim-centred approach the United States, and the global society pursues an effort to battle contemporary slavery occasions. Active victims safeguard measures comprise rescue, rehabilitation, lastly and reintegration.

Article six of the Palermo Protocol creates provisions to safeguard of victims of human rights violations. It holds the mandate on state parties to safeguard and uphold confidentiality and identity of Victims of Trafficking and also to guarantee that the domestic legal or managerial system have strategies that defend the victims. The three strategic priorities are direct assistance to the victims, capacity building offered to victims for service providers as well as database on case law and research.

2.5.4 Prosecution

The protection framework arranges both in Palermo Protocol and the U.S Trafficking Victims Protection Act (TVPA), the prosecution is an essential aspect for governments to combat trafficking. Though, because of crime demographics of human trafficking, a significant proportion of human trafficking instances are undocumented, and the offenders remain at large. Therefore, there are intelligences that several human traffickers are linked to international criminal organisations and are consequently problematic to be prosecuted.

The prosecution process is further worsened when the victims of trafficking are afraid or unable to provide testimonies against traffickers whilst, fearing for their lives. The U.S Department of State office to supervise and combat TIPs, assesses if government agencies subject to a maximum prison punishment of at least four years deprivation of liberty for the crime of TIP and dynamically identify and prosecute trafficking offenders. To combat the criminal act, international policies and practices must be enforced to encourage civil society participation, and collaboration with trafficking victims in the prosecution of traffickers have to be developed. Human trafficking laws and policies must offer strong punishments against traffickers together with confiscation of properties of the offenders to compensate the victims. Also, counseling and training are required to ensure that an insensitive investigation and prosecution process does not cause any form of trauma to the trafficked victims.

2.6 Theoretical Framework

2.6.1 Rational Choice Theory

The rational choice theory suggests that criminals are rational human that make decisions to commit a crime based on the costs and benefits incorporated in the process of crime perpetration. Illegal unlawful decision-making procedures are usually founded on free will that compels observation of opportunities, circumstances, and situations that could impact the successful committing of the planned crime, (Lanier & Henry, 2004). It is pointed out by Brown, Esbensen and others, (2008) that rational decision making based on crime also involves the choice of the victims resulting from the type of crime, modus operandi, the place and when to commit it and anything to do subsequently. The policy implies that the criminals will possibly notice the availability to possible victims, location, the time at which they are at most susceptible, the suitable technique that could facilitate an entry with ease and how to safeguard their criminal accomplishments from criminal justice authorities and other capable guardians. Though, some rational choice theorists have argued that criminals differ in choices they make based on their opinions, reasons, expertise, and capabilities to read opportunities as their circumstances informed by their decision-making process, (Lanier & Henry 2004).

Literally, based on this research, rational decision making, self-control or free-will, price tag and benefits are the three main variables that assist to create an integrated structure. To describe human trafficking of both involuntary type as well as voluntary in a way, which the policy formulation policy is being created established on the alleged more gains as opposed to the impacts of the act itself.

The theory assumes that an individual has preferences among the available choice alternatives that allow them to state which option they prefer. These preferences are assumed to be complete (the person can always say which two alternatives they consider preferable or that neither is preferred to the other) and transitive. The rational agent is assumed to take accounts of available information, possibilities of events and potential costs and benefits to determine preferences and to act consistently in choosing the best choice of action.

2.6.2 Modern Slavery Theory

The Modern Slavery theory was developed by Kevin Bales (2009). The theory states that even though every case of human trafficking is unique, each case of trafficking share related aspects. The factors that are associated with human trafficking in a country are governmental corruption, economic opportunity, unemployment, economic well-being, and demographic profile.

The theory investigates the percent of the male population over the age of 60, Government corruption, food production, infant mortality, and energy consumption per capita. The result indicates that the percent of men over 60, infant mortality, level of government corruption and food production were all significant factors determining to traffic into a country, while energy consumption per capita was not a significant factor.

The theory identified three underlying factors at work which promote human trafficking. The factors are identified as an endless supply of victims who are available for exploitation within the origin countries. Continuous demand for cheap labour and involuntary work by the destination countries and organised criminal networks, some are

either large or small. Also, they have been in charge of the economic supply and demand situation and exploit trafficked persons in order to acquire massive profits for themselves. Many victims are available for exploitation from their countries due to poverty, unemployment and the desire to get better pastures.

In case the endless demand for the products or services offered by trafficked victims is stopped, it becomes unbeneficial for traffickers to make efforts to mobilise persons into the destination country since the consumers do not require their services. The majority of trafficked victims are trafficked for the entertainment industry which includes dance halls, brothels, strip clubs, massage parlors, and other related establishments where sex may or may not be sold (Dean, 2008).

In the illegal business, there exists a high demand for females to occupy positions in the sex industry and foreign women are frequently turned to as a source to occupy this position. The high demand for women creates a platform for traffickers to recruit and subject women to these conditions because of high demand. The occurrence of conflict and social instability in a country is an additional factor that leads to human trafficking.

2.7 Conceptual Framework

Figure 2.1 illustrates the study's conceptual framework maps the social demographics surrounding human trafficking in Kenya.

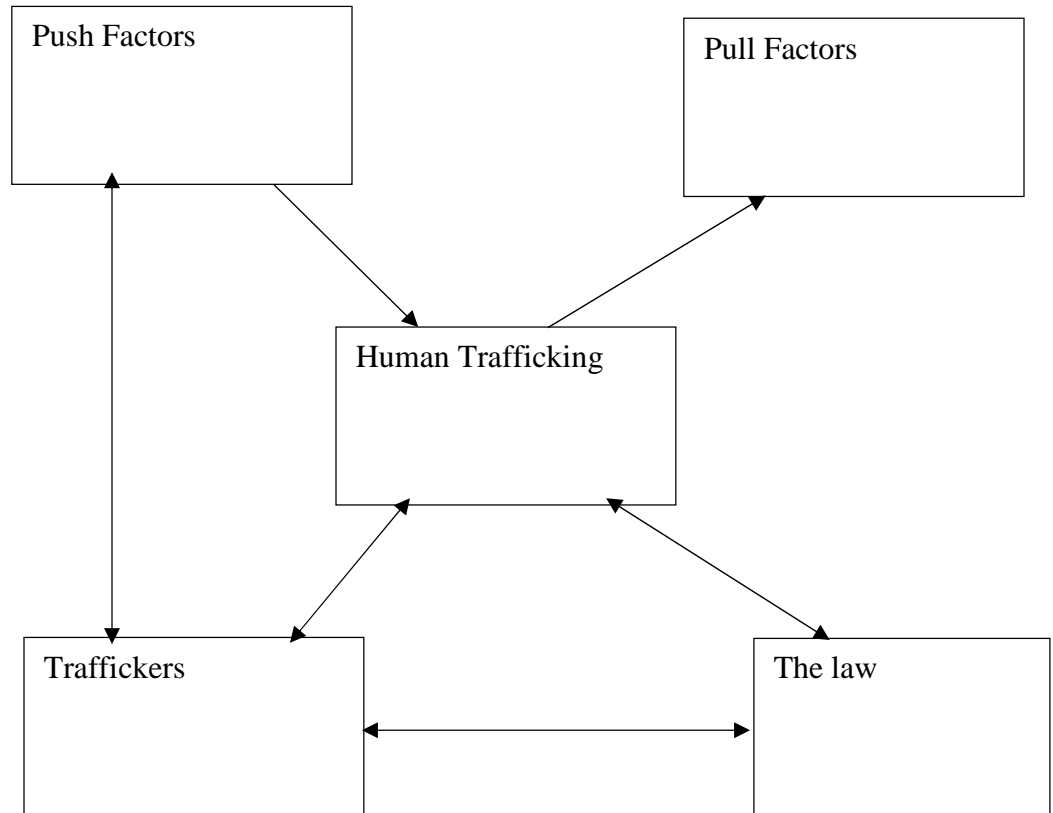


Figure 2.1: Conceptual Framework

Human trafficking operates in a broader environment. The push factors in Kenya are the facilitating factors that cause human trafficking to occur. The pull factors which are outside Kenya and the destination countries. Traffickers exploit the push factors to recruit human beings to be trafficked. The law in Kenya affects human trafficking and also affects traffickers.

CHAPTER THREE: METHODOLOGY

3.1 Introduction

Chapter three focuses on study site description, research design, sampling procedure, data collection methods and tools, and ethical considerations.

3.2 Description of Research Sites

The research sites identified was Nairobi. Nairobi is appropriate since most of the victims of human trafficking are found in Nairobi. Nairobi is also a significant hub in the trafficking chain. The diversity of Nairobi, the presence of ungoverned areas makes Nairobi an ideal area for data collection. Initially Eastleigh, South C and Pumwani were selected for the interviews since most trafficking transactions take place in these areas based on the information I obtained from the police and immigration officers. The situation proved very difficult to identify any trafficker. Therefore, the research strategy was changed to focus on the victims. Thereafter the interviews took place in Pangani police station and Nairobi Remand prison where the victims of human trafficking were found in captivity. This was made possible with the facilitation of police and prisons and probation officers in these institutions.

3.3 Research Design

This study is mainly a qualitative design but with a limited quantitative application. The volatility of the study subjects and the sensitivity of the study topic informed the choice of a qualitative approach. In this way, a census study was adopted.

3.4 Sampling

Given the sensitivity and obscurity of respondent's purposive and convenient sampling technique was applied. It is mainly because there is no known group of people who engage in the trafficking chain that could have made it possible to undertake a random sample. Also the victims were a particular group, few in number, hard to reach and volatile which permitted 100% interviewing.

3.5 Sample Size

A total of 36 respondents were interviewed during data collection. They were victims of human trafficking as well as the primary respondents. The secondary respondents were public officers (police, probation and prison officers) who interact with victims in the course of their work.

3.6 Methods of Data Collection

3.6.1 Key Informant Interviews

Key respondents interviews were undertaken with government officers who are knowledgeable about the law and the human trafficking chain. They were police officers, probation officers and prisons officers. Also, in-depth interviews were held with them on various topics of human trafficking.

3.6.2 Survey

A short questionnaire was administered to accessible respondents (human trafficking victims) who were in police custody (Pangani Police station) and Nairobi Remand prison. A total of 36 victims (Pangani police station 9 and Nairobi Remand Prison 27). They were interviewed in order to capture characteristics associated with trafficked human beings as well as motivation to migrate, the processing they go through from origin to destination. They were also interviewed on the area of origin, destination, how they were recruited, the amount of money paid and promises made to them.

3.6.3 Secondary Data

Relevant documents both local and international were reviewed to gain additional information about human trafficking. The information obtained was used to discuss the findings of the study.

3.7 Tools of Data Collection

(i) Key Informant Interview Guide. The guide had a set of discussion topics ranging from traffickers characteristics, trafficking incidents, transport, pull and push factors,

facilitating circumstances, characteristics of victims, recruitment procedures and recommendations.

(ii) Questionnaire. The questionnaire had short questions that capture characteristics of trafficking victims, destination, recruitment, transport, the area of origin, gender, age, marital status, promises made and the pull and push factors.

3.8 Research Ethics

In this study, the following ethical issues were considered. The study obtained a letter of authorisation from the University of Nairobi, Department of Sociology and Social Work to undertake data collection. The researcher also obtained permission from the National Police Service given the sensitivity of the research topic. The researcher made introductions to the respective Officers Commanding Police Division (OCPD) and Officer in Charge (OiC) of Nairobi Remand Prison. The researcher assured the respondents of confidentiality of the research process. The researcher, also asked respondents not to provide any personal identities. The researcher also informed them that the interviewing was voluntary. The researcher also explained the purpose of the study to the respondents.

3.9 Challenges

The primary challenge in the data collection was the nature of the primary respondents. They constituted a hard to reach category. They were interviewed in captivity, therefore, the information they provided may not be entirely authentic. They were interviewed under the supervision of responsible authorities such as the prison cadets and police officers.

CHAPTER FOUR: DATA PRESENTATION, ANALYSIS AND DISCUSSION

4.1 Introduction

This chapter presents the results of the findings on the profile of the victims of human trafficking, the modus operandi of the traffickers, recruitment procedures, exit and entry points, the push and pulls factors and the network of the human trafficking and why victims travel long distances across the country to be arrested in Nairobi.

4.2 Respondents Demographic Information

4.2.1 Respondent's Age

Most of the victims of human trafficking were youth between 19-25 years which constituted 64.6% of the sample. Those in the 26-35 years bracket were 26.1% while those below 18 years were 9.3%. Therefore victims of trafficking are young people as shown in Table 4.1.

Table 4.1: Respondents' Age

Age Bracket	Percent (%)
Less than 18 Years	9.3
19-25 Years	64.6
26-35 Years	26.1
Total	100

4.2.2 Level of Education

Generally, the victims of trafficking have a low level of education. The education is that which enables them to have the minimum necessary ability to communicate, read and write orally. It is therefore concluded that the lower the education, the higher the vulnerability to be trafficked. Most of the respondents 68.4% had primary education and 31.6% had some experience of post-primary schooling. It was difficult to extract whether those with secondary education had completed schooling at that level or not as shown in Figure 4.1.

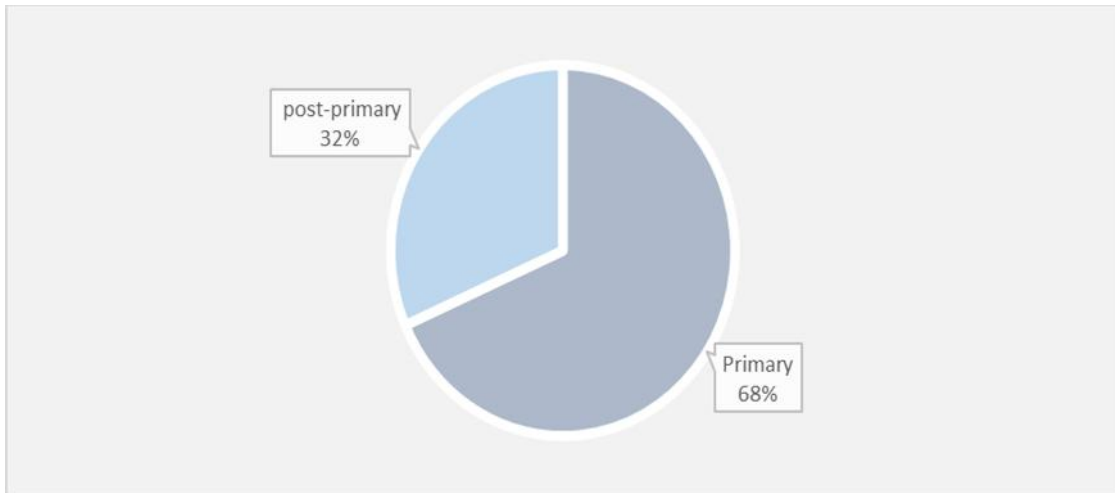


Figure 4.1: Respondent's Level of Education

4.2.3 Marital status

Most of the victims were not married 69.2% while 30.8% were married. Of those who were married only 31.2% had a child while others had no child at the time of leaving home. None of the respondents were accompanied by a child. Similarly, none of the respondents was accompanied by a spouse or relative. Also none of the respondents knew each other before. They came to know each other when they were in police custody and remand prison.

4.2.4 Respondents Religion

Most of the respondents were Christian 62.0%, Muslim 24% and 14% did not respond to the question when asked.

4.2.5 Respondents Gender

The gender of the trafficking victims was male 48% and female 52%. Therefore gender is not a significant factor in vulnerability to being trafficked as shown in Figure 4.2.

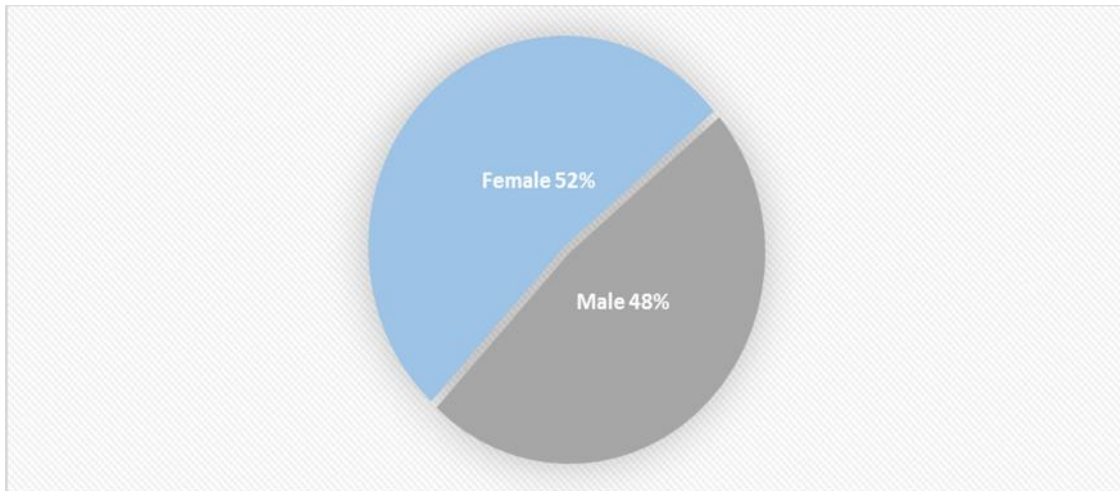


Figure 4.2: Respondents' Gender

4.2.6 Source of Income

When asked about the source of the money they used to pay in order to secure employment in the destination country the results were as follows: Casual labour 36%; employment 37%, Business 27%, remittance 0%. The results shows that the people most vulnerable to trafficking are those in the low-income bracket. The amount they paid to be delivered to the destination ranged between USD 1,500-3,000. These amounts were paid in full before the trip began, as presented in Table 4.2.

Table 4. 2: Source of Income

Source of Income	Per cent (%)
Casual labour	36
employment	37
Business	27
remittance	0
Total	100

4.2.7 History of Employment

Of the 36 respondents only 31.8% had been employed before in their place of origin but the majority 68.2% had no previous employment experience. The types of employment

mentioned were housework, farm work and selling in the market stall. These are generally low paying jobs which may have been motivating enough hence the decision to look for better employment elsewhere.

4.2.8 Duration of Travel to Nairobi

From physical observation, the victims of trafficking appeared exhausted. When asked for the period they took to travel from their home to the time they arrived in Nairobi a mixed picture arose which showed that they had different experiences. The experiences must have been influenced by means of travel they used or the route they took and other unknown factors. While some took less than a week to get to Nairobi, some took much longer. Therefore it takes a short time to reach Nairobi. According to a key respondent knowledgeable about the problem, those traffickers familiar with the road and who make proper payments can deliver their victims to Nairobi within the shortest time. The shorter the time taken on the road, the less the risks of arrest as presented in Table 4.3.

Table 4.3: Duration of Travel Nairobi

No of Days	Per cent (%)
Less than 5 Days	53.8
6-10 Days	35.8
10-15 Days	10.4
Total	100

4.2.9 Respondents Country of Origin

Although there is human trafficking internally, none of the respondents in police custody and remand home was Kenya nationals. Majority 85.0% were Ethiopian, and 15.0% were from Somalia. All of them were not born in Kenya, and when they embarked on the journey to Kenya, it was their first time to go beyond the border towns. The Ethiopians entered through Moyale and Forole town while the Somali entered through Liboi and Mandera towns. Regarding destination, most of the respondents 88% were coming to Kenya in particular Nairobi while 12% mentioned South Africa. According to a key respondent Nairobi is a preferred destination for Ethiopian and Somali migrants because

of the high number of national's resident and doing business. It is therefore natural for them to get employment and protection once they are in Nairobi. South Africa is no longer a destination for many ever since the time of anti-migrant riots some time back.

4.2.10 Knowledge of Somebody at Destination

Although 34.0% knew somebody personally at the destination, most 66.0% did not know anybody, but they were to be handed over to those who had placed a request for an employee. However, they obtained information in different ways: through a friend 35.0%, through an agent 23.0% and through a person who succeeded 42.0% earlier on.

4.3.11 Mode of Travel Used by Trafficked Victims

All the trafficked victims who were interviewed came to Nairobi by road. Most of them used a bus/Matatu 55.0%, lorry/truck 14.0% and private car 31.0% as shown in Table 4.4.

Table 4.4: Mode of travel

Mode of travel	Per cent (%)
Bus/Matatu	55.0
Lorry/truck	14.0
private car	31.0

4.3 Facilitating Factors

4.3.1 Desire for Safety

Illegal migrants in east Africa were estimated to have increased from 3.1 million in 1960, to 5.1 million in 1990, and then fell to 4.5 million by 2000 (Oucho, 2006). Most of the migrants were forced to migrate from their countries. The results show that fear of being killed 68.5%, the forceful takeover of land 33.1% and fear of rebels 18.8% were the main reasons that that made the trafficked persons leave their country.

Table 4.5: Desire for Safety

Desire for Safety	Percent (%)
Fear of being killed	68.5
Forceful takeover of land	33.1
Fear of rebels	18.8
Total	100

4.3.2 Open Borders

In general, open borders and recognised economic and regional unions have enabled an environment of migration, which is both formal and informal. Traditional periodic labour migration arrangements and the geographical boundaries of regional blocs may not comply with or respect, the current borders of nation-states. According to key respondent information the open borders, large areas that are not policed, long borders make it easy for people from neighbouring countries to enter Kenya undetected. For example, the Kenya-Ethiopia border is long and hardly monitored. The situation makes it easy for people to cross into Kenya. Similarly, the long Kenya-Somalia border is not policed therefore easy to cross into Kenya. Results from four victims who agreed to say how and where they entered Kenya from Ethiopia support this view that they entered far away from any town into Kenya.

According to qualitative sources, open and porous borders make it easy to enter Kenya from any point and be able to cover considerable distance unnoticed. In northern and eastern Kenya one can make a distance of 50-200km before getting to any settlement. Therefore it is possible to settle and claim to be Kenyan in order to find it easier to go to a place of choice. It was also reported that some human beings masquerading as herders of livestock in order to make inroads into the country.

4.3.3 Ethnicity across Borders

Ethnicity is a crucial factor in facilitating human trafficking in Kenya. Ethnic groups straddle the boundary between Kenya and Ethiopia. For example, the Boran live in southern Ethiopia and northern Kenya up to as far as Isiolo. They have relatives on both

sides of the country, and they regularly visit each other. The process makes it relatively easy for a Boran of Ethiopia to settle in Kenya and pass through Kenya with little possibility of detection. The Boran in Kenya and Ethiopia share and regularly participate in ceremonies that bring them together which again provides another opportunity for human trafficking. The Boran King lives in southern Ethiopia and has overall control over the Boran of Kenya. In the group of victims, 12 (33.3%) of them were Boran, and 5 (13.8) were of Somali ethnic group. In southeastern Ethiopia and eastern Kenya live the Somali ethnic group. They straddle the border, therefore, they easily pass as Kenyan. The situation facilitates human trafficking. According to key, respondent, it is difficult to distinguish a Kenya Boran or Somali from their Ethiopian or Somalia counterparts based on physical appearance. Therefore knowledge of Kiswahili is what the police use to identify the illegal immigrants. Inability to speak Swahili is what gives police an idea that they could be on transit. During the interviews, only a few 8(22.2%) were able to comprehend some little Swahili, a suspicion that they may have undergone basic training to be able to mimic a few words to enable them to pass the possible Kenyan test and communicate on the way to the destination. Ethnicity across borders is a common phenomenon between Kenya and her neighbouring countries.

4.3.4 Collusion by Motorists

All the victims 100% came to Nairobi by road which means there is a role played by motorists or the police do not or scarcely inspect vehicles travelling from border areas. While 19(52.8%) travelled by lorry/truck, 11(30.5%) by bus and 6(16.6%) by private car to Nairobi, it was not possible to tell whether the whole trip to Nairobi was by the means used or whether there were in-between changes in means of travel, as displayed in Figure 4.1.

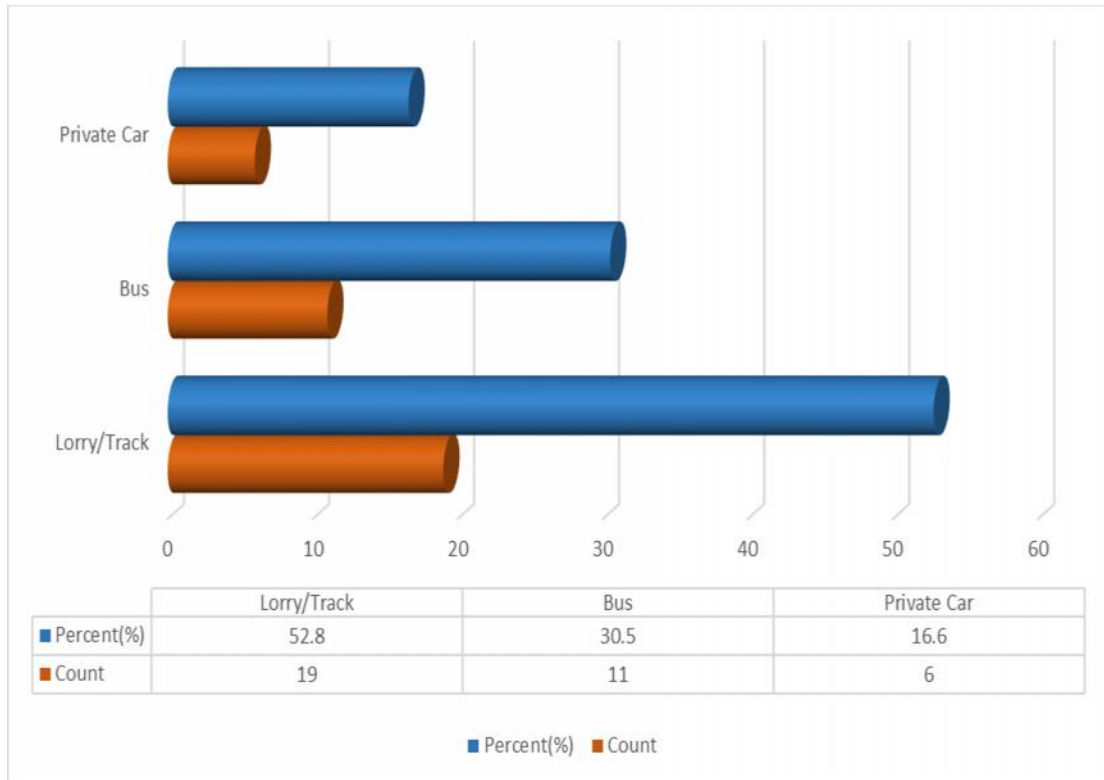


Figure 4.3: Collision by Motorists

Discussions with key informants also showed it was difficult to identify people at night, so informants on the means of travel used were very informative on how collusion by motorists facilitates human trafficking in Kenya. The information is best captured in this statement by a police officer familiar with the problem of human trafficking,

“Motorists especially lorry drivers from northern Kenya are the beneficiaries of this business. Without them, human trafficking cannot be possible. They load goods, but at the back of the lorry space is left between the goods where the human beings being trafficked are hidden unnoticed, at police roadblocks only goods are shown.”

Another key respondent who has had a long interaction with illegal immigrants said as follows,

“Truck drivers and bus owners from northern Kenya are part of the human trafficking ring. They know the locations where police checks

are located. When ferrying illegal migrants they stop like 500 metres from the police check and disembark the illegal migrants.

Given the challenges of language and also the difficulty of interviewing this type of respondents it was not possible to extract this information from the primary respondents.

4.3.5 Collusion by Police Officers

According to qualitative sources trafficking of human beings into and across Kenya is not possible without the connivance of the police who operate roads. All the human trafficking takes place along roads. It was presented that police are part of the network of traffickers as they receive advance or on- the- spot payments from the motorists or the network leaders. Once payment is made vehicles are not checked, or police remove roadblocks around the time such vehicles are to pass. It was not possible to obtain the exact amount paid, but it was estimated that each migrant pays a police officer between Kshs 5,000-10,000 to pass a roadblock. A vehicle travelling from northern Kenya to Nairobi is likely to pass through between 5-7 roadblocks. It was reported that the checks become less likely as one approaches Nairobi due to heavy traffic, therefore, the closer one is to Nairobi the less likely a trafficked person is likely to reach his/her destination.

The failure of law enforcement has long been blamed for continued human trafficking in the east African region. Existing studies support the finding that failure by police to enforce the law facilitates the problem (Kamala et al., 2001). Law enforcement authorities may perhaps be unsuccessful to stop trafficking, punish traffickers, and safeguard those who are trafficked. Though, usually, the failure of law enforcement authorities to guarantee safety, mainly in the setting of conflict, implies that traffickers can act with impunity. For example, Uganda police's incapability to stop kidnappings by the LRA is an instance of the involvement (Fitzgibbon, 2003).

According to US Department of State (2006) criminal groups that are trafficking human beings, drugs as well as smuggling goods have intensified in Eastern Africa because of weak or absence of anti-trafficking laws as well as enforcement organs. The presence of

criminal networks and inappropriate law enforcement supports human trafficking activities and other forms of irregular migration (Adepoju, 2005). In the eastern Africa region, it is not surprising that law enforcement organs struggle to investigate, prosecute, and track trafficking cases. The aspect is particularly true for cross-border concerns that require more skills and resources than other law enforcement work (Kamala et al., 2001).

4.4 The Alluring Factors

4.4.1 The Promise of Employment

It is essential for people, especially those who are vulnerable to human trafficking to be already aware of the available job opportunities obtainable somewhere else. It is expected that there has been a steady development in a number of information available to people in the counties of origin about work opportunities and living conditions in other areas. The condition has been made possible through increased access to mass media and improvements in transportation that allow those who have migrated to return to their home communities and communicate through word of mouth “what it is like” in other places. Besides, better-quality communication and transportation systems have permitted employers and possibly traffickers to access workers in rural areas more easily. All the respondents 100% indicated employment as the only reason they travelled to Nairobi in search of employment. Given the high level of youth unemployment, weak economies and collapsed economy in Somalia the drive for employment becomes a critical factor that informs the level of trafficking. As shown before most of the trafficked are in the prime age of 19-35 years which implies the desire to make a living is strong among this group, Nairobi offers the answer to this group.

The presence of a high number of Somali and Ethiopian nationals involved in business in Kenya makes it much easier for nationals of those countries to procure employment for their counterparts. A key informant commented as follows on this,

“In Eastleigh, South C and Huruma there are millions of Ethiopians and Somalis. Many of them have huge businesses which provide much employment. They prefer those who speak their language. That is why in most Eastleigh shops the sellers speak minimum Swahili or English,

and there is little bargaining. Prices are fixed. The idea is to protect the sellers from talking too much as that is likely to expose him/her for inability to communicate or raise suspicion. In Kilimani area many apartments and entertainment places have Ethiopian girls many who know minimum English or Swahili. Kenyans are a welcoming people. They live with them”

According to UNICEF, (2003) report, living conditions in people’s home countries such as unemployment or poverty may contribute to unsuccessful ambitions, with their expectations raising to an unrealistic level through exposure to material that reports better job opportunities and higher standards of living somewhere else. In regards to West Africa (Fitzgibbon, 2003) reported that exposure globally through television broadcast and professional soccer clubs enhances people to make decisions of leaving their cradle land. Komenda (2007) called the view of a better life elsewhere as the “better life syndrome. Most respondents 82.0% were promised better employment and a higher income which would guarantee better life and more savings to help their relatives. None of the respondents was promised manual labour. A key respondent commented as follows on this topic,

“Our knowledge is that the recruiter promise white collar employment only but not manual labour. However, what we have seen is that girls, in particular, end up as prostitutes in high-end clubs in Kilimani area and Eastleigh. I am sure they are not promised to serve as prostitutes when they are recruited but on arrival that is the opportunity available to them. What you promise is not what you will necessarily receive.”

Another key respondent made the following remarks on types of employment promised and those obtained,

“Work in the hospitality industry, other service work, and domestic work are all available in many home areas of those trafficked.

Traffickers often promise similar jobs as those that are available locally in their home areas.”

4.4.2 The Promise of Safety

The relative tranquillity found in Kenya compared to the leading countries from which human trafficking originates has been a critical motivation for people to find Kenya a desirable place to be. Persistent conflicts in Somalia and southern Ethiopia have led to massive migration into Kenya. Kenya hosts various refugees from conflicts countries such as Somalia, Eritrea, Ethiopia, as well as Sudan. Also, the wars in the DRC Congo have forced her civilians to flee to Uganda and its other neighbouring states such as Burundi.

Conflicts in the East African region have also significantly facilitated human trafficking for various purposes. It also makes people more vulnerable to other types of trafficking (Anti-Slavery/ANPPCAN, 2005). The situation in southern Ethiopia and Somalia has made many people that emotionally vulnerable and also in an absolute need of a livelihood. Their societies and relatives could have been displaced or instead killed leaving them with weak social background. Generally, some of the victims are in search of the sanctuary to assist them to migrate further. People have been forced to live in places with low economic activities, and regular means of transport, and obtaining job opportunities have often been barred from the population. In such cases, risks such as venturing out illegally that were unthinkable before now become possibilities.

4.5 Modus Operandi of Traffickers: Routes, Means Used and Recruitment Processes

4.5.1 Child Fostering

According to research by Fong (2004), native child fostering, created on the culture of delegating young people with wealthy relatives or families members to offer a better education and living, is traditionally accepted norm in African societies. In some fostering situations, biological parents make all of the arrangements to deliver the child to a well-off relative. In this way and contrary to expectation children may fall prey to human trafficking and exploitation.

Kamala, et al., (2001) reported that in some situations traffickers exploit these family practices to recruit their children. Traffickers may exploit this situation in two ways: One is that financial exchange can take in the setting of this practice whereby the trafficker pays the family for their child. The other is that the well-off family has absolute power over the child as their temporary guardian and will not pay salary to the child if it is engaged in productive work. Discussions with key informants confirmed that this practice is common in many parts of Kenya, but they were not sure if it involved or was part of human trafficking.

4.5.2 Routes Used by Traffickers

Based on discussions with key informants the routes commonly used by traffickers from northern Kenya are:

- (i) Moyale-North Horr-Marsabit-Isiolo-Nanyuki-Nairobi.
- (ii) Forole-North Horr- Marsabit-Isiolo-Kulamawe-Maua-Meru-Embu-Thika-Nairobi.
- (iii) Moyale-Buna-Wajir-Modogashe-GarbaTulla-Maua-Meru-Embu-Nairobi
- (iv) Bute-Buna-Wajir-Garissa-Kitui-Nairobi
- (v) Mandera-El Wak-Wajir- Habaswein-Modogashe/Dertu-Garissa-Kitui-Nairobi.
- (vi) Liboi-Dadaab-Garissa-Kitui-Nairobi.

Based on the limited discussions with the few trafficking victims interviewed most Ethiopians came to Nairobi using the Moyale-North Horr-Marsabit-Isiolo-Nanyuki-Nairobi route. The Somali used the Mandera-El Wak-Wajir-Garissa route. Discussions with key informants on routes used showed that the traffickers prefer and use the route dominated by members of the ethnic group of the persons being trafficked hence most Ethiopians preferred the Moyale-Isiolo route and Somali favour the Mandera-Wajir-Garissa route. The routes offer considerable camouflage to the victims of trafficking and can quickly “dissolve” into the population when the need arises before they proceed. It was also reported that the Liboi-Dadaab route was not favourable due to high police presence due to the Dadaab refugee camp. Moreover, that many police roadblocks make it difficult to negotiate through and therefore risky.

4.5.3 Recruitment Processes

The information presented here is based on in-depth discussions with key informants. It was not easy to extract this information from the primary respondents due to the language limitations and the conditions under which the interviews took place were not free. Nevertheless, they provided a way in which some were recruited. Nevertheless, the methods and processes of recruitment in the trafficking industry are diverse. They are discussed in the subsections below.

4.5.3.1 Introduction to the Trafficking Victim

Only 13(36.1%) of the respondents were willing to give information on the way they were introduced to the trafficker. Of the total of 13 who responded 5(38.4%) of them were introduced by somebody else to the trafficking victim, 2(15.3%) knew the recruiter personally, 5(38.4%) the recruiter went to the place where he worked/home and 1(7.7%) the recruiter was a family member well known to the victim as indicated in Table 4.6.

Table 4.6: Introduction to the trafficking victim

Introduction to the trafficking victim	Per cent (%)
Introduced by someone	38.4
Knew the recruiter	38.4
The recruiter went to the place	7.7

Despite having been arrested and facing possible imprisonment, deportation or both 34.9% said they would give up completely if released, 11.7% said they would try another time while 53.4% were none responsive/not sure of their next course of action, as shown in Table 4.7.

Table 4.7: Way Forward

Statement	Percent (%)
Would give up completely if released	34.9
They would try another time	11.7
Not sure	53.4

4.5.3.2 Promises of Better Employment/ Better Pay

Most of the respondents 69.5% were promised employment/better employment in Kenya or South Africa. They were promised higher pay than what they were earning while those who were unemployed they were promised immediate employment on arrival. Other respondents (19.7%) reported having no choice since their representative had already made the preparations in advance. Also, 10.8% of the respondents they had been promised education on arrival in Kenya. None of the victims indicated marriage as a promise. In both Somalia and Ethiopia, a significant proportion of respondents reported that traffickers had either promised an employment opportunity to the victims or assured them of jobs with a better salary to convince them so that they can accept the deal as shown in Table 4.8.

Table 4.8: Promises made to Respondents

Promises made	Percent (%)
Promised better employment	69.5
No choice	19.7
Promised Education	10.8

4.5.3.3 Means of Transport

According to key respondents, the available means of transport is a road from the border towns. The trafficker pays the fare or driver. None of the trafficking victims paid fare directly to the driver of the transport vehicle. In-depth discussions with key informants showed that traffickers have the full responsibility to transport and facilitate the trafficked person to the intended destination. This limits or eliminates direct communication between the trafficked person and other people. In a few cases, the trafficked persons have to disembark from the vehicle and walk through the bush in places where the traffickers predict hostility from the police.

4.5.3.4 Travelling Arrangements

All the respondents were aware of somebody in charge of organising their travel arrangements, but they did not know the person personally. Although only 5(13.9%) of

the respondents were arrested together in one vehicle the rest were arrested on their own and did not know each other personally before. A key respondent commented on this as follows,

“Usually trafficked people move in groups. It is a strategy used by the network members to minimise costs on their part. They make more money instantly if they can move a big number at once. Even on the part of the transporters, it makes more economic sense to move a big group together. Further, the police also make more money when it is a big group since they charge a person for them to clear passage in their area. Different.”

4.5.3.5 Promises against Reality

Drawing from discussions with key respondents, it was established that most trafficking victims never obtain the exact employment as promised. A police officer commented as follows,

“the purpose of the recruiter is to get a person out to the destination. The recruiter must use a language that is convincing in order to get a person to consent. Once the person begins the journey the recruiter's work is over. It is handed over to the receiver which tells them what work is available. At this point the victims are desperate, they know they are illegally present and can be arrested.”

Another respondent familiar with the problem of trafficking said as follows,

“There are cases where the traffickers demand the trafficked person pay them for having successfully transported them and found them employment. They even demand payments from the first earnings by the victim. It is a dirty industry full of crooks.”

According to UNICEF, (2003) to some extent, the human traffickers would demand the victims or the custodians of the victims for down payment so that they facilitate better

service delivery to them such as transport and job reservation. Trafficked victims are occasionally required to refund their trafficker back the costs of travel, accommodation and food after reaching the destination.

CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary

Most of the human trafficking victims were young people within the age bracket of 19-35 years. They are of low education as most of them have primary a little of secondary education. In addition, most of them have no previous employment history in their place of origin.

In regards to the duration of the journey from destination to Nairobi, most of them took less than four days to arrive. Therefore, it is meant to minimise possibilities of exposure to the police on the road. Most human trafficking victims are not married which frees them to be more willing to migrate since they have little or no attachments in their place of origin. Regarding gender, both male and female migrate equally. A majority of the victims captured were from Ethiopia and Somalia and most did not personally know anybody in the area of destination. Most of them Nairobi was the destination through a few were destined to South Africa and Nairobi was only a stop-over before they were arrested.

The factors that facilitate the ease of human trafficking are open borders between Kenya, Ethiopia and Somalia. The long borders that are not monitored make it easy to cross. The other factor that facilitates human trafficking is that ethnic groups particularly the Boran and Somali straddle the borders. The process makes it easy for human traffickers to conceal their victims since they have similar physical complexion therefore challenging to identify foreigners. A Boran or Somali can easily pass as a Kenyan, Ethiopian or Somali.

Collusion between motorists and police, and police connivance in the trade through taking bribes facilitates human trafficking from Northern Kenya to Nairobi. The main pull factors to Nairobi is the allure of abundant and ready employment and high wages even it was found that the promises made are hardly fulfilled. The modus operandi of the human trafficking industry is sophisticated and not straightforward in many ways. There are clear and favoured routes used to traffic human beings. The promise of better

employment is often not fulfilled and some end up in roles they were not promised. Therefore there is often a variance between promise and reality.

5.2 Conclusion

The findings of this research provide essential input to the broad inquiry of human trafficking syndicate in Nairobi and Kenya at large. It shares knowledge numerous aspects of modern human trafficking. The study demonstrates that human trafficking is an ongoing contemporary social problem. It also shows that a considerable proportion of the services we receive are provided by victims of human trafficking.

It is also clear that those who operate the roads are mainly responsible for the magnitude and proliferation of human trafficking in Kenya. It is also clear that Kenya is a crucial destination for Ethiopian and Somali people. It is, therefore, possible to streamline migration for labour between these three countries in order to weed out the criminal networks that run the industry and exploit desperate people to their benefit. It is also clear that source countries have a role to play in partnership with the counties of destination. While these research findings shed light on the dynamics and complexity of human trafficking in Kenya the results need to be interpreted cautiously given the small sample and the difficulties under which the data was extracted from the primary respondents. Despite this, the research does provide some critical information that policymakers need to consider.

5.3 Recommendations

1. Majority of the trafficking victims are transported by road across many police roadblocks. Therefore those in charge of police must ensure that police are not compromised to allow the flourishing of the illicit trade.
2. Regional governments need to network along border areas to eradicate the problem of human trafficking.
3. The Ministry of education needs to introduce human trafficking in the school curriculum as a way of increasing knowledge and awareness among children and youth.

4. The government needs to create public awareness of the problem of human trafficking to build the capacity of the public to identify trafficking dynamics, symptoms and reporting.
5. There is a need to promote safe migration with potential migrants by building their capacity to accurately assess the information about the availability of employment and conditions of employment in destination areas. The sensitisation mechanism has to include that traffickers may perhaps work through families, friends and strangers. This includes the fact that migrants promised particular jobs to end up doing demeaning and morally repugnant jobs through coercion.
6. There is a need to enforce anti-human trafficking laws and realign anti-trafficking strategies with the changing technology and expertise of the traffickers.
7. There is a need to implementing anti-corruption measures along the roads in Kenya. Consequently, there must be regular rotation of police officers along the key transit routes.

5.4. Further Research

1. Conduct a study on factors that influence other individuals, families, and societies resilient to recruitment for human trafficking regardless of their vulnerability and the ways in which victims manage to handle their post-trafficking situations.
2. Research on the communication between the trafficking victims and their families.
3. Documentation of Victim services available in Kenya

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ANNEXES

ANNEXE 1: QUESTIONNAIRE (VICTIMS OF HUMAN TRAFFICKING)

Date:-----Time-----

Place of Interview:-----

Name: (optional)-----

1. Age in Years: Less than 18 years (1) 19-25 (2) 26-35 (3) Over 36 (4)
2. Level of Education attained: Primary (1) Secondary (2) Post-Secondary (3)
University (4)
3. Able to Read? Yes (1) No (2)
4. Able to Write Yes (1) No (2)
5. Have you ever been employed before? Yes (1) NO (2)
6. How long did it take you from home to arrive in Nairobi
Less than 5 days (1)
Between 6-10 days (2)
Between 11-15 days (3)
7. Marital Status
Married with children (1)
Married with no Children (2)
Single (3)
Seperated (4)
Divorced (5)
8. Religion: Christian (1) Muslim (2) Other------(3)
9. Main Language Spoken: English (1) Amharic (2) Somali (3) Swahili (4) Other----
------(5)
10. Gender: Male (1) Female (2)
11. Ethnic Group: Boran (1) Somali (2) Gabbra (3) Other ------(4)
12. Source of income used to travel:
Casual Labour (1)
Remmittance (2)
Employment (3)

Business (4)

Other ----- (5)

13. Accompanied by a child: Yes (1) No (2)
14. Accompanied by spouse: Yes (1) No (2)
15. Any relationship with another in the group: Yes (1) No (2)
16. Country of Origin: Ethiopia (1) Somalia (2) Eritrea (3) Other----- (4)
17. Knowledge of each other before they were arrested: Yes (1) No (2)
18. Whether they were arrested as: As a group (2) Individually (2)
19. Which country was their destination? Kenya (1) Tanzania (2) Uganda (3) South Africa (4) Other----- (5)
20. How did you obtain information about travelling to Kenya:
 - Through a friend (1)
 - Through an agent (2)
 - Through a person who succeeded (3)
 - Through a family member (4)
21. Did you know anybody personally at the place of destination? Yes (1) No (2)
22. What was the main reason that made you migrate to here?
 - Promise of employment (1)
 - Promise of marriage (2)
 - Promise of education (3)
 - It was pre arranged in advance (4)
 - Other ----- (5)
23. Means used to travel to Nairobi:
 - Lorry/Truck (1)
 - Bus/PSV (2)
 - Private Car (3)
 - Aeroplane (4)
 - Other specify----- (5)
24. How much money did you pay to travel up to Nairobi in USD-----
25. Following your arrest what do you plan to do?
 - Give up completely (1)

Try another time (2)

Not Sure (3)

26. How did you get in touch with the person who organised your travelling?

Was introduced by somebody to him (1)

Knew the person myself (2)

The person came to where I worked/home (3)

He is a family member (4)

**ANNEXE II: KEY INFORMANT INTERVIEW GUIDE (POLICE, PRISONS,
PROBATION)**

1. Comment on how humans beings trafficked are recruited including the entire process.
2. Who are the recruiter and are they identifiable?
3. What is the magnitude of trafficked persons getting into Nairobi, where do they come from and their destination?
4. Describe how they move from the place of origin until they enter Nairobi.
5. What are the main attractions to come to Nairobi/Kenya? (Alluring factors)
6. What are they running away from? (Push factors)
7. Which are the common entry points to Kenya and which routes are used?
8. How much do they pay traffickers?
9. Why do you think trafficked persons are able to reach Nairobi before they are arrested?
10. What usually happens to trafficked persons in Kenya?
11. What recommendations do you propose to ensure the problem of human trafficking is resolved in Kenya?