UNIVERSITY OF NAIROBI

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

IMPACT OF HUMAN TRAFFICKING ON STATE SECURITY: A CASE STUDY OF MOMBASA KENYA

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A RESEARCH PROJECT SUBMITTED TO UNIVERSITY OF NAIROBI SCHOOL OF HUMANITIES AND SOCIAL SCIENCES IN PARTIAL FULFILLMENT OF THE AWARD OF POST GRADUATE DIPLOMA IN SECURITY AND STRATEGIC STUDIES

2021

DECLARATION

This research project is my original work and has not been presented to any university for academic assessment or award in any other university.

Sign: ....16/11/2021...............................

James Luhukuya Ogolla   Date

R47/38618/2020

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

Sign: ....16/11/2081...............................

Dr. Peterlinus Ouma   Date

IDIS Supervisor

Chair, DDIS

ACKNOWLEDGEMENT

DEDICATION

I hereby first dedicate this research project to Almighty God for giving the capacity, strength and wisdom to complete the project. Secondly, to my family for their understanding and support the gave me during the entire period, friends and relatives who have been source of inspiration during the course of my study.

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LIST OF ABBREVIATION

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HAART	-	Awareness against Human Trafficking.
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ISIL	-	Islamic State of Iraq and Levant.
IMF	-	International Monetary Fund
NCM	-	People were discussing.
NGO	-	Non-Governmental Organisations.
NPA	-	National Plan of Action.
PCS	-	Police Computerization System.
RMMS	-	Regional Mixed Migration Secretariat.
UNHCR	-	United Nations High Commissioner for Human Rights.
UNICEF	-	United Nations International Children's Emergency Fund.
UNIHCP	-	United Nations International Human Control Programme.
UNODC	-	United Nations Office on Drugs and Crime.
UNSC	-	United Nation Security Council.
WOS	-	Women Piece and Security.

ABSTRACT

The prevalent modern mistreatment of children, women, and men is offensive to individuals of integrity all over the world. Myriad updated approaches to averting human trafficking to protect and aid trafficked individuals as well as bring the responsible criminals to justice have had an insignificant impact on the worldwide phenomenon, however not enough. In Africa, and especially Mombasa, that even a single young individual be deprived of the granted welfares of childhood, or that a single young girl be exposed to the ruthless mortification of sexual mistreatment and that a man to unwantedly turned into the slave of a harsh employer in another nation are clear signals that we ought to reintroduce both our steadfastness and our national ingenuities to safeguard the vulnerable. The strategic position of Mombasa's proximity to the sea line alongside its identity as a tourism destination is factors that advance human trafficking in the region.

The effects of the trafficking of humans affect a nation in various ways. Different parts of the globe are grappling with this crime. Human trafficking affects people of different age and gender with women and children being the common victims. Critics of human security do not approve its inclusion in the definition of national security; however, the two strive to safeguard the citizens of a given nation. The interrelationship between terrorism and trafficking is important given the previous terror attacks witnessed in Kenya. By facilitating human trafficking, corrupt officers advance a culture that discriminates the rule of law. Moreover, displacement of people through human trafficking undermines economic progress in a community.

Frequent cases of the trafficking of humans in prompted the Kenyan government to develop a National Plan of Action for combating the crime. Along with the assistance of other administrations, the government hoped to tame human trafficking theories prevention, protection, and prosecution of perpetrators. However, while these measures have been successful in reducing human trafficking, other challenges have been prominent. Some of the challenges include inadequacy of resources, technology, and corruption. With such challenges in Mombasa and Kenya, more still needs to be done to address the human trafficking challenge.

CHAPTER ONE

INTRODUCTION

1.1 Introduction

This chapter offers the context of the study, declaration of the issue, general objective, specific aims, and study questions, justification of study, literature review, research methodology, scope and limitations of study and chapter outline.

1.2 Background of the Study

Because of globalization, at least 200 million refugees are believed to be living as non-nationals in a number of host nations.[1] Most of these immigrants are believed to have gone to the states of destination through human trafficking. These refugees are not in majority of circumstances sheltered by the legislations in the nations they reside and hence subjected to mistreatment. The globalization phenomenon has amplified these structural inequalities amid the South and North and as a result, it has inevitably led to the boundless movement of individuals voyaging from the South to the North searching for greener pastures or even to get away from tyranny and discrimination.[2] Globally, it is projected that the trafficking of humans is amid the most profitable of the myriad criminal ventures, only to be matched by firearms and drug trafficking which all generate billions of dollars per annum for the obviously sophisticated illegitimate organizations. Often, it is also perceived that globally about 2.45 million individuals are coerced into performing dangerous, dehumanizing and degrading working in circumstances

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[1]Muteti, A., D. M. Mbirithi, and F. Kiruthu. "Dynamics of Community Policing Initiatives and Implications on Security in Mombasa County, Kenya."*Journal of African Interdisciplinary Studies* 4, no. 7 (2020): 20-35.

[2]Beckerleg, Susan, Maggie Telfer, and Gillian Lewando Hundt. "The rise of injecting drug use in East Africa: a case study from Kenya." *Harm reduction journal* 2, no. 1 (2005): 12.

similar to slavery.[3] Moreover, it is also projected that these vast numbers steadily rise. Whether this rise is due to improved investigations, detections and reports or to an upsurge of crime globally is unknown. Unlawful trafficking in human beings continues to increase at exponential rates, attracting worldwide concern.[4]

Whether it is due to the increased research efforts, to recognition and reporting of this misconduct, or to a real increase in the occurrence of misconduct around the world, is unknown. The illicit transfer of people continues to develop at troubling rates, which consequently draws international concern.

The UN Office on Drugs and Crime has already provided information on humane behavior showing that people from 127 nations are being exploited in 137 countries. Exact figures remain uncertain on the nearby and global level. Due to its criminal conduct, nature, scope and magnitude, and its characteristics, it is difficult to acquire reliable information about dealings. Despite the reality that the amount of casualties received is not consistent or reported every year, various international organizations and government agencies evaluate that between 500,000 and 2 million persons in some places around the globe are handled annually. Findings by the International Organization for Migration reveal that of the millions of transients in the globe, around 4 million are unregistered, that is to say, travelers who have been routed. Some 600,000 to 800,000 individuals are distributed across the globe and many more within their respective nations. The trafficking of persons takes different structures that include sexual abuse (sex), body part extraction and excessive work as a rule for pragmatic reasons. Dealing also occurs locally (i.e., local business and throughout lines in different countries (outer dealing).

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[3]Ondieki, Jacob O. "Human Trafficking and Its Impact on National Security in East Africa: a Case Study of the Vice in Kenya." PhD diss., University of Nairobi, 2017.

[4] Ibid p. 89-90.

India's business design shows, for instance, that 90% of people dealing are organic, while only 10% are cross-border.

Africa has a portion of the human dealing issue. Dealing happens at various levels. These incorporate manipulative, constrained work, homegrown work and sexual misuse of ladies and young ladies inside, outside, and into nations of the area. Dealing with human beings includes outsiders particularly groups of thugs who encroach on the people in question. Practically 50% of African nations know about human dealing as an emergency, and that youngster dealing is generally asserted to be more merciless than dealing with ladies. In West and Central Africa where dealing is more common and recognizable, more than 70% of the nations distinguished dealing as an issue, contrasted with (33%) of nations in East and southern Africa. In Sub Saharan Africa, issues of human dealing are profound established basically in the weakening financial circumstance. Serious rustic neediness powers helpless families to offer their youngsters to dealers, under the appearance of giving them the opportunity to get steady employments and better lives. Joblessness, family separation because of death or separate, and deserted AIDS-stranded kids, make youngsters in danger of dealers. Joblessness among the grown-ups prompts destitution, which are the major, factor-driving individuals to dealing with Sub Saharan Africa. As indicated by data from past reports expanding quantities of individuals live in shanty towns in edginess and neediness. In Senegal, strict educators power kids to ask for cash and food in the roads. This lifestyle makes them helpless to maltreatment from grown-ups and they are effectively brought into wrongdoing, substance misuse and prostitution. Road youngsters are profoundly helpless against dealers as they are results of furnished clashes, provincial metropolitan relocation, joblessness, starvation, broken families and destitution.[5]

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In Kenya, Current data and research of trafficking has to offer only estimates of the wide problem and the research done on global level easily masks regional differences. Most research is done by international organizations, such as International Organization and non-governmental entities, such as Awareness Against Human Trafficking (HAART), an NGO working to end human trafficking in Kenya. Human trafficking has been a big challenge for many years within East Africa. However, only a few basic studies have been conducted to systemically analyze and explain the phenomenon.[6] In many cases people start the migration process voluntarily and there is no credible data on human trafficking. Many parents are actively engaged in the child trafficking (their children). Moreover, the majority of victims are not considered victims. East Africa also has considerable difficulties in detecting human trafficking because of local movements necessitated by porous borders and formal economic unions.[7]

1.3 Statement of the Problem

Several consecutive years of sustained economic growth, relative political stability, and levels of economic development higher than those of its neighbours combine to make Kenya an appealing destination for economic migrants from across the region. Ethiopia in particular, with a population greater than 100 million, more than twice that of Kenya, has emerged as a source country for irregular economic migration to Kenya. As of 31 August 2016, Kenya hosted 502,194 registered refugees, including the largest refugee population of Somali nationals in the world at Dadaab refugee camp with others from South Sudan, Ethiopia, Burundi and the Democratic Republic of Congo.

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[6]Gichira, Charles. "The influence of Vigilantism on National Security in Kenya: a Case Study of Sungusungu in Kisii County (2002-2019)." PhD diss., University of Nairobi, 2019.

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This figure, however, only represent those who are formally registered, and tens of thousands more are believed to be living in or transiting through Kenya outside the formal refugee system. People from neighbouring countries as well as Asian countries, are trafficked into Kenya, where they are subjected to forced labour, including sex work. According to HAART, children are trafficked into the country for the purposes of begging, street hawking, organ removal, and illicit adoption.

In addition to being a destination country for mixed migration flows and trafficking, Kenya is a transit country, particularly for migrants from Ethiopia and Somalia heading to South Africa. There are no reliable current data on the numbers of irregular migrants smuggled or trafficked through Kenya. In 2009, for IOM reported that "an estimated 20,000 Somali and Ethiopian male migrants are being smuggled to South Africa, mostly via Kenya, every year." Key informant interviews in Nairobi and Mombasa County confirmed that these flows continue to take place now, but credible information on the numbers of migrants transiting along these routes could not be obtained. An upcoming briefing paper by the I will provide an updated overview on mixed migration flows from the Horn of Africa to South Africa. While it has not been possible to establish with certainty whether they still widely quoted 2009 figures remain valid seven years later, recent quantitative research suggests it is safe to assume that they are. The paper also concludes that the smuggling business is still very active on this southern route, with 96 per cent of migrants and asylum seekers interviewed (287 interviews were carried out in South Africa), saying they had used a smuggler along stretches of the journey south, paying on average USD 3,300 for the trip from the Horn of Africa to South Africa.

Victims of human trafficking also transit through Kenya. For the most part they are nationals of other countries in the region who are brought to Kenya for onward travel to nearby states as well as the Middle East, Europe, and Asia. Government officials interviewed in

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ii.   What are the effects of human trafficking on human security in the Horn of Africa Region?

iii.   What are the intervention strategies adopted in preventing and combating human trafficking in Mombasa county Kenya?

1.5 Main Objective of the Study

To study the impact of human trafficking to the state security a case of Mombasa County in Kenya from the horn of Africa region.

1.5.1 Specific Objectives

i.   To Investigate trends of human trafficking internationally.

ii.   To ascertain the intervention strategies in preventing and combating human trafficking in Mombasa county Kenya.

1.6 Literature Review

1.6.1 Human Trafficking

Human trafficking is defined as the use of force, deception, or intimidation to obtain labor or sex for commercial purposes.[11] Millions of men, women, and children are trafficked annually in various parts of the globe. Victims can be of any nationality, age, nationality, gender, or race, and it can arise in any society. To attract victims into trafficking settings traffickers may use intimidation, manipulation, or hollow promises of favourable employment or romantic relationships. Slavery has been commonplace throughout recorded history and has been a generally unquestioned institution in many of earlier civilizations, most notably perhaps in the

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[11]Shelley, Louise. *Human trafficking: A global perspective.* Cambridge University Press, 2010.

Somaliland cited stories of local children being recruited to Koranic schools in Kenya which unsuspecting parents believed were legitimate institutions of religious scholarship. These schools, however, turned out to be recruitment facilities for Al Shabaab, an Islamist insurgent group based in Somalia, which is also active in Kenya.

One of the major obstacles in Kenya is that trafficked people may have a lack of trust with the authorities, especially the police.[8] Oftentimes, victims do not inform the police about their case; some people believe that the police are corrupt and inactive. Moreover, people who try to make their grievances known to authorities may be shunned; either they're told to contact another organization or they're told to keep on living.[9] However, some institutions use the frustration of aliens to help them smuggle/trafficking. Intricate trafficking/cargo cartels, alongside private labor organizations, collaborate with respective Government officials, private airline and public transport staff to undermine the vice by developing ever more new ways to combat increased security checks at entry and exit points.[10] Consequences of the vice comprise stress on the nation's resources, the circulation of fake goods, the flooding of refugees/aliens, the proliferation of small arms, and intensified terror activities. All these impacts have ramifications on the nation's social, economic and political security, which are the primary concerns addressed in this study. Nevertheless, there is scarcity of data and programming aimed at combating human trafficking in these areas. Against this backdrop, this evaluation is being carried out.

1.4 Research Questions

i.   What are the trends of human trafficking in the Horn of Africa Region?

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[8]Gastrow, Peter. *Termites at work: Transnational organized crime and state erosion in Kenya.* New York: International Peace Institute, 2011.

[9]Schuberth, Moritz. "The impact of drug trafficking on informal security actors in Kenya." *Africa Spectrum* 49, no. 3 (2014): 55-81.

[10] Ibid pp. 145-146.

world of classical antiquity. In the 19[th]century slavery was made illegal throughout the world though making something illegal doesn't mean it vanishes. [12]It is possible to conclude that slavery has gone through history as a result of humans being deprived of work and being under the control of another person. When talking about slavery, it is not about race or ownership, but the most important features are the management of violence, economic benefit of people and freedom of agency.

When examining trafficking, it is good to be aware of the concept of slavery and to understand its meaning in history, even though they do not mean exactly the same thing. In human trafficking, criminals use human beings as objects for their own profit by use of force, deception, coercion and violence.[13]Today, illegal profits generated by human trafficking are significant, estimated at USD 150 billion a year.[14] Unlike smuggling of migrants, which generates a one-time profit, trafficking includes a long-term exploitation, which translates into continuous income. Every nation in almost every corner of the world is affected by this vice and even though reliable global data is insufficient, it is believed that the number of victims is reaching epidemic proportions.[15]

Despite concerted efforts at the global, regional, and state levels, human trafficking continues to be one of the world's most serious problems.[16] Despite the fact that the overwhelming majority of nations have enacted or amended domestic laws to make human trafficking illegal, the criminal justice system's reaction seems to be stuck at a reduced level. Furthermore, there are still nations that lack appropriate human trafficking regulation, and gaps

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[12]Feingold, David A. "Human trafficking. *"Foreign Policy* (2005): 26-32.

[13]Abramowitz, Alexis A. *Human trafficking, human misery: The global trade in human beings.* Greenwood Publishing Group, 2009.

[14] IOM 2018

[15] UNODC 2008c, 3

[16] United Nations General Assembly 2014, 1

in laws and policies leave at least two billion people around the world without sufficient legal recourse from human trafficking. The vice is a complicated issue that affects millions of people. From physical mistreatment of victims to emotional and mental trauma, as well as the political and economic ramifications of unchecked crime, the personal and social effects of human trafficking are surprising.[17]

The impact of human trafficking on individuals and society is destructive and the consequences are diverse. The impacts of human trafficking are felt both in the destination countries 8 and countries of origin.[18] Poor governance, unemployment, a weak legal system, poverty, a lack of education, and gender bias, all of which are compounded by social and economic variables, are all heavily tied to susceptibility to human trafficking.[19] and ending human trafficking has become one of the targets (8.7) of the 2030 Agenda for Sustainable Development[20]; the goal is to eradicate human trafficking, child labor, modern-day slavery, and forced labor in all forms by 2025.

The current data shows that Kenya serves as a transit, source and destination country for human trafficking. Adults alongside children are exposed to forced labour and sex trafficking throughout Kenya.[21] Human trafficking in Kenya is approximated to be worth $40 million on the illegal market.[22] In 2016, the Kenyan government identified 530 possible trafficking inquiries, of 28 related to sexual trafficking while 59 concerned forced labour; the rest were not

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[17]Laczko, Frank, and Marco A. Gramegna. "Developing better indicators of human trafficking." *The Brown Journal of world affairs* 10, no. 1 (2003): 179-194.

[18] Governance and Social Development Resource Centre 2011, 1

[19] World Bank 2009.

[20] United Nations 2015.

[21] US. Department of State 2018a, 254

[22] IOM 2015, 16

classified as trafficking. There is also disparity between different kinds of oppression; for instance, women trafficked for forced labor may also be sexually abused.[23]

According to the International Organization for Migration, 36% of Kenyan trafficking victims are transported worldwide.[24] The majority of victims (86%) are enticed by traffickers who vow to assist them improve their situation. A smaller proportion (5%) is compelled or intimidated, and in certain instances (9%) relatives organize for the person's transportation to the new destination.[25] Kenyans primarily migrate for work, where they are often enslaved in brothels, forced manual labor, night clubs, and domestic servitude. Kenyans are trafficked worldwide by legal and illicit employment agencies to Southeast Asia, the United States, and other parts of the world. Oman, Saudi Arabia, the United Arab Emirates, Lebanon, Qatar, and Kuwait are among the other nations in the Middle East.[26] The western route between Uganda and Kenya at the Malaba-Busia border points and the north-eastern route through Garissa County on the Kenya-Somalia border have both been recognized as major trafficking routes in Kenya..[27]

Nairobi, as well as Kenya's coastal and western areas, are recognized as hotspots for illegal trafficking. The media's focus on human trafficking in Kenya's coastal area has changed through the years. Prevalent forms of trafficking in the coastal areas are child trafficking, labour exploitation, forced marriage, and sexual exploitation. The coastal region of Kenya is also famous for its sex trade and sex tourism and tourism in the area contributes to human trafficking. In Kenya's coastal region, both men and women are sexually exploited in unauthorized houses

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[23]Logan, T. K., Robert Walker, and Gretchen Hunt. "Understanding human trafficking in the United States. "*Trauma, Violence, & Abuse* 10, no. 1 (2009): 3-30.

[24] IOM (2008)

[25]Gallagher, Anne T. *The international law of human trafficking.* Cambridge University Press, 2010.

[26] U.S. Department of State 2017, 234

[27] IOM 2015, 16

and apartments. Furthermore, sexual abuse of children is common in the coastal region, and all children in Kenya may be exposed to this serious risk.[28]

1.6.2 Human Trafficking and National Security

Human trafficking is a heinous breach of human rights that harms people from all walks of life, regardless of religion, region, or ethnicity.[29] It comprises organ removal, sex trafficking, forcible induction into militant forces, and forced labor. The United Nations identified nearly 20,000 victims of human trafficking in 2016, though this statistic did not include many undisclosed cases. Women and girls made up 72% of the group. In 2016, an approximate 40 million people worldwide were enslaved in abusive modern slavery contexts that they were unable to escape or reject due to intimidation, deceit, aggression, or threats.[30] Human trafficking, on the other hand, is not only a violation of human rights and nobility, but also a crime and security issue. Human trafficking can exacerbate conflict by providing a source of income for armed and radical groups seeking to increase their influence and military capacity. Moreover, human trafficking can cause displacement and community destabilization, escalating tension and disrupting growth. Human trafficking undermines international institutions' ability to execute their objectives of fostering peaceful relations when it is perpetrated by peacekeepers and local security personnel.[31] Forced labor generates an approximate $150 billion per year, making it one of the most lucrative criminal acts on the planet. It's also a source of financing for militant groups like Boko Haram in Nigeria and the self-proclaimed Islamic State in Syria and Iraq, which have sold into slavery women and children and profited from sex trafficking. States may benefit as

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[28] IOM 2018, 6, 15

[29] Beckerleg, Susan, Maggie Telfer, and Gillian Lewando Hundt. "The rise of injecting drug use in East Africa: a case study from Kenya." *Harm reduction journal* 2, no. 1 (2005): 12

[30] Muteti, A., D. M. Mbirithi, and F. Kiruthu. "Dynamics of Community Policing Initiatives and Implications on Security in Mombasa County, Kenya." *Journal of African Interdisciplinary Studies* 4, no. 7 (2020): 20-35.

[31] Ondieki, Jacob O. "Human Trafficking and Its Impact on National Security in East Africa: a Case Study of the Vice in Kenya." PhD diss., University of Nairobi, 2017.

well: government initiated trafficking can offer a source of revenue while also bolstering a regime's defensive capacity.[32]

Regardless of the security consequences of human trafficking, prosecutions for trafficking crimes are uncommon, safety and prevention initiatives are underfunded, and most human trafficking programs are separated from larger counter-terrorism programs, peace operations, and security.[33] It is appropriate for administrations to use restrictions to freeze the assets of human traffickers and impose travel bans in order to discourage human trafficking and promote security preferences; guarantee that regulations on migration and asylum disallow trafficking and protect its victims; empower troop-contributing nations to hold peacekeepers who commit sexual exploitation responsible; investigate allegations of sexual exploitation and other types of human trafficking against Islamic State associates; and gather intelligence on human trafficking in areas where arms and drug trafficking are prevalent. These actions have the ability to assist states in reducing human trafficking in terrorism and conflict affected areas while also fostering peace and stability.[34]

1.6.3 Trafficking Situation in the Coastal Region of Kenya

Human trafficking is visible in Kenya's coast area through the views of returnees from Middle Eastern nations. This is in response to recent media attention on the plight of Kenyan female employees in the region, as well as Kenyans living overseas who are subjected to abuse and sometimes death.[35] Participants in the Kilifi consultative workshop, for example, stated that

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[32] Ibid pp. 76-77

[33] Dottridge, Mike. "Trafficking in children in West and Central Africa. *"Gender & Development* 10, no. 1 (2002): 38-42.

[33] Ibid p.105

[34] Mbuka, Elizabeth M. "An Assessment of the Nature and Character of Child Trafficking in Kenya: A Case Study in Mombasa County." PhD diss., university of Nairobi, 2016.

[35] Sillfors, Pauliina. "Obligations, expectations and neglect: Former human trafficking victims' experiences of vulnerability and reintegration in Kenya." (2018).

they were familiar with at least three Kenyan human trafficking victims whose death was attributed to their exploitation while in the Middle East. Nevertheless, reliable and up-to-date statistics on the number of VOTs, including those who have died, is hampered by a lack of reliable and secure data sources, as well as insufficient victim identification procedures.[36] Despite the international emphasis on Kenyan VOTs, trafficking occurs in Kenya's coastal area as well. In unauthorized houses and apartments along the coast of Kenya, both women and men are sexually exploited. Furthermore, sexual abuse of children in these areas is common, reflecting the serious risk that they experience.[37]

Forced commercial sex affects an estimate 12,000 girls in Malindi, Kilifi, Mombasa, and Diani, accounting for 30% of teenagers (from 12 to 18 years). While not all are victims of human trafficking, it is important to note that several child sex workers have relocated to the coast from other areas of the nation, and are frequently coerced into sexual abuse before arrival.[38] Restaurant staff, bartenders, beach boys, and other underage sex workers are frequently forced to provide sexual favours. The regional demand for child sex workers maintains the system during low tourism seasons. As a result of the involvement of a large segment of the locality, child sexual exploitation flourishes. Although some children are pushed into commercial sex because of destitution, the increased degree of recognition of underage sex work in the coastal region allows children to move into casual sex in exchange for a small amount of money. Additionally ,

[36]Muldoon, Katherine Anne. "Exposure to work place and war time violence among female sex workers living in conflict-affected northern Uganda." PhD diss., University of British Columbia, 2015.

[37]De Haan, Francisca, Margaret Allen, June Purvis, and Krassimira Daskalova, eds. *Women's Activism: Global Perspectives from the 1890s to the Present*. Routledge, 2012.

[38]Maranga, V., R. Khayiya, and L. Musumba. "Evaluation of the Current Security Standards within the Hotel Facilities: A Comparatives study between Nairobi and Mombasa Counties, Kenya." In *MULTIDISCIPLINARY RESEARCH CONFERENCE*, p. 100. 2018.

stakeholder forums showed that criminal structures with fraudulent assurances of good jobs recruit both adults and children.[39]

1.8 Justification of the Problem

The study has both academic and policy justification.

To strengthen security management equipment, policy recommendations are made to the Kenyan government and other nations in the Horn of Africa for scrutiny and/or execution. The study is intended to aid the UN International Human Control Programme (UNIHCP) as well as other human-related entities in maintaining international stability and discipline.

The research adds to the body of information about human trafficking prevention in the East African region, which should be taken into account as part of existing laws. Recognizing human trafficking mitigation procedures in Kenya that need enhancement and creating meaningful suggestions to augment their efficacy will assist the local security infrastructure and increase social and human security in the region and in Africa as a whole.

1.9 Scope and Limitations of the Study

The study was limited to human trafficking and security. It will investigate trends of human trafficking internationally and in Africa as well as in Kenya Mombasa county; determine the effects of human trafficking on political; social and economic security in Kenya and Identify preventive measures and difficulties in stopping and fighting human trafficking in Kenya's Mombasa county. Due to time and resource constraints the study will only collect secondary data.

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[39] Ibid pp. 209

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1.10 Theoretical Framework

In order to explain human trafficking in Kenya, the current research applied Modern Slavery theories that enhance each other.

1.10.1 Modern Slavery Theory

In this research, Kevin Bales's (2009) Modern Slavery Theory is applicable. Diverse conceptual premises relating to the trafficking procedure are depicted in the theory. It elucidates the patterns of human trafficking in both the origin and destination countries. According to the theory, although each incident of human trafficking is unique, they all share similar characteristics.[40] Unemployment, demographic profile, bad governance, economic state, and available opportunities are all elements that influence the prevalence of human trafficking in a nation. The theory looked into energy consumption per capita, the percentage of men over 60, agricultural production, infant mortality, and bad governance to explore these factors. The findings revealed that, aside from energy consumption per capita, the above factors were all significant determinants of trafficking into a nation. Three fundamental variables at work that facilitate human trafficking have been established by the theory.

The factors are an infinite stream of victims accessible for trafficking in the origin nations, a limitless demand for victims' services in the destination nations, and coordinated criminal syndicates, both local and global, that have been in control of the socioeconomic "supply and demand" circumstance and manipulate vulnerable individuals for substantial gains. Due to unemployment, poverty, and an effort to achieve decent pastures, several victims are accessible for abuse from their nations. If the never-ending demand for the assistance provided

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[40]Ibid 52.

by trafficked victims ceases, it becomes unprofitable for traffickers to rally people into the new destination because the consumers no longer need their assistance.

The entertainment sector which encompasses parlors, nightclubs, strip clubs, brothels, and other related establishments where sex may or may not be bought, is where the bulk of trafficked persons end up.[41] In the sex trade, there is a huge market for women to fill positions, and foreign women are frequently used to fill them.[42] Because of the favourable market, this provides an opportunity for human traffickers to hire and force women to these scenarios. Conflict and social unrest in a nation are two more factors that contribute to human trafficking.

According to a study conducted in Kenya and other sources. "Demographic profile, corruption, economic status and opportunities, bad governance, and unemployment cut through almost all nations as some of the elements aggravating human trafficking,"[43] The application of the modern slavery theory is considered to be significant in contextualizing modern opportunity systems that enable the vice, as the study intends to investigate the primary implications of human trafficking on national security, as well as existing prevention strategies and management mechanisms that are in place.

1.11 Research Methodology

1.11.1 Research Design

The descriptive research study design was used in the study on human trafficking in Mombasa, Kenya. The descriptive design seeks to explain occurrences or narrate how different

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[41]Dean, Dwane H. "Shopper age and the use of self-service technologies. *"Managing Service Quality: An International Journal* (2008).

[42]Capobianco, Paul. "THEORY OF HUMAN TRAFFICKING APPLIED TO THE CASE OF JAPAN."

[43]Adepoju, Aderanti. "Review of research and data on human trafficking in sub-Saharan Africa." *International Migration* 43, no. 1-2 (2005): 75-98.

human trafficking attitudes and events happen. It explains and investigates the characteristics of the phenomenon as it currently exists, as well as assisting the researcher in gathering data at a specific point in time. The design is effective because it aids in the gathering of relevant data on the problem being investigated.[44] Both qualitative style of questioning and qualitative research were used in the descriptive study design method. Qualitative research entails a variety of kinds of investigations that aim to clarify the context of social occurrences by interacting with them in a natural setting.

1.11.2 Population and Sample

The researcher will collect data from Mombasa Town. The location was chosen to capture human trafficking incidents along transport corridors, entry and exit points between Kenya's southern coastal area and Tanzania's upper regions. Furthermore, the region links Kenya to the rest of Africa's southern countries. There are tourism areas in Mombasa that have been noted to have cases of human trafficking.

The primary target was a group of representatives from a variety of organizations, including government agencies in Mombasa County, community-based and religious groups, non-governmental organizations (NGOs), and victims of human trafficking, who were invited to take part in the evaluation willingly and freely disclose their experiences.

A random sample of 100 people from the target population was selected using purposeful sampling. The researcher chose a total of 100 people, including four officials from government departments in Mombasa, four officials from community-based and religious institutions, four officials from non-governmental organizations, and 84 victims of human trafficking. They were chosen for the study based on their availability and desire to participate.

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[44]Kathuri, N. J., & Pals, D. A. (1993). Introduction to educational research.

1.11.3 Data collection procedures

Primary and Secondary data collection methods were employed. Primary data was collected through Interview Schedules conducted by the Research Assistant for sample respondents and personal interview for Key informants. On the other hand, Secondary data was collected by way of reading, analyzing, collating and recording data contained in readily prepared materials such as human trafficking journals, private and public statistical records, magazines, documents, newsletters, and books

Data was collected using both primary and secondary techniques. Primary data was gathered through the Research Assistant's Interview Schedules for sample respondents and private interviews with key informants. Secondary data, on the contrary, was gathered by reading, evaluating, compiling, and documenting information from easily accessible sources such as human trafficking journals, public and private statistical reports, magazines, papers, newsletters, and books.

1.11.4 Data analysis

To determine the frequency of specific traits, qualitative data was analyzed using content analysis. This allowed the researcher to create thresholds that could be used to examine larger volumes of data. The information allowed the researcher to determine the effect of human trafficking on national security.

1.12 Chapter Summary

Chapter one is the proposal with the following subheads, introduction, background of the study, statement of the problem, general objective, specific objectives, research questions, justification of study, literature review, research methodology, scope and limitations of study and chapter outline. Chapter two investigates trends of human trafficking in Kenya Mombasa

County: it will give a broad view of human trafficking both in the Horn of Africa as well as Mombasa County in Kenya. It pinpoints the origins, transit routes, forms of transportation, and final destinations of human trafficking victims. Chapter three determines the effects of human trafficking on security. In this case national security will be measured in terms of human security in Kenya. In Kenya's Mombasa county, Chapter four examines the intervention approaches and problems in preventing and controlling human trafficking. Finally, chapter five contains the summary, conclusion and recommendations of this study.

CHAPTER TWO

TRENDS OF HUMAN TRAFFICKING IN KENYA

2.1 Introduction

Chapter two investigates trends of human trafficking internationally and in Africa as well as in Kenya Mombasa County: it identifies the sources, transit routes, modes of transportation and destinations of trafficked human beings.

2.2 Trends of Human Trafficking Internationally

Trafficking of human beings in the world today can be characterized to bondage influenced primarily by motives similar to the unlawful trafficking of humans for slavery or financial gain. Sometimes it means manipulating, pressuring, or convincing the helpless percentage of the society. In 2012, the International Labour Organization reported that millions of people were subject of forced labour, with 56% of the world population coming from Asia-Pacific; Africa came in second with 18% while Latin America closed the top three with 9%.[45] Based on refugee personal experiences numerous researches assist in comprehending the reasons for human trafficking. These components may include corruption, ethnic and gender biases, and rural to urban migration:

2.2.1 The Rise of Corruption as a cause for Human Trafficking Internationally

Minor and major graft cases have significantly contributed to a rise of human trafficking within the continent. The position of minor graft cases is most evident and is the traffickers'

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[45] Alloysius, John. "Global Trends of Human Trafficking Conditions and Prevention Strategies." *International Conference on Strategies to Combat Human Trafficking.* Speech presented at the International Conference on Strategies to Combat Human Trafficking, July 29, 2019.

safety net. However, it can be less detrimental than the rapidly expanding and internationalized corruption. Corruption has been demonstrated by Transparency International surveys to be a reality in Eurasia, Asia, Latin America, Middle East, and Africa.[46] Corruption leads to skewed laws that favor the wealthy and restrict economic growth.

Public officials including customs officials and police make trafficking easier by accepting bribes to raise their poor pay, often not enough to provide a decent wage. Yet traffickers and drug lords can also absorb higher-ranking officials in several nations such as prosecutors, judges, and embassy officials who are unable to work against them.[47] The exploitation of labour and healthcare inspectors, particularly in the developing nations, also facilitates the trafficking of workers. Furthermore, human trafficking does not continue in hospitals without fraudulent healthcare professionals.

However, this corruption of small concentration is not unique. The pace and size of dictators' resources being looted from their treasuries has increased in the international market. Multiple elements comprise of widespread corruption.[48] Politicians sift national incomes, international aid grants and loans meant for institutional and economic growth. The lack of regulation of project financing and fiscal stimulus funds by global financial organizations like the World Bank, regional international banks, and International Monetary Fund (IMF) has led to the loss of billions of economic aid funds by high-ranking officers, thus growing individual and national debt in some nations,[49] especially with corrupt leaders who have earned debt relief

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[46] Transparency International surveys are based on perceptions of corruption.

[47] Holmes, Leslie. "Corruption and Trafficking: Triple. "Strategies Against Human Trafficking: The Role of the Security Sector (2009).

[48] Rose-Ackerman, Susan. "The political economy of corruption. "Corruption and the global economy 31 (1997): 60.

[49] Chabal, Patrick. "Paul Collier, The Bottom Billion: why the poorest countries are failing and what can be done about it? New York: Oxford University Press (hb£ 16.99–978 0 19531 145 7). 2007, 195 pp. "Africa 78, no. 3 (2008): 455-457.

but still owe millions of money. The expense of these debts strips economies of the resources required for economic growth, healthcare, education, housing and public services.

The money once looted is always difficult to trace and much more difficult to retrieve. The anonymity of much of the global banking structure and the prevalence of overseas financial centers promote the abuse of public funds and widespread graft. The Philippines and Nigeria could resettle just a small percentage of their missing billions lost through corruption, even after thorough investigations.

In previous years, the rise of this corruption tended to be very much linked to trafficking. Several nations, such as Bangladesh, Indonesia, Nigeria, Russia, Philippines and Ukraine, are considered amongst the most corrupt in the Transparency International Corruption Perception Index.[50] These countries are also major providers of trafficked persons, especially women and children. Furthermore, several of the former leaders in these nations have been described in the Transparency International Report as the world's worst systems of governance. For instance, former Prime Minister of Ukraine, the incarcerated money launderer Pavel Lazarenko stole, more than 50 million dollars from the government coffers of his nation. Other outrageous cases comprise the top president of Indonesia, Suharto, whose fraudulence necessitated by family resulted in his country's economic downfall. Philippine president, Marcos, as well as Nigeria's Sani-Abacha family, are other examples.[51]

The Philippines is an example of how corruption directly led to the smuggling of citizens. Corruption in conjunction with capitalism, in general, proved to be pervasive.[52] Human beings

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[50] Von Alemann, Ulrich. "The unknown depths of political theory: The case for a multidimensional concept of corruption." *Crime, Law and Social Change* 42, no. 1 (2004): 25-34.

[51] Johnston, Michael. "Public officials, private interests, and sustainable democracy: When politics and corruption meet. "Corruption and the global economy 83 (1997): 67.

[52] Shelley, Louise. Human trafficking: A global perspective. Cambridge University Press, 2010.

became a required source of funds for the nation, provided that the immigrants sent billions of dollars in funds annually to their homes. Thousands of Philippine women work abroad got trafficked as domestic workers. Human trafficking is not, however, confined to the labour market within the Philippines, it also involves child trafficking, forced marriages, commercial adoption and regional sex trade.[53]

2.2.2 Rural Urban Migration

In the current world economy, small-scale farming cannot last. In conjunction with exponential rural population increase, family owned parcels of land couldn't accommodate extended families anymore. Families select multiple survival routes. Some people search for a chance to relocate to foreign countries and others are move from rural areas to town settings. Much like rural migration into urban areas was suitable for the growth of prostitution and crime in the 19th century,[54] in the late 20th and early 21st centuries, it has led to the expansion of human trafficking. Previously rural households in their urban neighborhoods are losing their conventional lifestyles just as in previous years.

Exposure to the media, advancement of materialism and everyday survival efforts in overcrowded cities undermine the longstanding culture and heritage. In the rapidly rising and overpopulated cities families are forced to adopt to poor living conditions. Homelessness in the family, household disruptions, divorce, parental illness and death, frequently lead to rural-urban migration. In households where alcoholism is much more common, sexual assault and violence against women and children who mostly flee is the case.

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[53] Ibid 67

[54] Bharadwaj, Ashish. "Is poverty the mother of crime? Empirical evidence of the impact of socioeconomic factors on crime in India." *Atlantic Review of Economics* 1 (2014).

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Family abuse is also a step forward in inviting traffickers.[55] Even if households may not get seriously degraded, low-income families have little capacity to look after their children in urban areas. Children can flee to unknown destinations or become street kids. Both categories are exposed to traffickers. Men frequently relocate to towns or travel overseas. They contribute to the market in escort services, outside of their homes because of the inability to sustain marriages. This is visible in India's suburbs, Mexican workers in the United States and Chinese towns all over the world.[56]

2.2.3 Ethnic and Gender Biases

According to one author, "a specific increase in sex trafficking in East Asia, South Asia and Eurasia following the collapse of the Berlin Wall is at the convergence between social and economic extortion, which has been encouraged by economic modernization and a traditionally deep-seated stigma against women."[57] However, trafficking cases also exists in Eurasia, where women have rights under the law, alongside educational opportunities but endure discrimination when accessing resources, work and good salaries. In the 1990s, several post-Soviet work ads read that "only young and ready persons to apply."[58] Women had to provide sexual services to acquire these jobs.

In comparison, fewer resources are available for medical attention, general wellbeing, and education of women in many communities in parts of Asia, Latin America and Africa. Women and girls are the first to be taken away from school as it happened during the end of the

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[55] Pocock, Nicola S., Ligia Kiss, Sian Oram, and Cathy Zimmerman. "Labour trafficking among men and boys in the greater Mekong subregion: exploitation, violence, occupational health risks and injuries."PloS one 11, no. 12 (2016): e0168500.

[56] Gupta, Ruchira. "The Selling of Innocents." CBC documentary (1996).

[57] Abramson, Kara. "Beyond consent, toward safeguarding human rights: Implementing the United Nations Trafficking Protocol." *Harv. Int'l LJ* 44 (2003): 473.

[58] Stoecker, Sally. "The rise in human trafficking and the role of organized crime."*Demokratizatsiya* 8, no. 1 (2000): 129-144.

1990s and the beginning of the 2008 in economic crises. As a result, women have fewer choices. Women or young ladies often secure jobs in sectors that have the greatest vulnerability of sexual discrimination such as, children assistants, carpet weavers and domestic workers. The road to prostitution is more straightforward in some nations, as girls are treated as a way of increasing the wealth of a family. Southeast Asian households are generating funds in order to develop their houses and land by exposing their children to trafficking.

The injustice facing women in minority communities or low economic classes is even higher. Their mistreatment is complicated by the fact that when the victims are trafficked, women from low economic classes or marginalized groups receive less support than other trafficked people. "Prostitution in Africa and Asia is not predominantly a criminal matter; however, it is facilitated by a systemic issue associated with extreme underinvestment and social class prejudice in a purely heretical society."[59] Furthermore, even in situations where the abuse has been sustained by pervasive policing misconduct, the courts in these regions have not secured the rights of sex workers.

Asia and Africa are not limited to the connection between biases and trafficking. Smugglers in Europe also target the weakness of racial and ethnic minorities. The Roma and Gagauz populations include a surprising amount of trafficked children and women from Moldova, a hotbed for European trafficking. The Gagauz citizens are Turkish, and the Roma continue to be heavily discriminated against in Moldova, as anywhere else, and are overwhelmingly trafficked.[60]

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[59] Shelley, Louise. *Human trafficking: A global perspective*. Cambridge University Press, 2010.
[60] Ibid 72

2.3 Trends of Human Trafficking in Africa

While human trafficking is popular in various continents, in Africa it is prevalent. Africa, to name just a few, has been plagued by a variety of crises including poverty, high unemployment, hunger, political unrest, economic instability and corruption. The conflicts and revolutions that have resulted in domestic displacements of citizens intensify these concerns. The search for subsistence in the middle of these financial and socio-political and crises has led to high migrations between African countries and other continents. Although some migration operations are lawful, many more are not. In the meantime, offenders routinely mislead and move refugees into an environment of multiple slavery. Although the precise figures and statistics of the victims of trafficking are uncertain from Africa, United Nations Office on Drugs and Crime (UNODC) documents also provide a summary of the facts. In 2016, for example, 69 states reported victimized human traffickers from Africa during a two-year stint from 2012, according to a study from UNODC.[61]

Human trafficking in Africa was the result of distress by protesters, NGOs, and civil society especially in Benin, Nigeria, South Africa and Togo in the late 1990s.[62] Unverifiable studies have for example shown that trafficking of persons in West Africa has been troubling since the late 1990's. In West Africa, child trafficking became apparent when foreign press reported on the discovery of a ship, known as Etireno, which, on April 2001, was detected to be ferrying children from Nigerian capital Lagos to Libreville in Gabon. Although significant efforts have been made at domestic, regional, and multinational levels to eradicate human trafficking within Africa, there have regrettably been few achievements.

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[61] UNODC. *Global Report on Trafficking in Persons.* New York: UNODC (2016)

[62] Human Sciences Research Council. "Tsireledzani: understanding the dimensions of human trafficking in Southern Africa." (2010).

2.3.1 Routes and Destinations for Traffickers in Africa

With the Cold War's conclusion, ethnic wars were on the rise in Africa and boundaries deteriorated, resulting in an increase in social and economic migrants. Ever since, human trafficking has also increased substantially in various sections of Africa because of capacity lacunas in the management of the regional and local trade relations and projects in African nations. This problem resulted in many actions at regional, national and international level by government and policy makers. Conversely, many African states still find it very hard to fight trafficking of human beings, even though legislation is in place, due to inadequate regulations. The integration of graft, absence of democracy and a variety of other fundamental recurring socio-economic challenges facing these nations has made fighting against human trafficking nearly impossible to overcome.

Human trafficking is a complex occurrence with a number of interlinked influences, causes and structures.[63] Three dimensions are often involved in trafficking problems and obstacles the desire for cheap labour and oppression, and the capacity to satisfy basic economic subsistence needs. It would be incorrect, mainly because of the reasons that are keeping people in it, to define human trafficking as a problem of insecurity. Given the fragile state of African frontiers and the lack of appropriate protection and identification systems, traffickers gamble with the current gap and are constantly involved in human trafficking.[64]

West African trafficking is complicated because of their routes. Nations such as Senegal, Nigeria, Cameroon, and Ghana are not only the source of trafficked women and children but also transit and destination points. Literary material is also given on the trafficking of young rural

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[63] Bello, Paul. "Examining human trafficking and the response of the South African criminal justice system." (2015).

[64] Logan, T. K., Robert Walker, and Gretchen Hunt. "Understanding human trafficking in the United States." *Trauma, Violence, & Abuse* 10, no. 1 (2009): 3-30.

girls in states like Burkina Faso, Mali Togo, Ghana and Benin to serve in the Modern Ivory Coast cocoa farms. In recent times, trafficking has escalated from and around eastern Nigeria to Gabon. Based on findings from the United Nations International Children's Emergency Fund (UNICEF) in 2017, children comprised over 25% of the victims of human trafficking worldwide, 64% of which are in Africa.[65] This number may have risen recently due to the present economic difficulties encountered by many citizens in sub-Saharan Africa, particularly women and children seeking better life in bordering states.[66]

Human trafficking is prominent in southern Africa, much like the situation in West Africa. Origin, transit and destination nations for the trade of humans are prevalent in nations including Zambia, South Africa, Lesotho and Mozambique. However, the movement in southern Africa is very complex, unlike the Western African situation in which movement is multi-dimensional a single state might act as the origin, while another state serves as the transit and the recipient in Southern Africa, it is intricate.[67] This includes dynamic movements of trafficking from diverse African and foreign nations.

When it comes to East Africa, Kenyan and Ugandan women are trafficked for sex trade in the Gulf States. The recurrent turmoil in Uganda provided the rebel leaders with an opportunity to abduct children and women out of rival camps. Other persons exposed to trafficking are from Rwanda, the Democratic Republic Congo, Kenya, Burundi, Tanzania, and South Sudan.[68] In Uganda, young ladies and women engage in prostitution; while men work in

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[65] Luiz, John M., and Callum Stewart. "Corruption, South African multinational enterprises and institutions in Africa." Journal of Business Ethics 124, no. 3 (2014): 383-398.

[66] Mollema, Nina. "Combating human trafficking in South Africa: A comparative legal study." PhD diss., University of South Africa, 2013.

[67] Mollema, Nina. "Combating human trafficking in South Africa: A comparative legal study." PhD diss., University of South Africa, 2013.

[68] United States Department of States. "Trafficking in Persons Report," 2018. https://www.state.gov/documents/organization/pdf.

construction, farm lands and related firms. Kenya is also used as a focal point for trafficking women, from, and to Europe. The County serves as an origin, transit, and destination point.[69]

In North Africa, human trafficking is intense. Almost all nations in this African region participate in human trafficking as points of origin, transit and destination.[70] The number of trafficked victims can however, differ from country to country. For example, Algeria, as opposed to other nations in the region like Tunisia, Morocco, and Egypt, is primarily a transit and point of destination state.

2.3.2 Human Trafficking Factors in Africa

The issue of trafficking of human beings often starts not from smugglers, but from situations in which people find themselves in, exposing them to abuse while searching for better living standards.[71] Unlike the picture of people who have been trafficked either as abducted or forced to leave their families, the first instinct to move is more often than not informed. Several circumstances, which have already influenced Africa, strengthen these options further.

In Africa, trafficking prospers because of a variety of modifiable risk elements; it can usually be divided into two elements; push and pull. Both aspects are interconnected—the motives of one may be the product of the other. Through these pushing forces, people are driven to embrace demands that make them responsive to trafficking, but the pulling forces are those that motivate people to validate dehumanizing propositions.[72] The driving forces behind the

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[69] Ibid 82

[70] Adepoju, Aderanti. "Review of research and data on human trafficking in sub-Saharan Africa." *International Migration* 43, no. 1-2 (2005): 75-98.

[71] Chuang, Janie. "Beyond a snapshot: Preventing human trafficking in the global economy." *Global Legal Studies* 13, no. 1 (2006): 137-163.

[72] Elechi, O. Oko, T. Y. Okosun, and Job E. Ngwe. "FACTORS VITIATING AGAINST THE EFFECTIVENESS OF THE NIGERIA POLICE IN COMBATING THE CRIMINAL EXPLOITATION OF CHILDREN AND WOMEN." *African Journal of Criminology & Justice Studies* 3, no. 1 (2007).

African trafficking of human beings are, but not restricted to unsustainable employment, political uncertainty, poverty, and corruption, lack of legitimacy, exploitation, and social influence.

The pull elements comprise poor border protection, intense competition for low-cost labour, body parts and organs, socioeconomic disadvantages between developing and emerging countries and the consequences of capitalism.[73] It is essential to point out that the counter-trafficking initiatives have been relatively unsuccessful in several African countries since most of the interventions were threefold — apprehension, punishment, and imprisonment. Although these actions may succeed on resolving the close causes of crime, effective action would be required for remote triggers to promote a lasting solution to their real causes.

2.3.3 Internal and International Trafficking in Africa

There are two distinct forms of human trafficking in Africa. Studies indicate trafficking to be happening both internally and externally. Domestic trafficking occurs in a country's borders. It typically includes people being recruited and relocated from rural centers to metropolitan areas for different types of slavery and or operation like: workers of factories, prostitution, farm labourers, hard labour (as household servants), drug dealers, builders, waiters, among others.

In comparison to the domestic component, foreign trafficking assumes the form of hiring and transporting individuals to different nations for slavery (transnational trafficking). The essence of the process in this form is identical to, but more proportionate than the domestic type. The expectations, costs, and effects are also higher. The flows typically apply to nations in the same territory or adjacent countries for almost all the transnational aspects. The transnational flow is therefore normally not of significant distance. Nevertheless, trends of intercontinental

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[73] Wheaton, Elizabeth M., Edward J. Schauer, and Thomas V. Galli. "Economics of human trafficking." *International Migration* 48, no. 4 (2010): 114-141.

movements are also emerging. UNDOC claims that data actually exists in more than 20 nations around the world, covering America, the Middle East, Europe, Central Asia and Africa, on claims of trafficking of people from East Asia countries.[74]

2.4 Trends of Human Trafficking in Kenya, Mombasa County

Kenya has been placed on the list of nations with some of the worst issues of human trafficking worldwide according to a US study on international trafficking patterns.[75] Traffickers abused national and global victims in Kenya and exploited victims, according to the 2020 study.[76] "Traffickers in the nation abuse children through domestic labour, farming, cattle husbandry, fishing, and hawking," the study states. In addition, traffickers entice young boys and girls in sex trade, primarily in urban slums, which include Mombasa, Kisumu, and Nairobi where family members encourage sex tourism.

Mombasa is the largest human trafficking destination in Kenya, according to a recent survey. The report issued in Mombasa suggested that most of the victims in the City are attracted by tourism. IOM study on trafficking of people living in the coast suggests that 22% of trafficked individuals come to the area as a result of tourism.[77] They are also drawn by the convenience with which they travel for employment possibilities from Mombasa to Middle East. Nairobi, Lamu, Kwale, and Kilifi are the other towns mentioned as human trafficking hotspots in Kenya. The evaluation was carried out between from 2017 to early 2018 centered on the counties of Mombasa and Kilifi because of the growing media reports.

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[74] UNODC. *Global Report on Trafficking in Persons.* New York: UNODC (2016).

[75] United States Department of States. "2020 Trafficking in Persons Report - United States Department of State." U.S. Department of State. U.S. Department of State, August 19, 2020. https://www.state.gov/reports/2020-trafficking-in-persons-report/.

[76] Ibid 89.

[77] International Organization for Migration. "IOM and the Government of Kenya Launch Report on Human Trafficking in the Coastal Region." International Organization for Migration - Nairobi, 2018. http://kenya.iom.int/article/iom-and-government-kenya-launch-report-human-trafficking-coastal-region.

At 92%, trafficking in children was reported as the most prevalent in Mombasa and her neighbours, with labour abuse, compelled marriages, and sexual exploitation closely following.[78] The major cause of human trafficking in Mombasa is tourism, followed by lack of jobs. Other causes include work prospects, social and cultural activities. As underage citizens, few of the victims fled from arranged marriages. The major source of traffickers has been established in Tanzania. Uganda, India, Somalia, and Ethiopia were the other nations. Security authorities who attended the launch of the findings said the battle against trafficking in human beings is hindered by the denial of victims and the challenges of prosecuting cases of human trafficking in law.[79]

2.4.1 Routes and used by Traffickers in Mombasa

Girls in Mombasa are frequently employed by hotels, beauty salons and then taken advantage of upon arrival for work in the Gulf. Ladies are most prone to sex trade. The most recent transnational traffic routes have been established in the Near East.[80] The conduit to South Africa is another significant path. Ethiopians and other illegal migrants, who then migrate to Marsabit and Nanyuki prior to arrival in Nairobi, usually cross the borderline in Kenya close to Moyale. Road transport is used to reach Botswana[81]. Several of these people would be affiliated with traffickers when entering Kenya who can transport them to Tanzania. Trafficking is a risk for illegal migrants, with those on the south route reporting abductions, blackmail, and sexual abuse.

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[78] Ibid 91

[79] Otieno, Brian. "Mombasa Lures Sex Traffickers and Victims." *The Star*, 2020. https://www.google.com/amp/s/www.the-star.co.ke/amp/counties/coast/2018-07-31-mombasa-lures-sex-traffickers-and-victims/.

[80] International Organization for Migration. "IOM and the Government of Kenya Launch Report on Human Trafficking in the Coastal Region." International Organization for Migration - Nairobi, 2018. http://kenya.iom.int/article/iom-and-government-kenya-launch-report-human-trafficking-coastal-region.

[81] Trace Kenya, *"Experiences and Projects"* (2018). www.tracekenya.org/index.php/experiences-and-projects.

Numerous sources of research have suggested that traffickers and illegal migrants are using various methods of transportation to achieve their objectives. Some traffickers portray themselves as fishermen when ferrying individuals from Mombasa to various destinations. In this activity, players in the sector could not guarantee protection. In addition, the route from Nairobi to Mombasa, then heading to Tanzania along the shoreline facilitates this movement. The security officers in Mozambique reported a substantial quantity of Somali migrants who came via boat from Mombasa as per a background report of the Regional Mixed Migration Secretariat (RMMS).[82]

2.4.2 Means of Transport for Migrants

According to various literature sources, migrant traffickers and people smugglers use a variety of modes of transportation to achieve their objectives. Some smugglers and traffickers mask themselves as fishermen when ferrying people from the coastal area to different locations, as stated in the consultative forums. Stakeholders were unable to verify the information.[83]

Furthermore, there is a route that runs east from Mombasa to Nairobi, then southward to Tanzania. Police in Mozambique have indicated massive groups of Somalian and Ethiopian migrants arriving on boats from Mombasa, according to an RMMS special report.[84] Despite the lack of current information, this coastal path is still used. In the region, the use of boda bodas (motorbike taxis) is on the increase, particularly for the mobility of smuggled migrants and VOTs across different nations, such Uganda. The use of boda bodas in human trafficking is a new concept aimed at allowing victims to move through porous informal border crossings, making it much harder to spot possible trafficking instances. Furthermore, trucks carrying goods from

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[82] Regional Mixed Migration Secretariat, RMMS Background Report: Smuggled South (2017).

[83] Gastrow, Peter. *Termites at work: Transnational organized crime and state erosion in Kenya.* New York: International Peace Institute, 2011.

[84] Ibid pp. 100-101

Kenya to Somalia have brought back women and girls who have been manipulated in Mombasa or Nairobi brothels.[85]

While the use of hidden techniques is a new form of trafficking along the coast, traffickers use all traditional modes of transportation on air, land, and sea. VOTs are vulnerable to all modes of transportation.[86] On the Southern route, deaths have occurred in forests, on lakes and seas, and while working, resulting in disease, general disfigurement, or suicidal thoughts; being trapped; road disasters or being trapped in containers; banditry; murder by smugglers, bandits, and traffickers; and deliberate negligence, according to the RMMS special report.[87] According to a 2014 IOM report, there are significant data deficits in terms of the amount of migrant fatalities and the whereabouts of those who disappear. Migrant deaths at sea appear to be the only context in which data is collected in a comprehensive, although incomplete, way. According to the report, the actual amount of deaths could be thrice the current numbers. The same inaccuracy exists on the southern route. People perish in inaccessible and covert settings, and traffickers and smugglers know that reporting casualties would draw unwanted attention from officials, so they don't report them.

2.4.3 The Link between Mombasa and other East African Nations in Facilitating Human Trafficking

Three ties have historically been developed in the supply chain of human trafficking. Regional recruitment brokers traveling to Kenya from their states is the first one. Secondly, the Kenyan connections that "accept" the individuals and serve as labour agencies for the state. From

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[85] Wheaton, Elizabeth M., Edward J. Schauer, and Thomas V. Galli. "Economics of human trafficking." *International Migration* 48, no. 4 (2010): 114-141.

[86] Sillfors, Pauliina. "Obligations, expectations and neglect: Former human trafficking victims' experiences of vulnerability and reintegration in Kenya." (2018).

[87] Ondieki, Jacob O. "Human Trafficking and Its Impact on National Security in East Africa: a Case Study of the Vice in Kenya." PhD diss., University of Nairobi, 2017.

Kenya, they transfer victims to the destination country through Mombasa. Lastly, there are many that usually pretend to serve international employers. They position themselves in the destination country and "accept" persons from Mombasa.

Notable incidents and new ENACT research indicates that the functioning of the value chains for trafficking has shifted in relation to the third link.[88] Research shows that East African citizens are responsible for trafficking women from Kenya, Uganda, and Tanzania to the Middle East. Victim interviews reported that the same faces welcomed them abroad.[89] In February 2020, nearly 50 Kenyans were trafficked to a UAE and abducted in the residence of a 'Mombasa agent' who is believed to have had operations in Mombasa and Dubai, each of the victims parted with an estimate 200000 shillings to the alleged job agencies. The victims said that there were several 'trafficking homes,' which were operated by the Kenyans living in Dubai.[90]

Although connections operate together in the illegal value chain, rivalry is also increasing, with players competing for a bigger proportion of the more lucrative sections of the chain. Regional trafficking platforms seem to want to monitor the whole production chain from the acquisition, hiring, and transportation to nations abroad through Mombasa. It is hard to convict this properly planned and ever-changing transnational crime.

2.4.4 Factors that Facilitate Human Trafficking in Mombasa

A strategic advantage for Kenya and its surrounding region is the port of Mombasa, which handles many shipments daily. The town's location has made it popular for its

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[88] ENACTAfrica.org. "Is Human Trafficking Expanding in Kenya?" ENACT Africa, July 29, 2020. https://enactafrica.org/press/press-releases/is-human-trafficking-expanding-in-kenya.

[89] Ibid 97

[90] Atieno, Winnie. "Kenyans Lose Millions in Dubai Jobs Scam." *Nation*, February 9, 2020. https://nation.africa/kenya/counties/mombasa/kenyans-lose-millions-in-dubai-jobs-scam-249100?view=htmlamp.

exploitation, counterfeit goods, drug and human trafficking, and many other criminal activities by criminal organizations. "Mombasa resembles a passage." All unlawful business occurs here, and merchants backed by customs staff and influential individuals in government execute this trade.

Another aspect that makes Mombasa the ideal choice for human traffickers is graft. The individual mandated with regulation of the port oversees Kenya's unlawful business. Well-established business owners and political figures have placed a robust influence over criminal operations at the port. They represent a near network comprising Pakistanis, Somalis and Chinese, alongside top lawmakers, parliamentarians, and political activists with ties to prominent politicians, cabinet secretaries and leaders of Mombasa.[91] Networks including border officials, customs officers, clearing and forwarding workers, security officers, and many others, monitor these groups.

Mombasa is a city visited by several foreign visitors. This is an area where many community members belong to societies that are especially poor. Tourism is booming, but the sector has struggled to provide many individuals with meaningful benefits and jobs. Poverty leaves many individuals susceptible to sexual abuse, particularly young girls and boys, as is the trend for extremely impoverished citizens of other nations. In coastal areas like Mombasa, child labour is broadly acknowledged. This prevalent opinion increases the likelihood that young people are slipping into sex trade, increasing the chances of human trafficking.

In addition, the study commissioned by the IOM Kenya Country Office, reported that victims of trafficking in human beings migrate to Mombasa to look for employment and tourism

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[91] Gastrow, Peter. *Termites at work: Transnational organized crime and state erosion in Kenya.* New York: International Peace Institute, 2011.

in the Middle East.[92] Accessibility to the ocean allows the Mombasa and other coastal nations essential international transportation routes and promotes a convenient destination for victims, as per the study. This is especially true for types of sex assault such as child pornography and coerced trafficking because the towns are prominent destinations for tourists.

There are terrorists and armed crime groups in Mombasa town.[93] In this county, 51% of Kenya's recognized criminal organizations groups function without hindrance.[94] In the midst of confirmed extremism, organized crime groups have been increasingly evolving. In addition, because of flourishing corruption in administration systems, the rise of organized drug cartels is expected to escalate, thereby encouraging human trafficking.

Conclusion

Trends of trafficking in persons within Africa are facilitated by the corruption and porous borders of countries within the continent. Traffickers use specific routes to ferry trafficked persons to their destination points. Push and Pull factors contribute to human trafficking in Africa. Kenya's capital of Mombasa acts as a destination and transit hub for trafficking in persons. The strategic position of Mombasa—proximity to the sea line— alongside its identity as a tourism destination are factors that advance human trafficking in the region.

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[92] International Organization for Migration. "IOM and the Government of Kenya Launch Report on Human Trafficking in the Coastal Region." International Organization for Migration - Nairobi, 2018. http://kenya.iom.int/article/iom-and-government-kenya-launch-report-human-trafficking-coastal-region.

[93] National Crimes Research Centre. "A Study of Organized Criminal Gangs in Kenya—Nairobi, "2020. Https://crimeresearch.go.ke/wp-content/uploads/2018/05/Organized-Criminal-Gangs-in-Kenya.pdf

[94] Ibid 102

CHAPTER THREE

EFFECTS OF HUMAN TRAFFICKING ON NATIONAL SECURITY

3.1 Introduction

Human trafficking affects National Security in various ways. Poor policy frameworks in Kenya and the world at large are crucial in the progression of this vice. Moreover, the high frequency of terrorism in the region help advance human trafficking. The proliferation of such activities in different parts of the country normally affects national security. This chapter determines the effects of human trafficking on security. In this case national security will be measured in terms of human security in Kenya.

3.2 Global Perspective on Effects of Human Trafficking

Apart from the apparent human rights infringement against victims, human trafficking has a substantial negative effect on the on the world market because of the insufficient human capital. Moreover, persons involved in this activity block development initiatives and education processes required by the victims, particularly children. Human trafficking has negative consequences on the mental wellbeing of these victims as oftentimes they are separated from the community because of the trauma experienced. At levels that are more abstract, human trafficking tarnishes the integrity of an individual and the nations that allow such a vice.

Human trafficking is an illegal activity that is yet to attract attention from the global community considering the few cases relating to the same that are presented to the court.[95] The social and human effects of this activity are threatening, from the emotional torture to the

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[95] Winterdyk, John, and Philip Reichel. "Introduction to special issue: human trafficking: issues and perspectives." (2010): 5-10.

physical abuse and mental trauma. Additionally, the effects of human trafficking promote a culture of lawlessness amongst individuals and society in general. The impact of trafficking in persons on individuals and will be discussed in the next sections of this chapter. Human trafficking is best described as a violation against innocent people and its effects are directly felt by victims.

Several factors can be attributed to trafficking in persons. Political instability, ethnic cleansing, globalization, conflicts economic crises, Social inequality, discrimination, and selfish interests are among the major justifications for people to migrate from their native countries. With such a hostile environment, human trafficking has become an important need to people looking for greener pastures or ways to meet their daily needs. Moreover, penetrable frontiers ease the advancement of cross border activities particularly the economic motivated periodic immigration.

The reasons as to why human trafficking can easily proliferate are attributable to is business aspect, that is, the financial exchange among traffickers and middlemen. Not only is the vice profitable but it facilitates the connection between demand and supply that sustains the illegal activity. Many instances of trafficking arise as spontaneous movements in pursuit for better life and many victims are deluded by peers, religious compatriots, agents, and businessmen with the guarantee of money, property, education, and jobs only to find themselves in manipulative circumstances. Children are mostly taken in through friends or relatives and traverse across frontier through trucks transporting goods.[96]

As was discussed in the previous chapter, globalization affects the vice through "push" and "pull" factors. Poverty in the nations acting as supplier's act as push factors that compels

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[96] Rafferty, Yvonne. "Child trafficking and commercial sexual exploitation: A review of promising prevention policies and programs." *American journal of orthopsychiatry* 83, no. 4 (2013): 559.

citizens to pursue a means of enhancing their financial capabilities. Many victims commence their tribulations with the objective of decent employment; however, they are met with a complete contrast. The proliferation of "global culture" acts as a pull factor, increasing prospects of improved living in another nation. Akin to drug trafficking, human trade is an enormous financial investment, allowing traffickers to gain technological resources to strengthen and safeguard their actions from the public domain.

The predicament of victims has frequently been intensified by immigration regulations and procedures that treat affected persons as fugitives to be imprisoned or deported. Human trafficking excels on the huge earnings it yields and an environment of fear that often makes individuals feel they have no alternatives.[97] According to the Trafficking in Persons Report, despite measures taken by the global community and many nations, the income earned in 2009—an estimate $32 billion—meant that more still has to be done.[98] Trafficking in persons is believed to be a lucrative venture to the agents. Therefore, this activity continues to be one of the most productive unlawful business all over the world following drug trade.[99]

3.2.1 Effects of Human Trafficking on Individuals

Although human trafficking is common across many nations of the world, it is within particular nations and communities that its penetrative implications felt. Estimates reveal that over 130 nations are affected by this vice.[100] Among the most conspicuous political, economic,

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[97] Bales, Kevin, Zoe Trodd, and Alex Kent Williamson. *Modern slavery: The secret world of 27 million people.* Oneworld Publications Limited, 2009.

[98] Bernat, Frances P., and Tatyana Zhilina. "Trafficking in humans: The TIP report." *Sociology Compass* 5, no. 6 (2011): 452-462.

[99] Belser, Patrick. "Forced labour and human trafficking: Estimating the profits." *Available at SSRN 1838403* (2005).

[100] Kangaspunta, Kristiina, Michèle Clark, Judith Dixon, and Mike Dottridge. "An introduction to human trafficking: Vulnerability, impact, and action." *New York: UN Office on Drugs and Crime* (2008).

and social effects of trafficking in persons alongside policy deliberations are mentioned. Human trafficking affects individuals in every aspect of their lives.

Each phase of the trafficking operation can involve mental, manipulation, torture, sexual, and, physical abuse, deprivation, and unworkable living conditions (Zimmerman, 2006). Unlike other forms illegal activities, human trafficking in most instances involves repeated and extended and trauma. Research has since established how men, women and even vulnerable children are exploited in particular adverse condition. In the long run, the victims may suffer fatal injuries, in worse cases, death. For particular reasons, victims of trafficking are also at a great risk of getting affected by diseases such as HIV/AIDS.[101]

The physical and mental pain experienced by human trafficking victims may encompass depression, loss of focus, stress, aggression, among others. Research indicates that these negative implications intensify during process. Although children suffer an equal measure of these effects, they are particularly exposed due to their naivety and age. Consequently, these children are unable to differentiate harmful practices that may hamper their physical growth and facilitate the vice in a cyclic manner.

The demeanor of trafficked persons can be hard for unaffected persons to comprehend, while affected persons can find it impossible to understand their plight, or share the experience with others. These persons may seem to those close to them, as secretive, aggressive, irritable or hostile. The embarrassment bound to them as casualties of human trafficking has been indicated to have considerable and persistent effects on their wellbeing. This situation is further compounds by the likely rejection of the family or society. The prolonged consequences of

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[101] Sarkar, Kamalesh, Baishali Bal, Rita Mukherjee, Sekhar Chakraborty, Suman Saha, Arundhuti Ghosh, and Scott Parsons. "Sex-trafficking, violence, negotiating skill, and HIV infection in brothel-based sex workers of eastern India, adjoining Nepal, Bhutan, and Bangladesh." *Journal of health, population, and nutrition* 26, no. 2 (2008): 223.

trafficking in persons to the victims are complicated and rely on several elements, with no assurance of healing. The chances of such an ordeal being repeated to television previous victims are another outcome of this crime. Human trafficking influences the virtue of the affected person and harms done are difficult to undo. Research has since recognized some consequences of sexual violation in connection with human trafficking.[102] They include infections, physical injuries, and ill health because of rape or sodomy.

Moreover, persons affected by this vice are frequently subjected to lesser forms of victimization. According to the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse this type of victimization does not happen directly as an illegal activity, however, it happens through reactions of the individuals. In the case of Kenya this type of victimization happens frequently, particularly within the confines of the criminal justice system.[103]

Trafficking denies affected children their rights including education, right to freedom, and the right to live in a harmonious environment. Moreover, children are not allowed to engage in any form of physical activity that strains their body or deprive them of rest or leisure. When minors are initially taken in for trafficking, some go willingly while others are deceived or forced into the vice. Abductions may also be used by the agents to ensure compliance by the children. The danger imposed on child victims relies on the type manipulation to which they are exposed.

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[102] Ottisova, Livia, Stacey Hemmings, Louise M. Howard, Cathy Zimmerman, and Siân Oram. "Prevalence and risk of violence and the mental, physical and sexual health problems associated with human trafficking: an updated systematic review." *Epidemiology and psychiatric sciences* 25, no. 4 (2016): 317-341.

[103] Assembly, UN General. "Declaration of basic principles of justice for victims of crime and abuse of power." *UNGA Resolution* 40 (1985): 34.

3.2.2 Economic Effects

The intricacies in examining the consequence of human trafficking are vastly evident when quantifying its economic implications. Nevertheless, crucial economic effects of these vice are mentioned. The costs of human trafficking integrate several aspects, including the price of equipment and personnel assigned to its deterrence, the medication and aid provided to the victims and the arrests of perpetrators. The economic implications intervention measure may be compensated through the recovery assets owned by offenders. Human trafficking also leads to reduced tax income and human resources.

Moreover, trafficking in persons diverts the economic advantages of migration from community, government, family, and any other possible legal employer to agents of trafficking. All inklings are that the income coming from human trafficking and any other organized crime is important. Provided the continuous character of exploitation, trafficking in persons produces a reliable revenue source for organized criminal gangs, with a resultant effect on other types of legal and illegal operations.

3.2.3 Effects on Governance

The tangible and anticipated corruption that intensifies trafficking in persons—alongside government failure to look into the matter—taints citizen confidence in public organizations. Government administrators are occasionally complacent in how they handle these cases (partly because of powerful individuals running the illegal trade): they assist agents to recruit, ferry, and manipulate victims. Moreover, corrupt civil servants derail prosecutions of suspects or decline to give victims the required protection. In many instances agents will retain custody of their recruits in destination states by intimidating victims concerning any plans to escape as they

would be returned to them by state authorities.[104] The majority of cases pertaining human trafficking are not reported, a situation that intensifies the doubt of the public towards the government. Moreover, multinational criminal groups intimidate relatives of victims through tactics such as revenge, which facilitates underreporting.

3.3 Human Trafficking—a threat to National Security

In most cases regarded as a threat to national security, trafficking in persons perches the boundary between violations against a specific person and crime against human nobility. Understanding the hazard in a society of collusion that prevails alongside a danger like trafficking in persons, policymakers from different nations are starting to realize the importance of including aspects of "human security" to their laws in efforts of creating a more inclusive national security policy.

The perspective of human security aims to concentrate on the freedom of persons and is segregated from issues concerning national security.[105] Nevertheless, the two concern protection of the citizens. Matters of national security are conventionally discerned as superficial hazards against the nations proficiency in administration or multinational disputes. Frequently this disengagement means that problems of human security are not given the same level of seriousness as governance issues. In truth, Kenya has strived to combat human trafficking but the measures out in place by the government are not robust to the ones used in combat of human trafficking with Institute of Security Studies reporting a growth of human movement organizations.[106]

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[104] Shelley, Louise. *Human trafficking: A global perspective*. Cambridge University Press, 2010.

[105] Hama, Hawre Hasan. "State security, societal security, and human security."*Jadavpur Journal of International Relations* 21, no. 1 (2017): 1-19.

[106] ISS Africa.org. "Is Human Trafficking Expanding in Kenya?" ISS Africa, July 29, 2020. https://issafrica.org/about-us/press-releases/is-human-trafficking-expanding-in-kenya.

According to the UN General Assembly, "human security is a method employed to help Member Nations in recognizing and dealing with extensive and cross-cutting problems to the livelihood, survival, and satisfaction of their citizenry."[107] Therefore, these resolutions require the intervention of people through extensive, context-based and deterrence specific reactions that enhance the empowerment and safety of every citizen. It follows that human trafficking affects the whole nation and must be treated as such.

However, detractors of human security contend that in instances where the description of national security is widened, it misses its efficacy and capacity to regulate creation of policies. Another perspective discerns human security as tactic for signatories of the United Nations to regularly intervene, endangering the independence of nations to make legislations on issues concerning their people. This discussion is bound to continue amongst scholars and policy makers as the effects of a global village transform human interaction and capacity to build enhanced prospective policies.

It is also important to look at human trafficking as a threat to national security from a women's perspective because majority of them are the victims. According to the Global Polling Project, women attributed their participation in human trafficking to lack of finances, poor healthcare, and freedom, among others.[108] These difficulties are normally linked to human security. Therefore, lawmakers have the responsibility of including human security within national security, failure to which many people in the globe who define it as a security threat would be left out.

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[107] Alonso, Eduardo Melero. "I. National security: whose peace?" *Security policies for peace*: 23.

[108] Our Secure Future. "Women, Peace and Security Global Polling Project." Our Secure Future, 2020. https://oursecurefuture.org/projects/women-peace-and-security-global-poll.

It is also significant to comprehend human trafficking from women's point of view because according to the studies, women alongside small girls are unfairly recruited into forced labour with an overwhelming 99% of trafficked persons being engaged in commercial sex and labour 58% involved in other areas.[109] In 2018 UN briefing, Maria Giammarinaro, a rapporteur on human trafficking, emphasized the involvement of women during conflict and after conflict initiative to create awareness of their susceptibility to human trafficking. [110] When nations are healing after skirmishes, there is an imminent threat of trafficking becoming common if left undealt with by concerned persons. The Women Piece and Security agenda (WPS) agenda, which prioritizes issues to do with women is backed by four building blocks—prevention, participation, safety, and incorporation of a gender perspective.[111] These building blocks create the bases for nations to create their national litigation initiatives on human trafficking. Consequently, to guarantee protection of human rights, trafficking in persons needs to be incorporated within the four building blocks. In 2018, Mike Pompeo regarded trafficking in persons as a danger to national security. From his perspective, the act weakens the rule of law, denies citizens their freedom, and poses a danger to national security. For decades, security remedies have not particularly looked into the consequence of disputes on the safety of citizens, especially women and children. However, the trend is changing and the vice commonly referred to as 'modern slavery' is making headway in the global scene considering the pervasive impact it has on a nations stability and the rule of law.

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[109] International Labour Organization. Forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking), 2018. http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm.

[110] de Liévana, Gema Fernández Rodríguez. "Performing anti-trafficking: human rights, the security council and the disconnect with the WPS agenda." (2019): 1-12.

[111] Kirby, Paul, and Laura J. Shepherd. "The futures past of the Women, Peace and Security agenda." *International Affairs* 92, no. 2 (2016): 373-392.

3.4 Interrelationship of Human Trafficking and Terrorism

The United Nations Security Council (UNSC) has in recent years focused its attention on the interrelationship between trafficking in persons and other types of international organized crime such as terrorism by adopting specific resolutions concerning the issue in 2017. In 2019, a report by the Security Council Counter-Terrorism Committee Executive Directorate (CTED) indicated the connection between the two crimes.[112] The report concentrated on trafficking of persons as a method for financing terrorist activities.[113]

With a rising emphasis on the relationship between terrorism and trafficking, several legal issues need to be assessed. These issues comprise—but not limited to— methods of assisting victims of the crime; how trafficking complements terrorist activities; procedures of ascertaining whether terror recruits were victims of trafficking; how to address discipline when a suspected terror suspect is a trafficked individual; and how the war against terrorism might ricochet to entrap more trafficking victims.

Trafficking in Kenya can be linked to terrorism given the number of terrorist activities that have taken place within the region. Kenya has been the forefront in combating terrorism with the latest intervention in Somalia aiming to barricade entrance of al-Shabaab into the country. However, the failure to address the root cause—human trafficking—often means that the government efforts in combating terrorism are in perpetuity. In avoiding the real issue, human trafficking threatens national security by promoting terrorism.

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[112] Smith, Craig Damian. "Challenging the so-called trafficking-terror finance nexus." *Forced Migration Review* 64 (2020): 56-59.

[113] Ibid 125

3.4.1 Trafficking for Terrorist Activities.

Several actions by the UNSC have examined the tactic by which terrorists gain from international organized crime. These considerations are captured in resolutions 2195, 2253, 2322, and the latest ones being 2347 and 2368 of 2017.[114] The UNSC has particularly analyzed the connection between trafficking in persons and sexual abuse during armed confrontations with terror suspects. Further, the Council has investigated ways in which acts of gender-related violent form strategic goals of specific terrorist organizations.

All these resolutions taken as one, stress that terrorist organizations use trafficking in persons to propel their recruitment activities. Women are particularly trafficked by these groups to entice and maintain fighters within the group. Moreover, human trafficking allows terror organizations to improve financial flows, and their influence in a region   including the domination of communities impacted by the human trafficking. There are several instances where trafficking has hindered national security through the advancement of terrorism.

For instance, the Islamic State of Iraq and Levant (ISIL) is accused of trafficking body organs; in Nigeria, Boko Haram recruits children to beg on the streets and immigrants in both Libya and Eritrea are taken in by ISIL for commercialized sex.[115] In the case of Kenya, everything is done in secrecy, however, research reveals that agents of terrorism befriend women especially in the coastal region and lure them using money.[116] Al-Shabaab militia group recruit women from Kenya to entice the male recruits. Provided the significance of women in society, this leaves gaps at family level and impedes economic growth.

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[114] de Liévana, Gema Fernández Rodríguez. "Performing anti-trafficking: human rights, the security council and the disconnect with the WPS agenda." (2019): 1-12.

[115] Freamon, Bernard K. "Isis, Boko Haram, and the Human Right to Freedom from Slavery Under Islamic Law." *Fordham Int'l LJ* 39 (2015): 245.

[116] M'Cormack, Freida. "Helpdesk Research Report: The impact of human trafficking on people and countries'." *Governance and Social Development Resource Center* (2011).

However, a policy strategy that only addresses trafficking in connection to armed confrontations portends a danger. These kinds of strategies reduce the attention given to human trafficking beyond the background of its relation with conflict. Moreover, they decrease knowledge concerning radicalization or victim experiences during peace. The connection between these two crimes means that anti-trafficking procedures may be prioritize at the expense of human rights as was earlier discussed—human security. Despite much legislation in Kenya, the cabinet secretary of internal security in Kenya, Dr. Fred Matiang'i, asserts that human trafficking continues to challenge national security by strengthening al-Shabaab.[117]

3.5 Effects of Human Trafficking in Kenya

Kenya borders nations that are largely categorized as states of origin for trafficked persons in East and Central Africa. The Kenyan government has since taken measure to provide aid to affected persons. However, as was earlier mentioned, steps taken by the government to look into prevention and prosecution of suspects have not been as productive. Several studies have examined the magnitude of trafficking in persons within the nation and have categorized Kenya as the source, transit and destination point for women, children, and men. Trafficking is identified by terrorism activities taking place in the Horn of Africa where women are recruited for forced labour and other form of manipulation. Kenya is regarded as the main hub for this vice within this region.

With the country identified as a major center for terrorism in Africa, the Global Trafficking in Persons Report in 2015 rated Kenya as a second tier—this is to say the country

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[117] Chandra, Yashasvi. "The Threat of Al-Shabaab in Kenya: The Kenyan Government's Counterterrorism Approach," 2019. https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.uk-cpa.org/media/2706/the-threat-of-al-shabaab-in-kenya.pdf&ved=2ahUKEwif_IvzkubsAhW0sHEKHSvMARYQFjADegQIDBAB&usg=AOvVaw 35WuA GpI_NZ7XCR29eZ_fY.

does not entirely satisfy the least criteria for the eradication of human trafficking; however, the nation is making crucial steps in achieving this feat. The absence of state-run victim centers to provide support victims contributes to this bad rating. This situation is necessitated by a deficiency in legal framework that endangers victims. Authorities treat affected persons like delinquents despite the atrocity endured in the hands of human trafficking agents.

The effects of human trafficking revolve around the internal and external conflicts it creates. Human trafficking promotes conflict in Kenya by allowing organized crime groups to recruit people, conduct fundraisers and spread their influence in the region. In the case of Kenya, the al-Shabaab militia group as was earlier discussed has captured women, men and youth through deceptive means only for them to engage in other vices. According to a fact sheet by the United Nations High Commissioner for Human Rights (UNHCR), terrorism has an immediate effect on human rights, especially the rights to physical integrity, life, and liberty.[118] Moreover, acts of terrorist can destabilize the peace of a region and endanger the social and economic progress of a nation.[119]

Government officers benefit from this trade therefore promoting a corrupt regime that has little to no respect for the rule of law or the implications of their actions to national security. Findings by All Africa reveal that trafficking in Kenya happens through cooperation between syndicates of the crime and various law enforcers at immigration offices.[120] The study goes further to reveal that these officers support the movement of victims away or within Kenya.[121] Studies have established that corruption is a crucial threat to national security because of its

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[118] Jawad, Saqib. "Terrorism and Human Rights." *Available at SSRN 3529853* (2020).

[119] Ibid 131

[120] Kaberia, Judie. "Kenya: New Human Trafficking Routes Identified in Kenya." allAfrica.com, October 12, 2020. https://allafrica.com/stories/202010120950.html.

[121] Ibid 133

disruptive nature on economic and social progress.[122] Furthermore, corruption in violates the regular functioning of a state. Against this background, the research determines that human trafficking in Kenya promotes corruptions, which in turn undermines national security.[123]

Trafficking in persons also enables displacement of communities or families, thereby weakening the economic progress of a region.[124] Research by HAART, determined that studies on the connection between displaced persons and trafficking is limited; it however, indicated that trafficking in Kenya is common among communities who are already displaced to further break families or communities.[125] Therefore, human trafficking in Kenya does not solve the issue of poverty; rather, it advances it by facilitating displacement of people.

Conclusion

The effects of human trafficking affect a nation in various ways. Different parts of the globe are grappling with this crime. Human trafficking affects people of different age and gender with women and children being the common victims. Critics of human security do not approve its inclusion in the definition of national security; however, the two strive to safeguard the citizens of a given nation. The interrelationship between terrorism and trafficking is important given the previous terror attacks witnessed in Kenya. By facilitating human trafficking, corrupt officers advance a culture that discriminates the rule of law. Moreover, displacement of people through human trafficking undermines economic progress in a community.

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[122] Terziev, Venelin, and Marin Petkov. "Corruption and national security." *Евразийский Союз Ученых* 33-1 (2016).

[123] Ibid 135

[124] UN Security Council: Resolution 2331 (2016)

[125] Otube, Shirley Nakhumicha, Radoslaw L. Malinowski, Anni Alexander, and Abel M. Mogambi. *Displacement, violence and vulnerability: Trafficking among internally displaced persons in Kenya*. Awareness Against Human Trafficking (HAART), 2016.

CHAPTER FOUR

INTERVENTION MEASURES AND CHALLENGES IN ADDRESSING HUMAN TRAFFICKING

4.1 Introduction

For several years, human trafficking in Kenya and the coastal region in particular has been a major topic of discussion. To that end, ways of preventing this vice have been advanced by various stakeholders including the government. Nevertheless, the war against human trafficking endures many problems. There is little to no operational capacity, knowledge on best strategies to enhance counter-trafficking initiatives, and political will. As a result, human trafficking in Mombasa and the vast coastal region continues to thrive. This chapter will ascertain the intervention strategies and challenges in preventing and combating human trafficking in Mombasa county Kenya.

4.2 Government Strategies to Combat Human Trafficking

The frequent occurrences of human trafficking in Kenya prompted the Kenyan government to develop a National Plan of Action for Combating Human Trafficking (NPA) in 2014 aimed at stopping the vice.[126] The reason for the NPA was to enhance communication between various stakeholders and develop the foundation for close working with other nations in Eastern Africa and beyond. In other words, to fully execute the NPA, cooperation of parties, as well as the private sector was mandatory. The NPA was to use a mixture of prevention, protection and prosecution strategies to tame human trafficking in Kenya. This study analyzes the effectiveness of these strategies in Mombasa.

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[126] The National Plan of Action for Combating Human Trafficking 2013-2017.

4.2.1 Prevention Strategies

Prevention measures are fundamental to the worldwide movement of human trafficking so as to combat the crime. Initially, such efforts were enhanced through public awareness drives that could educate the locals concerning the hazards of human trafficking. To date, prevention encompasses efforts of ratifying regulations that eliminate employees from labour law protection. Such a move helps compliment the initial efforts in the destination country by addressing prominent vulnerabilities.

The government of Kenya and its subsidiaries in form of county government have the mandate of ensuring information to curtail and fight human trafficking reach the intended persons. These strategies are often times complemented by NGOs within the country such as Trace Kenya and Awareness against HAART Kenya. These organizations follow the same strategies in the NPA to prevent activities of Human Trafficking.

In 2016, the Kenyan Government initiated the National Migration Coordination Mechanism (NCM), a body mandated with the task of handling migration issues within the country.[127] Additionally, NCM has the responsibility of ensuring interagency cooperation and the sharing of information concerning migration. The body derives its mandate from the Ministry of Interior and Coordination of National government and also assembles both state and non-state actors in enhancing counter-terrorism. The development of NCM was made necessitated by findings put forward by Intergovernmental Authority (IGAD) in 2014.[128]

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[127] "KENYA COUNTRY STATEMENT ADDRESSING MIGRANT SMUGGLING AND HUMAN TRAFFICKING," 2017. https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.expertisefrance. fr/ documents /20182/234347/AMMi%2B-%2BCountry%2BReport%2B-%2BKenya.pdf/51146abe-92b9-456a-b05b-ddedca54208b& amp;ved=2ahUKEwi Bxarq-YLuAhUaBGMBHYO9Cnw QFjAAegQIAR AB&usg =AOv Vaw2zktD 7yB74BmH pfqjlNxjS.

[128] Ibid

In February 2020, with the help of the United Kingdom, and Anti-human trafficking child protection unit (AHTCPU) was established in Mombasa. This unit was to work hand in hand with the Kenya police to address suspected cases of human trafficking especially amongst children.[129] And while all these efforts are aimed at preventing human trafficking, locals in Mombasa still engage in this vice because of unemployment or violent extremism. Similar to other trafficking regions in Kenya, victims of human trafficking in Mombasa are lured into the practice because of lack of education, poverty, and unemployment.[130] It can therefore be argued that these prevention strategies have failed to look into the main challenges.

The creation of awareness to prevent human trafficking in Mombasa can help prevent the crime. However, provided that the county acts as both a point of origin and destination point makes it more complex. The critical character and lack of planned action on trafficking within Mombasa and Kenya in general inhibit information collection. According to the UNDOC, the situation is exacerbated by the lack of global data on the vice,[131] ultimately making it hard for the government and other stakeholders to combat human trafficking effectively.

4.2.2 Protection Strategies

The NPA describes protection as the shielding of victims to limit dangers suffered by human trafficking victims.[132] The harms come from exploitation and other forms of abuses covered in previous chapters of this study. Protection is fundamental to any government in addressing this "modern day slavery". Protection usually involves rescue, rehabilitation, and reintegration of the victims.

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[129] Kna. "Child Protection Unit Opens in Mombasa." Kenya News Agency, February 21, 2020. https://www.kenyanews.go.ke/child-protection-unit-opens-in-mombasa/.

[130] Reporter, Star. "State Concerned over Human Trafficking, Says PS Marwa." Accessed January 4, 2021. https://www.the-star.co.ke/news/2019-08-02-state-concerned-over-human-trafficking-says-ps-marwa/.

[131] UN . "Preventing Human Trafficking." Accessed January 5, 2021. https://www.unodc.org/unodc/en/human-trafficking/prevention.html?ref=menuside.

[132] The National Plan of Action

In 2014, the government reiterated its support to protect victims of human trafficking by passing the human trafficking law.[133] And while the progress of Kenya is addressing human trafficking can be lauded, prevailing structural lacunas have continued to block the effectiveness of justice, often resulting in more discrimination of the rights of victims. Moreover, the laws have gaps that allow traffickers to go free.

Kenya is a member of the international convention against human trafficking and also has mandate under the Counter-Trafficking in Persons Act 2010 to avail the required essentials and psychological assistance to victims of human trafficking.[134] Nevertheless, critics of these legislations have raised concerns over the deficiencies of these legislations that further infringe on the rights of the victims and allow perpetrators to go unscathed. According to the Act, offenders could face up to 30 years in prison or an equal fine of 30 million, a situation that dilutes the gravity of human trafficking.

According to a study by Aghakan University on the effects of human trafficking in Mombasa and Kenya as whole; trafficked adults often receive unfair treatment concerning protection.[135] Human trafficking victims are in many cases, deprived of an opportunity to acquire essential services particularly in towns, and insufficient efforts are directed towards investigations of human trafficking cases. In the findings by Aghakan University, *"Kenyan authorities continue to treat some victims as criminals, and the availability of protective services for adult victims remains negligible".*[136]

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[133] LaForgia, Elizabeth. "Kenya Passes Law to Protect against Human Trafficking." Jurist, August 29, 2014. https://www.jurist.org/news/2014/08/kenya-passes-law-to-protect-against-human-trafficking/.

[134] Kaberia, Judie. "Lack of Shelter for Victims Slows down Kenya's War against Human Trafficking." The Standard. The Standard, July 17, 2020. https://www.standardmedia.co.ke/amp/nairobi/article/2001379126/lack-of-shelter-for-victims-slows-down-kenyas-war-against-human-trafficking.

[135] Aghakan University. "The Threat of Human Trafficking in Kenya," 2019. https://www.aku.edu/news/Pages/News_Details.aspx?nid=NEWS-001914.

[136] Ibid

Additionally, in instances where perpetrators face the law, the sentences are not as serious. A report by the Business Daily in 2019 also revealed that there is a shortage of safe houses in Kenya.[137] Victims of human trafficking remain under police custody after a successful rescue operation. However, this creates a psychological trauma as they are implored to assist investigations without fully recovery from the incident. It is for this lack of state-owned safe houses that the current Director of Public Prosecutions in Kenya suggested that, dependence on affiliate organizations for shelter, *"is a big impediment in trying to deal with human trafficking especially protection of victims."* To this end, the protection of victims is limited and does not assist in discouraging human trafficking in Mombasa.

4.2.3 Prosecution Strategies

According to findings from the NPA, the majority of human traffickers are linked with global crime organizations, a situation that enhances their mobility and limits the prospects of their prosecution. The prosecution of suspects is further compounded by the fear of victims to testify in court either because they risk losing their lives or prefer to engage in the vice.

In illustration, Mombasa tycoon, Asif Amirali Alibhai Jetha could not be effectively prosecuted for the attempted trafficking of 12 Nepalese girls captured in 2018 in Mombasa because of inadequate witness statements.[138] He was later released on bail as the prosecutors had no sufficient ground to keep him under police custody. The research finds that the prosecution of suspects is inhibited by a lack of evidence and fear of the unknown.

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[137] Business Daily. "The Challenges Kenya Faces in Prosecuting Human Trafficking Cases," 2019. https://www.google.com/amp/s/www.businessdailyafrica.com/bd/data-hub/the-challenges-kenya-faces-in-prosecuting-human-trafficking-cases-2271854%3fview=htmlamp.

[138] Ocharo, Brian. "Lack of Statements Delays Tycoon's Human Trafficking Case." Nation, 2019. https://nation.africa/kenya/counties/mombasa/lack-of-statements-delays-tycoon-s-human-trafficking-case--161144?view=htmlamp.

Moreover, the Star reports that there exists a shortage of resources amongst security personnel in Mombasa to effectively prosecute perpetrators.[139] The situation is intensified by rampant corruption. According to one officer at the coast, these circumstances make it difficult to *"prove a case against human trafficking"*.[140] The National Crime Research Centre also established that prosecutors lack fundamental training to address cases of human trafficking. Without further support, prosecution of perpetrators cannot be executed as intended.

4.3 Challenges

This section of the study looks into the challenges preventing the execution of human trafficking legislations. It concentrates on three major outcomes, inadequacy of resources, technology, and corruption.

4.3.1 Inadequacy of Resources

As discussed in the previous section, the training given to security offers in issues of human trafficking in Kenya is not to standard. With such limited training, compounded by the unavailability of data, and poor investigation procedures, security personnel fail to execute their functions as required. In several instances, they either do the investigations partially or handle each case at such a slow pace that allows perpetrators to interfere with evidence or witnesses.

Research by Farrel established that local security agencies do not approve of human trafficking as common problem within their regions of operation.[141] In his findings, an approximated 60% of Kenyans do not believe that sex or labour trafficking is a challenge in their

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[139] Otieno, Brian. "Mombasa Lures Sex Traffickers and Victims." The Star. The Star, 2018. https://www.the-star.co.ke/counties/coast/2018-07-31-mombasa-lures-sex-traffickers-and-victims/.

[140] Ibid

[141] Farrell, Amy, Jack McDevitt, and Stephanie Fahy. "Understanding and improving law enforcement responses to human trafficking." (2008).

communities.[142] Additionally, a significant proportion of law enforcement officers concluded that they were not aware of human trafficking activities. Less than 10% of the officers actually realized the significance of treating human trafficking as serious crime.[143]

In Kenya and the Africa at large, law enforcers do not have the appropriate resources to curb human trafficking.[144] It is, however, important to note that these resources are available in other developed nations. The lack of these resources often leads to security personnel with insufficient training and funding. Ultimately, the execution of functions particularly in the area of intelligence gathering contributes to human trafficking. This study finds that apart from the limited number of personnel, inadequate resources has also resulted in poor training and policy execution among police officers in how they address human trafficking.

4.3.2 Technology

Technology plays a significant role in the lives of many people. Apart from regular interaction, modern technology allows individuals to keep financial records and track other items. Technology has an impact on human trafficking that has proved to be a hindrance in dealing with the crime. In the case of Kenya, Kimutai established that social media technology is a threat to the national security of Kenya.[145] He argues that al-Shabaab recruits its soldiers, particularly from the Muslim community, through social media.

In truth, Mombasa is and a large proportion of the coastal towns are dominated by Muslims. To this end, the study finds that social media technology has assisted in human trafficking

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[142] Ibid

[143] Ibid

[144] Thelwell, Kim. "The Shocking Causes of Human Trafficking in Africa." The Borgen Project. Kim Thelwell https://borgenproject.org/wp-content/uploads/The_Borgen_Project_Logo_small.jpg, June 3, 2019. https://borgenproject.org/causes-of-human-trafficking-in-africa/.

[145] Kimutai, Julius K. "Social media and national security threats: A case study of Kenya." PhD diss., University of Nairobi, 2014.

particularly by militia groups. These types of technologies are fundamental in not only the acquisition of human trafficking victims but also their subsequent exploitation. Victims of technology either willingly or unwillingly give out confidential information across all the major platforms such as What Sapp, Facebook, or Twitter.[146]

According to a study by the United States International University-Kenya, the vast proportion of social media users are located in urban centers (an estimated 70%).[147] Furthermore, most users engage in social media for social interaction. Mombasa is the second largest city after Nairobi. And while human trafficking is prominent in other regions of Kenya, the odds are stuck to Mombasa because of the factors mentioned above. There is a high probability that trafficker, because of technology advancements, to acquire a huge proportion of information on human trafficking victims. And while technology can prove to be a challenge, it can equally be beneficial particularly to the police in the apprehension of suspects.

Tools such as the Police Computerization System and data base (CPCS), can assist in creating data of human trafficking victims. However, this remains difficult because of the challenge discussed in the previous section.

4.3.3 Corruption

The relationship between human trafficking and corruption has been studies by many scholars. Mendelson suggests that there exist a robust connection between the two; therefore, nations with increased levels of corruption have a greater chance of human trafficking.[148] As of

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[146] Pati, Roza. "Human trafficking: An issue of human and national security." Nat'l Sec. & Armed Conflict L. Rev. 4 (2013): 29.

[147] Africa, SIMElab. "Social Media Consumption in Kenya: Trends and Practice." Online https://www. usiu. ac. ke/asse

[148] Mendelson. "Barracks and Brothels: Peacekeeping and Human Trafficking in the Balkans." Washington DC: Center for Strategic and International Studies. (2015)

2019, Transparency International ranked Kenya in position 137 out of 180 in terms of corruption with a score of 28%. The police service took a huge proportion of the blame.[149] In other words, frequent corruption in government institution has not helped in fight human trafficking.

Shelley also suggests that areas with frequent cases of human trafficking are often marred with impunity and widespread corruption.[150] This is particularly true in the case of Mombasa where corruption in government institution is common. In 2019, Mombasa residents protested over corruption allegations amongst the people entrusted with justice delivery—the judges.[151] This situation illustrates why several cases of illegal activities are reported in Mombasa. Apart from human trafficking, drug trafficking is also frequent in Mombasa.

Corruption facilitates human trafficking. According to findings by Martin and Smith, corruption enables this vice by allowing impunity, hiding cases of human trafficking, intensifying threats to victims of human trafficking, and allowing trafficking networks to operate within a nation.[152] Through corruption, victims are unable to pursue help from the legitimate offices and limits efforts address the challenge of human trafficking. Cases of corruption spread amongst different government officials.

According to an issue paper by United Nations on Office on Drugs and Crime (UNDOC) both Dar es Salaam and Mombasa are preferred by traffickers as entry and exit points because of the frequent corruption in these regions.[153] It can therefore be deduced that immigration

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[149]Transparency International. "Kenya." Transparency.org, 2019. https://www.transparency.org/en/countries/kenya.

[150] Shelley. "The globalization of crime." In M. Natarajan (Ed.), Introduction to international criminal justice (pp. 3–10). (2005). Boston: McGraw-Hill.

[151] Mwangi, Wachira. "Mombasa Residents Protest against 'Corrupt' Judges " Nation, 2019. https://nation.africa/kenya/counties/mombasa/mombasa-residents-protest-against-corrupt-judges--196942?view=htmlamp.

[152] Smith, Katherine Taken, Hannah M. Martin, and L. Murphy Smith. "Human trafficking: a global multi-billion-dollar criminal industry." International Journal of Public Law and Policy 4, no. 3 (2014): 293-308.

[153] United Nations Office on Drugs and Crime. The Role of Corruption in Trafficking in Persons". (2011). https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.unodc.org/easternafrica/en/human-

officers help facilitate this crime. However, security forces also aid human trafficking. Studies by Mbeo and Sambo reveal that government workers manipulate their position to promote and gain from activities of human trafficking.[154] Bribery involves the illegal issuance of money or a promise of similar value to a public official, directly or indirectly, for the said officer or another party to act contrary to what is required.

Human trafficking in Mombasa is therefore facilitated by corrupt officials with little to no concern about human rights. However, it can also be argued that the public help facilitate Incidences of human trafficking by participating in corruption. It has been established that parents are often approached directly by traffickers through monetary incentives to allow their children be recruited in the human trafficking business.[155] Oftentimes, these families are from very poor backgrounds and end up accepting such deals. Accordingly, to address corruption, issues such as unemployment and poverty also need to be curbed.

Conclusion

Frequent cases of human trafficking in prompted the Kenyan government to develop a National Plan of Action for combating the crime. With the help of other organizations, the government hoped to tame human trafficking theories prevention, protection, and prosecution of perpetrators. And while these measures have been successful in reducing human trafficking, other challenges have been prominent. Some of the challenges include inadequacy of resources, technology, and corruption. With such challenges in Mombasa and Kenya, more still needs to be done to address the human trafficking challenge.

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trafficking/index.html&ved=2ahUKEwi-xsGjr4TuAhWHFxQKHfP OCnwQFjABegQIDxAB&usg= AOvVaw 1Zldi MRL Ndy DO6NAqYyZTa

[154] Mbeo, C. and Sambo, W. "Tanzania Child Labour in Commercial Agriculture -Tobacco." (2011) A rapid Assessment, Geneva: ILO-IPEC

[155] Stop the Traffik. "Child Trafficking Trends in Kenya: Kisumu, Nairobi and Mombasa." STOP THE TRAFFIK, 2019. https://www.stopthetraffik.org/intelligence/kenya/.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter presents the summary, conclusion and recommendations of the impact of human trafficking on state security.

5.2 Summary

The first objective of this study was to investigate trends of human trafficking internationally. Human trafficking in the world is a big activity in the world today and can be characterized as bondage is influenced primarily by motives similar to the unlawful trafficking of humans for slavery or financial gain. Asia leads in cases of human trafficking and is followed by Africa and lastly Latin America. In the world in general, sex trafficking takes the highest percentage of human trafficking. In Africa, the majority and the Middle East, a great percentage of victims are trafficked for forced labour. The difference between human trafficking and smuggling is that in the former, there is some form of coercion while in the latter, the victim engages willingly. However, both are considered illegal with both cases common in Africa.

The study finds that human trafficking is connected to other types of illegal activities such as corruption, rape, kidnapping, document forgery and the breaking of immigration policies. Corruption is a common occurrence in almost all the stages of human trafficking. Through corruption, traffickers are able to execute their illegal activities in illegal recruitment agencies. Additionally, it aids in the transportation of victims from the origin to destination through the issuance of bribes and other fake documentation. Accordingly, corruption acts as the main facilitator of human trafficking in not only Kenya but Africa and other parts of the globe.

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Transnational crime agencies involved in human trafficking have also enhanced the illegal practice through complex networks capable of avoiding the eyes of authorities.

The second objective of this study sought to establish the effects of human trafficking on human security in the Horn of Africa. The research finds that human trafficking affects all types of people regardless of their gender, age or religion. Oftentimes, issues to do with mental health complications and other infections are common. For instance, it was established that trafficked women are exposed to HIV/AIDS infection. At the same time, victims of human trafficking undergo mental trauma even after the incident because they are unable to acquire the psychological assistance. Despite its adverse health effects, human trafficking continues to be a booming business for traffickers and corrupt government officials.

Apart from health effects, human trafficking also affects the economy. It was established that human trafficking reduces the national tax income and human resource because the active workforce is relocated to another region. Moreover, trafficking in persons diverts the economic advantages of migration from community, government, family, and any other possible legal employer to agent of trafficking. At the same time, through human trafficking, influences the operation administration structures because of the powerful forces running the illegal trade. Government administrators are occasionally complacent in how they handle these cases: they assist agents to recruit, ferry, and manipulate victims.

The third objective was to determine the intervention strategies adopted in preventing and combating human trafficking in Mombasa county Kenya. Human trafficking is a challenge to many governments; however, the government of Kenya has endeavored to address this challenge through various measures. The National Plan of Action for Combating Human Trafficking (NPA) was developed by the Kenyan Government in 2014 to address human trafficking through prevention, protection and prosecution strategies. These measures have

gained the support of other non-governmental organizations such as the Awareness against Human Trafficking (HAART) and Trace Kenya.

Nevertheless, these strategies have not failed to come with their share of challenges. These challenges include inadequacy of resources, technology, and corruption. The lack of resources in terms of personnel has affected the prevention strategies with 60% of Kenyans regarding human trafficking as non-existent in their communities. Additionally, the advent of technology in Kenya's Mombasa County has provided a platform for traffickers to lure victims particularly through the use of social media. Corruption on the other hand affects all the three strategies.

Lastly, this study sought to establish the prospects in preventing and combating human trafficking in Mombasa county Kenya. The factors that promote human trafficking in Mombasa, Kenya are corruption and porous borders. The leadership of current President, Uhuru Kenyatta has oftentimes reiterated its war against corruption but what has remained a challenge is the prosecution of perpetrators. Accordingly, with the assistance of the county government, there are positive prospects of combating human trafficking in Mombasa. However, more still needs to be done to execute the three strategies of prevention, protection, and prosecution effectively.

5.3 Conclusion

The study sought to examine the impact of human trafficking on state security. The study demonstrated that human trafficking impacts negatively on state security through effects on individual health and economy. The study gives knowledge on the various factors of human trafficking in the world today. The study illustrates that trafficking in persons is a complex problem that affects the society. Moreover, it demonstrates that human trafficking victims remain silent on their predicaments because of fear. With limited evidence to prosecute offenders, law enforcers are forced to release traffickers on small fines. Human trafficking in

Mombasa happens in the knowledge of family members who are sometimes forced to cooperate with traffickers because of poverty. The study illustrated that health effects of human trafficking are not given an equal attention to the criminal and legal aspects. Besides, child and sex trafficking is given more attention in comparison to labour trafficking.

The frequent occurrences of human trafficking are facilitated by two major factors. The first is corruption. The weak systems of administration compounded with a lack of resources in Kenya and Horn of Africa in general creates a favorable ground for the crime. The second factor is the weak judicial system. It is apparent from the study that apart from the lack of evidence, judicial officers in Mombasa are in some instances compromised to give rulings that are inconsistent. In truth, governments in the Horn of Africa have a role to give more attention to human trafficking. The government functions as the sole player, on a legal basis to handle issues of state security. Taking action to guarantee security is the first and most important mandate of the government. Literature on prevention strategies for human trafficking is limited and future research should focus on that particular area.

5.4 Recommendations

From the study, it is apparent that the countries of origin for human trafficking are those whose democracy is yet to stabilize and experience high corrupt. This situation has ripple effects within the origin nations themselves, with towns such as Mombasa facilitating human trafficking. The effects of state security affect not only the particular town but the nation in general; the study, therefore, gives the following recommendations:

i. The government and other stakeholders should strive to create awareness on the dangers of human trafficking in schools so that the children grow up knowing that is never an option regardless of the circumstances.

ii.   Legislations against human trafficking should be reconstituted to be in line with developments in technology. This will assist in preventing the luring tactics used by traffickers to convince victims.

iii.   Policy makers in the health sector should develop structures to identify human trafficking victims being given medical attention to provide social and psychological support as this will assist such persons be more free to provide evidence.

iv.   In line with the previous recommendations, legal practitioners (judiciary and the prosecution department) should be held accountable for their decisions. With sufficient evidence, perpetrators of human trafficking should be punished according to the law.

v.   Regional cooperation between countries in Horn of Africa will assist seal loop holes used by traffickers along the borders to transport victims. At the same time, safe migration needs to be promoted among citizens to make them informed of the valid opportunities in foreign nations.

vi.   The government needs to liaise with various stakeholders in the private sector to create employment to the vulnerable youth who are oftentimes desperate to earn a living. Without addressing the issue of employment, young people will always be tempted to engage in human trafficking.

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