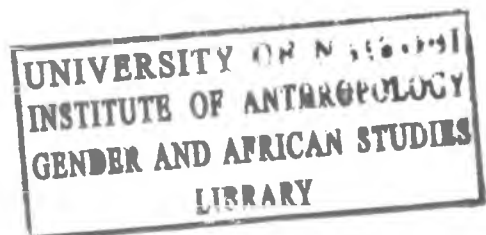


**CHALLENGES FACING REINTEGRATION OF CHILD SURVIVORS OF
TRAFFICKING IN NAIROBI METROPOLITAN AREA**

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Reg. No. N50/P/7871/04



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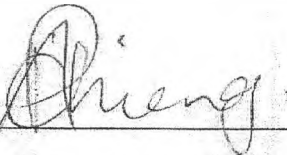
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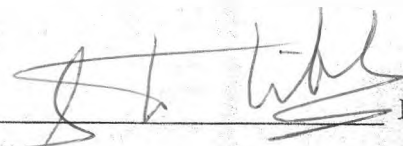
DECLARATION

This project paper is my original work and it has not been presented for award of a degree to any other university.

Signed:  Date: 17/11/2011

Pamela Achieng Kokonya

This project has been presented for examination with my approval as the university supervisor.

Signed:  Date: 22/11/11

Prof. Simiyu Wandibba

DEDICATION

To my mum, Leonida Adhiambo, a.k.a. Aleo, the silent leader who sacrificed and continues to sacrifice for everyone.

To my late dad, Peter Bilasio Kokonya, for believing in and affirming me from day one, for protecting and providing for the family and for going against all odds to fully support your wife by being out of the home breadwinning.

To my brother, Romanus Onyango Kokonya, who provided me with more than he ever had growing up and took me to schools that he could ill-afford inspite of immense pressure to stop wasting time and resources on a girl.

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I, however, take sole responsibility for all the contents in this paper.

ABSTRACT

This study investigated the challenges facing reintegration of child survivors of trafficking in Nairobi Metropolitan Area. The study was conducted in Nairobi and the neighbouring towns of Thika and Machakos. The main objective was to explore the challenges facing the reintegration of child survivors of trafficking in the Nairobi Metropolitan Area. The specific objectives were: to assess the reintegration services that exist in the Nairobi Metropolitan area, to describe challenges facing reintegration programmes in Nairobi Metropolitan area and to examine gender needs in reintegration of child survivors of trafficking.

Data were collected using structured interviews, in-depth interviews, observation and secondary sources. Quantitative data were analyzed manually to generate frequencies which are presented in tables and bar graphs. Qualitative data were analyzed thematically in accordance with the research objectives.

Out of the 15 organizations studied, only two had a main counter-trafficking department. In addition, none of these organizations had counter-trafficking as a sole mandate. Another finding is that the trafficked children were from poor families and had lowly education.

The study concludes that reintegration is a very important aspect of counter-trafficking work and, therefore, it should be factored into all stages of policy formulation, legislation, programme development and implementation, monitoring and evaluation. It is, therefore, recommended that as the counter-trafficking stakeholders plan on and develop victim assistance guidelines, specific guidelines should be developed on reintegration and awareness made on all the actors in the counter-trafficking sector.

LIST OF ACRONYMS AND ABBREVIATIONS

CTiP:	Counter-Trafficking in Persons
DCO:	District Children's Officer
GBV:	Gender Based Violence
I/NGO:	International Non-Governmental Organisation
IOM:	International Organisation for Migration
NGOs:	Non-Governmental Organisations
SC:	Separated Children
UAM:	Unaccompanied Minors

CHAPTER ONE

BACKGROUND TO THE STUDY

1.1 Introduction

Kenya is a signatory to The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime, also known as the Palermo Protocol. Article 3 (a) of the Palermo Protocol defines human trafficking as:

...the recruitment, transportation, transfer, harbouring or receipt of persons, by means of, the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation (United Nations 2000).

The definition of child trafficking is encapsulated in Article 3 (c) of the same Protocol:

The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article (United Nations 2000).

The protocol also defines a child as any person under the age of 18 years (Article 3 (d)).

Kenya has domesticated the Palermo Protocol through the enactment of the Counter-Trafficking in Persons Act of 2010. Its enactment was a great step in the fight against human trafficking because, without laws, it was difficult to charge traffickers with the specific offenses that they had committed. However, this Act is still new and therefore, a lot of awareness campaigns need to be done in order to see its comprehensive implementation.

A child survivor of trafficking is any girl or boy under the age of 18 who continues to live despite having been recruited, transported, transferred, harboured or received for the purposes of exploitation and was exploited.

The International Organization for Migration (IOM 2008) and the African Network for the Prevention and Protection Against Child Abuse and Neglect (ANPPCAN 2009) are two of the organizations that have been working on combating child trafficking. Both organizations have done studies of child trafficking in the East African region. Their studies found that Kenya is highly attractive to child traffickers. Children who are trafficked are mostly from poor backgrounds. However, the study by ANPPCAN (2009) revealed that socio-economically advantaged children may be trafficked because of family breakdowns and, therefore, they may be looking for, or promised, something better than the violence at home.

Reintegration has no universally agreed upon definition. However, this study borrows from the definition of agencies working on reintegration of children involved in armed conflict:

...the process through which girls and boys, their families and community members are enabled to restore or establish sustained family and social attachments and community links leading to mutual acceptance, which were either disrupted or prevented from developing due to trafficking (Save the Children UK et al. 2007).

The Nepalese Ray of Hope is an organization working on counter-trafficking. It developed a conceptual reintegration framework for young female survivors of trafficking. The framework comprises four phases:

Phase 1: Recovery: a healing time, physically, psychologically, and socially.

Phase 2: Strengthening: the person is encouraged to participate in activities that build resilience, assertiveness, communication, and self-confidence, and which is aimed at preparing the individual to re-enter the community with a strong sense of self.

Phase 3: Pre-integration: activities that prepare the person to re-enter society and ensure a degree of self-sufficiency. Occupational skills training and life skills— health/nutrition, basic money management, protection skills, psychological self-support skills—are the basis of the pre-reintegration phase.

Phase 4: Integration: supports the individual to rejoin the community. This phase includes some degree of external support, particularly social and economic. Integration may also include some degree of ongoing psychological support.

This study was carried out in Nairobi City and the adjacent towns of Thika and Machakos. Many children who are rescued from different forms of abuse including trafficking are taken care of in the city and beyond. For example, the government has one home in Nairobi for children who are under five years of age. Thika Rescue Centre cares for boys who are above five years while Machakos Rescue Centre cares for girls who are above five years. Like other vulnerable children, children rescued from trafficking are accommodated at these centres from where their cases are managed.

1.2 Statement of the Problem

Reintegration is an aspect of counter human trafficking that has received least attention globally and Nairobi in particular. It is also one of the areas that have very few stakeholders. As Ochanda et al (2009: 54) observe, “*fewer organizations work in specialized areas such as judicial and legal support, reintegration and advocacy.*”

Kenya’s Counter Trafficking in Person’s Act became operational in December 2010. This was a major milestone in the struggle to eliminate human trafficking since it not only makes provision for protection and prosecution but also legislates retribution and establishment of structures and the National Assistance Trust Fund for Victims of Trafficking in Persons that will assist survivors of trafficking including in the area of reintegration. However, this law is yet to be properly understood by all stakeholders including government line ministries. Policies, standard operating procedures and

mechanisms for reintegration are yet to be developed to guide an effective and coordinated response.

An interview with the counter trafficking officer at ANPPCAN Regional office based in Nairobi revealed that they have done research and awareness creation on child trafficking issues but they have not had any successful reintegration case. The big challenge facing this organisation and others involved in counter-trafficking activities is lack of funding. Reintegration is a process that may go beyond the funding period. Some organizations have had to suspend reintegration activities (especially of complex cases) due to end of funding period.

A major problem in this area is lack of proper documentation. This may be partly due to the fact that until December 2010 there were no laws and, therefore, no agreed upon definition of trafficking. There are child survivors of trafficking who have been assisted under the banner of vulnerable groups. These have been subdivided into groups such as victims of gender-based violence, neglect, abandonment, and physical violence. Refugee children are categorized under unaccompanied minors and separated children for refugees. Child trafficking is not a category and, therefore, it is not easy to get their details. Without statistics, it is difficult to gauge the magnitude of human trafficking and develop services such as reintegration of survivors.

This study, therefore, sought to answer to the following questions:

- What are the reintegration services provided to girls and boys who have survived trafficking in Nairobi?
- What are some of the challenges faced in the reintegration of girls and boys who have survived trafficking?
- Do girls and boys have different reintegration needs?

1.3 Research Objectives

1.3.1 General Objective

To explore the challenges facing the reintegration of child survivors of trafficking in the Nairobi Metropolitan Area.

1.3.2 Specific Objectives

- To assess the reintegration services that exist in the Nairobi Metropolitan area.
- To describe challenges facing reintegration programmes in Nairobi Metropolitan area.
- To examine gender needs in reintegration of child survivors of trafficking.

1.4 Justification of the Study

According to East African Counter Trafficking Efforts (2010), in 2007, 27 million people were considered slaves globally. Of these, 50% were children. Statistics on human trafficking in Kenya is scanty but the 2010 report on human trafficking by the American government identifies Kenya as both source, transit and destination of human trafficking.

This research provides baseline data on reintegration of child survivors of trafficking and also provides lessons learnt and best practices from service providers in Nairobi and its environs. The beneficiaries of the findings will be the Government of Kenya and other governments in the region, international and national non-governmental organizations (I/NGOs) working in the region and their funders. All these stakeholders will get to know how to develop gender responsive, sustainable and child-friendly reintegration policies.

1.5 Scope and Limitations of the Study

The study looked at the reintegration services provided in Nairobi and its environs by relevant government departments, I/NGOs, communities and individuals. The environs here mean Thika and Machakos because it is in these towns that the government has two of the institutions that take care of vulnerable children including those who have survived trafficking. However, it was not possible to collect standardized data from each organization due to lack of proper and updated documentation. The sample size is also small and the study may not be generalized. However, as mentioned earlier on, the study should serve a benchmark more detailed studies in future.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter reviews the literature relevant to the research problem. It also discusses the theory that guided the study, and formulates the hypotheses.

2.2 Literature Review

2.2.1 Reintegration services in Nairobi Metropolitan Area

Reintegration for survivors of trafficking is a big challenge in Nairobi. An assessment done by Odhiambo and Kayatta (2009) on trafficking in Kenya found that reintegration is not one of the major counter-trafficking services offered for survivors in Nairobi. Their findings indicate that, *“Reunification, reintegration and resettlement of victims remains a challenge as these services are largely not provide”* (Odhiambo and Kayatta 2009: 44).

Furthermore, the same report states that human trafficking survivors did not rank “reunited with my family”, a service that covers reintegration, very highly, as shown in Table 2.1 below.

Table 2.1: Assistance required by the victims

What assistance would you want	%
Financial assistance	37
Legal counsel	36
Counselling	27
Protection from traffickers	20
Reunited with my family	8.6
Adoption of my child	2.9

(Source: Odhiambo and Kayatta 2009:44)

Going back to their families did not come across as a pressing need. This may be because of their real or imagined challenges expected from their communities and families. They prioritized finances which would ensure their survival, plus legal redress and counselling, which would guarantee their recovery.

Nairobi also does not have organizations solely doing counter-trafficking. Survivors of human trafficking are assisted under the broad umbrella of vulnerable groups.

The International Organization for Migration has identified the nine services listed below as types of reintegration assistance that are of interest to survivors:

1. *Medical/Health Care Services*
2. *Counselling*
3. *Financial Assistance*
4. *Legal Assistance*
5. *Reinsertion into the Education System*
6. *Vocational Training*
7. *Micro-Enterprise and Income-Generating Activities*
8. *Job Placement, Wage Subsidies, Apprenticeship Programmes*
9. *Housing and Accommodation* (IOM 2007:87).

Kenya and Nairobi in particular can borrow from IOM as they plan to operationalize the Counter-Trafficking in Persons Act of 2010. Child survivors, like adult survivors, would benefit from these services. However, as much as possible, these services should be rendered in consultation with the children and their parents/guardians. Where the child is too young to directly get financial assistance, the assistance should be directed to parents/guardians with the view to building their capacity to better take care of that child and any other children that they may be taking care of.

2.2.2 Challenges facing reintegration in Nairobi Metropolitan Area

One of the major challenges facing reintegration in Nairobi is lack of common policies and standards for programme implementation. Nairobi has individuals, government departments and organizations of goodwill that are developing procedures and standards as they work. The recently enacted Counter-Trafficking in Persons Act provides a

framework that will guide awareness creation and development of standards for all stakeholders. However, it is yet to be fully operationalized.

People who have left their communities and have been involved (voluntarily or involuntarily) in activities which are disapproved of by their communities face a lot of stigma and discrimination on their return. Writing about these challenges Grace Akello et al. (2006) say that reintegration of child soldiers in Uganda has yielded limited success due to stigma faced by returning former child soldiers and their families. The same might be the case for children returning after being trafficked for purposes of sexual exploitation.

Meaningful reintegration requires a lot of time, labour and financial resources while most organizations operate on a limited budget and a fixed timeframe dependent on donor requirements. Before a survivor of human trafficking is taken back to her/his family and community, there is need to take care of her/his wellbeing which includes medical care, vocational training, counselling and finances to help her/him begin a better life. Residential assistance requires well trained and competent staff and a budget for operational costs. Some survivors may have complex cases especially where it is not safe for them to return to their homes. The process of looking for alternative living arrangement may take longer than the period funds are available for. Once a survivor has been taken to his/her original family and community there is need for regular follow-ups which must include home visits. The costs of doing follow-up may be out of reach for many organizations (Caouette1998).

Reintegration programmes are yet to actively and meaningfully involve survivors of human trafficking, their families and communities in the whole programme cycle. Programmes go through inception, planning, implementation and evaluation with the input of a few people in the government and organizations and their donors. The result is that the survivors' needs and priorities are second to those of the government/organisations and donors (Akello et al. 2006). For example, vocational training organized for survivors are traditional trainings which are also gender stereotypes; tailoring and knitting programmes are availed to girls without the appreciation of the fact that not all girls want to be involved in these activities. Furthermore, the

The Act has very stiff penalties for traffickers and their associates as is seen in Table 2.2 below.

Table 2.2: Trafficking offences

Trafficking offences	
Offence	Punishment
Trafficking in persons	Minimum of 30 years imprisonment, Minimum of 30 million fine, or both or life imprisonment for repeat offenders
Acts that promote child trafficking	Minimum of 30 years imprisonment, Minimum of 20 million fine, or both , or life imprisonment for repeat offenders
Promotion of trafficking in persons	Minimum of 20 years imprisonment, Minimum of 20 million fine, or both, or life imprisonment for repeat offenders
Acquisition of travel documents by fraud or misrepresentation	Minimum of 10 years imprisonment, Minimum of 10 million fine, or both or 10 years imprisonment without the option of a fine for repeat offenders
Facilitating entry into or exit out of the country	Minimum of 30 years imprisonment, Minimum of 30 million fine, or both, or minimum of 30 years imprisonment without option of a fine for repeat offenders
Interfering with travel documents and personal effects	Minimum of 10 years imprisonment, Minimum of 10 million fine, or both or 10 years imprisonment without the option of a fine for repeat offenders
Life threatening circumstances	Life imprisonment
Trafficking in persons for organized crimes	Life imprisonment

(Source: Adapted from the Counter-Trafficking in Persons Act 2010)

2.3 Theoretical Framework

This study was guided by the theory of the oppressor and the oppressed as propounded by Paulo Freire. While working with the peasants of Latin America, Paulo Freire, a middle class member himself, developed a theory of the oppressor and the oppressed. In his book *Pedagogy of the Oppressed*, he states that there are two ways of viewing human beings. One view sees human beings as objects which are malleable, while to the other, human

market is full of tailors. Survivors should be facilitated to come up with the skills that they need and the market for those skills.

2.2.3 Legal tools guiding counter-child trafficking activities

The Palermo Protocol does not expressly address reintegration of survivors of human trafficking but several articles imply support for the survivors. One of the three aims of the protocol is cited in Article 2(b): “*To protect and assist the victims of such trafficking, with full respect for their human rights*” (United Nations 2000).

Reintegration can be seen as one of the ways victims/survivors of trafficking can be supported. Regarding the scope of the protocol, Article 4 reads in part:

This Protocol shall apply, except as otherwise stated herein, to the prevention, investigation and prosecution of the offences established in accordance with article 5 of this Protocol (United Nations 2000).

In this regard, the protocol does not cover related services like reintegration. Article 6 provides for a range of services provided to victims of trafficking some of which are provided during the reintegration process. Article 6 Part 3 requires state parties to provide physical, psychological and social recovery to victims. Part 4 of the same article states that:

Each state party shall take into account, in applying the provisions of this article, the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care (United Nations 2000).

In 2008, the government of Kenya and other stakeholders in the struggle against human trafficking came up with a National Plan of Action (2008 – 2013) which included, among other services, reintegration of survivors of human trafficking, which is yet to be implemented. In 2010 The Counter-Trafficking in Persons Act which is detailed on victim assistance, structures and funds for victim assistance was enacted (Government of Kenya 2010).

beings are subjects, independent human beings with the ability to be change agents in their world (Freire 1996: 25-52).

According to Freire, the culture (values, concepts, and ideas), education and religion are potent weapons the oppressor uses to ensure that the status quo is maintained. Through education, culture, and religion, the rulers make their objects believe that the culture, religion and education of the rulers are the best (Freire, 1996).

The study's dependent variable is reintegration of child survivors of trafficking. It is dependent on the type and length of abuse/exploitation, levels of awareness on oppressions of human trafficking, services received by the survivors and condition of original environment of the child, as is shown in the Figure 2.3

Independent Variables

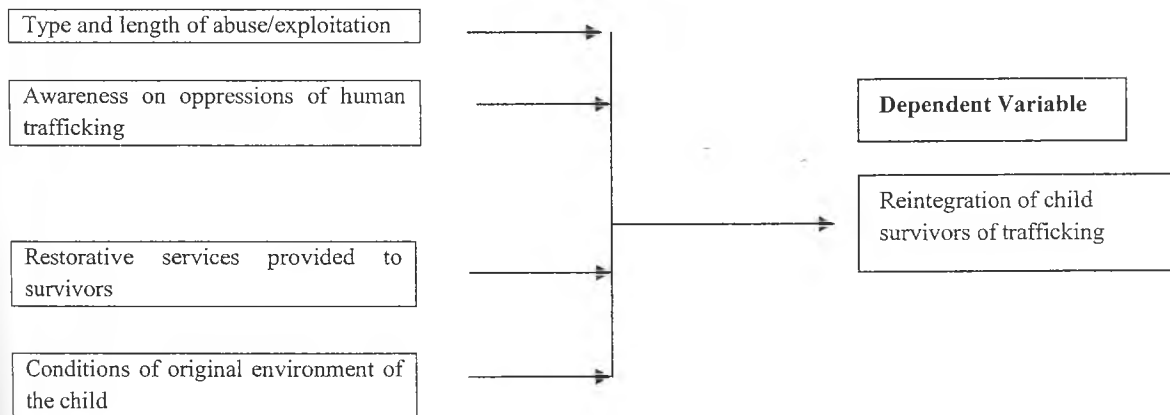


Figure 2.3: Reintegration strategy (Source: Adapted from Kombo and Tromp 2006:22).

2.3.1 Relevance of the theory to the study

Like all forms of oppression, human trafficking dehumanizes victims/survivors who Freire would call the oppressed. They are stripped of their humanness, consciousness and made to feel like objects at the disposal of their oppressors (traffickers). For children, the

dehumanizing is worse because they may not be able to critically think through the oppression and begin a struggle to unlearn the lies of traffickers and be their own change agents.

Human trafficking and child trafficking in particular is as much an economic class oppression as it is the oppression of any disadvantaged person or group. Statistics show that most people who are trafficked are economically marginalized. However, other factors like dysfunctional families, including rich families, may make children vulnerable to trafficking since traffickers promise these children a better life, a life of freedom, freedom from violence and parental dictates.

However, participants in the trafficking web are not only the rich but also the poor as is seen in the video-based training manual on Human Trafficking done by IOM. It is a neighbour of a poor family that is involved in the recruitment of the young girl. In the film, the recruiter claims that the child will be assisted the same way her niece was assisted. It is not clear if this is a fact or she is lying but her role as a recruiter is clear even though she is as poor as the family of the girl who is to be trafficked.

In the same way, traffickers work on the conscience of their victims using 'myths' or lies and make them feel like objects at the service of the traffickers. Victims of human trafficking who have their own education and norms may internalize what they are made to believe. Therefore, the duty of counter-traffickers is to become students of the survivors and enable survivors share their experiences and knowledge which then should inform interventions.

2.4 Assumptions

1. Child victims of trafficking who receive restorative services stand better chances of being successfully reintegrated.
2. Children who are trafficked and are exploited for long periods of time have decreased chances of being reintegrated.

2.5 Definition of Terms

Type of abuse/exploitation: All forms of physical, sexual and psychological or emotional ill treatment that the children were exposed to during the trafficking process.

Duration of abuse: The time within which the abuse/exploitation took place.

Awareness: Knowledge that people have on human trafficking.

Restorative services: Services that restore people who have been trafficked to their original self, physically and psychosocially. Medication, counselling, education/training and economic support are examples of such services.

Original environment of the child: Family and community context of the child prior to being trafficked.

Reintegration: Support given to children from the time of being rescued to the time they are taken back to their families, and monitoring done after the children have been taken to their families and communities.

Child survivors of trafficking: Girls and boys under the age of 18 who are in Nairobi after being rescued from human trafficking or whose reintegration processes were carried out in Nairobi.

CHAPTER THREE

METHODOLOGY

3.1 Introduction

This chapter describes the methodology that was employed in the study. It provides information on the research site, research design, study population, sample population, sampling procedure, methods of data collection and analysis, ethical issues and challenges of the fieldwork.

3.2 Research Site

The research took place in Nairobi Metropolitan Area which includes Thika and Machakos Towns which border the city. Nairobi was founded in the late 1890s as a British railway camp on the Mombasa-Kampala railway line. It is located in an area once frequented by the pastoral Maasai people. From 1899 to 1905, it served as a British provincial capital. In 1905, the city became the capital of the British East Africa Protectorate (called Kenya Colony from 1920 to 1963). In 1963 Nairobi became the capital city of independent Kenya, and annexed neighbouring areas for future growth (Microsoft Encarta 97). According to the 2009 population census (KNBS 2010), Nairobi has a population of 3,138,369 people.

3.3 Research Design

This was a descriptive study (Kombo and Tromp, 2006:71) which describes the state of affairs regarding challenges of reintegrating child survivors of trafficking in Nairobi Metropolitan Area. Data were collected using structured interviews, key informant interviews, observation and secondary sources.

The responses from the structured interviews various were tabulated and a comparative analysis done on various variables. The findings are presented in bar graphs.

3.4 Study Population

The study population consisted of government and non-governmental agencies in Nairobi Metropolitan area assisting children in different ways including child survivors of trafficking.

3.5 Sample Population

A total of 5 line ministries and 31 agencies were reached by the study. However, only 5 institutions under The Children's Department responded and only 10 out of all the agencies reached responded.

3.6 Sampling Procedure

All the line ministries were contacted for this study. In addition, a list of all agencies addressing children's issues and those addressing different aspects of human trafficking was obtained from the counter trafficking stakeholder's forum which is led by IOM. All these agencies were contacted.

The original plan was to stratify these agencies according to the type of services (social, medical/health, counselling, policy/legal, accommodation, awareness and advocacy, documentation and security) they provide to survivors of trafficking and then randomly sample them. However, it became apparent that many did not have the data, did not work around trafficking or did not want to participate in the study. Nevertheless, the agencies that responded are varied in that they provide a variety of services: shelter and accommodation, family reunification, counselling, awareness, legal aid, labour relations and policy formulation.

3.7 Data Collection Methods

3.7.1 Structured Interviews

A questionnaire (Appendix 2) with both open and close-ended questions was developed and used to collect data from agencies and government ministries on the counter-

trafficking work they had done with children in the last two years. The questionnaires were self-administered, and sought information on age of the children, their original home province, level of formal education before trafficking, the children's status, living arrangements before exploitation, type of exploitation, and duration of exploitation. In addition, the questionnaire sought information on the type of assistance given by the organizations, organizations to which services are referred, location of reintegration, the reintegration process, the challenges facing the survivors themselves and their families, the challenges facing the service providers, and the improvements required in the reintegration.

3.7.2 Key Informant Interviews

Key informant interviews were used to collect information from people who are conversant with counter trafficking as a whole and reintegration is particular. These were lawyers, counsellors, directors of children's homes and journalists. A key informant interview guide (Appendix 3) was used to collect information such as where children are trafficked from, gender needs during the reintegration process, challenges facing survivors and their families and recommendations for improvement in the reintegration process.

3.7.3 Secondary Sources

Books, journals and websites were used to gather background information and identify the research problem. These sources continued to be used throughout the entire period of the study.

3.7.4 Observation

As part of her study, the researcher was an intern for 6 months at one of the centres supporting survivors of trafficking where she observed the services rendered including the reintegration of survivors. During that time, she facilitated life-skills sessions with survivors and participated in the reintegration of three of the survivors of trafficking.

3.8 Data Processing and Analysis

The responses from the questionnaire were tabulated and a comparative analysis done on the various variables. Data from the key informants were analyzed thematically according to the research objectives.

3.9 Ethical Considerations

All respondents were briefed clearly on the research, its purpose, and what was expected of them before permission for their participation was sought. No name of the respondents or their organization was recorded at the data collection stage or in reporting to ensure the privacy and confidentiality of the children and their families. Authority for research was sought from the university and the government of Kenya to carry out the research.

3.10 Problems Encountered in the Field and their Solutions

It was observed that there was limited understanding of human trafficking and child trafficking in particular. Reintegration was even a bigger challenge. This problem was addressed by providing explanation on human trafficking and child trafficking in particular followed by reintegration.

For many of the organizations documentation is not done in such a way as to desegregate the data in terms of type of abuse or exploitation that the children have undergone, age, homes of origin or services rendered. Therefore, sieving through all the individual documents to find details of survivors of trafficking was an uphill task.

Another problem unwillingness or delay in filling the questionnaires. This may have been due to lack of time to fill the questionnaire or to look for the data, unwillingness to fill the questionnaire or the need to protect survivors from external forces. This challenge was managed by persistently paying the respondents visits, sending them emails and making phone calls.

CHAPTER FOUR

CHALLENGES FACING REINTEGRATION OF CHILD SURVIVORS OF TRAFFICKING IN NAIROBI METROPOLITAN AREA

4.1 Introduction

This chapter presents the research findings. The chapter starts by describing the socio-demographics of children who have been trafficked, and then moves on to discuss the available assistance given to them, the different steps undertaken to reintegrate these children, gender needs in reintegration and the challenges facing all actors in reintegration. Finally, it gives recommendations on how reintegration could be improved.

4.2 Socio-Demographics of Child Survivors

4.2.1 Age and Sex

As shown in Figure 4.1, of the children assisted, more of them were girls than boys except in ages 7-9 years.

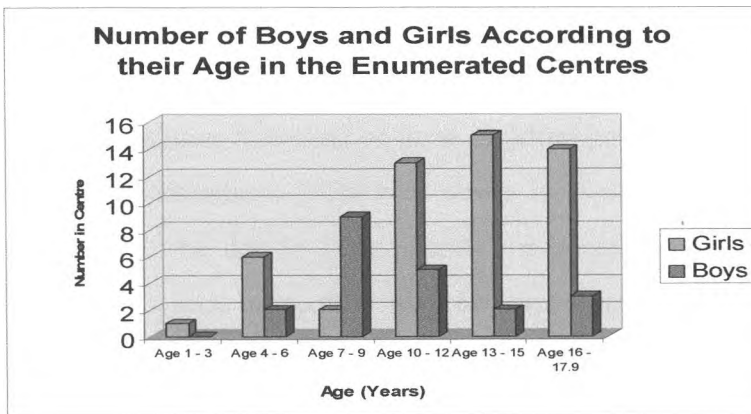


Figure 4.1: Age and Sex of Survivors

Findings in Figure 4.1 show that for most of the children reported to have been trafficked and assisted by various support organizations, girls are mainly affected when aged between 10 and 17.9 years. This is the age bracket where they are entering higher levels

of primary school education (class five to eight) and earlier stages of secondary school for those who are lucky to attend secondary school. The age range is also the point at which girls are used as house helps. Boys are more abused at age five to nine. Most of these boys were part of a group of children that were rescued from trafficking when they were recruited into a choir that would have taken them abroad.

4.2.2 Level of Education

It appears that lack of or limited education make children susceptible to human trafficking as shown in Figure 4.2.

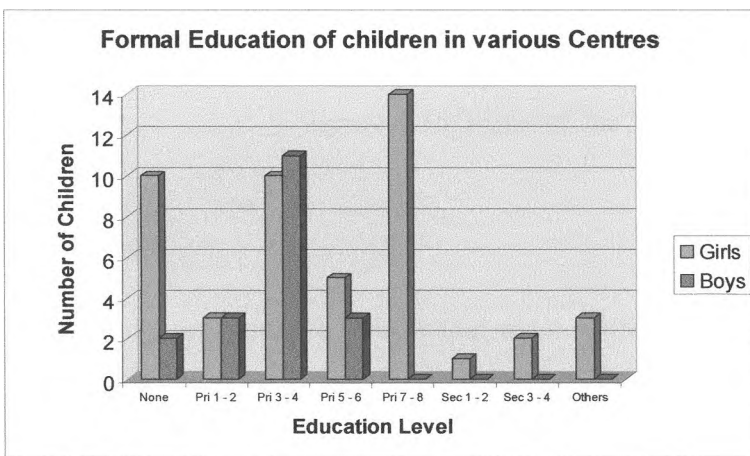


Figure 4.2: Level of Education

Figure 4.2 shows that most of these children have either primary school education or have no formal education. Girls with seven to eight years of education are in the majority, which could be due to their parents' or guardians' inability to take them to secondary school. In which case, they may be encouraged to go and work to boost the family's income or get into early marriage to lessen the family burden.

It is also important to note that most of the boys are those with no education or with less than five years of primary education.

4.2.3 Original Home Province

The original home provinces of the trafficked children are shown in Figure 4.2.

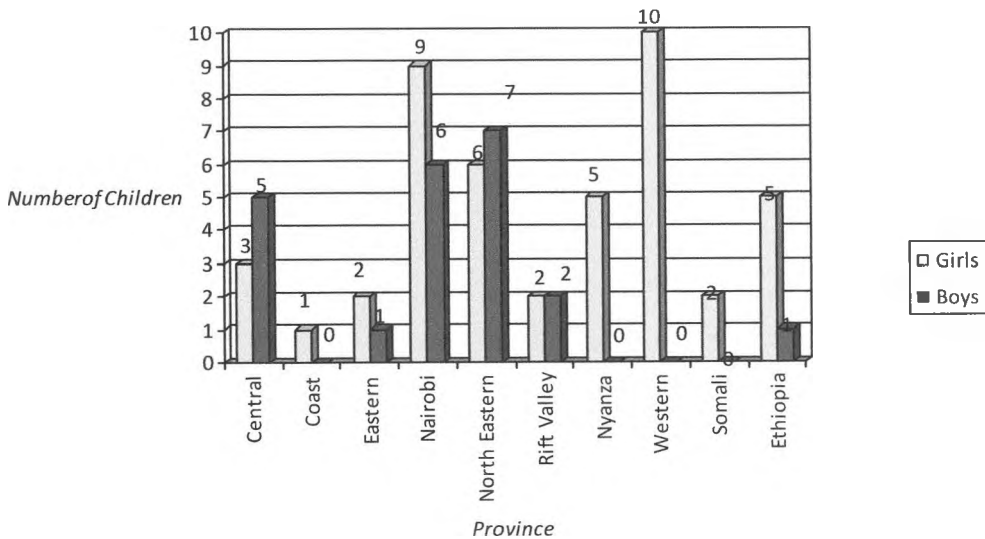


Figure 4.3: Origin of the Trafficked Children

The findings in Figure 4.3 show that most of the children and particularly girls are from Western, Nairobi, and Nyanza. Boys are mainly from Central, Nairobi, and North Eastern Provinces. Foreigners and particularly from Ethiopia and Somalia have also been reported in these organizations.

4.2.4 Living Arrangements before Trafficking

It is important to note that a majority of the children who were trafficked were living with their parents or extended family members (Figure 4.4). This means that traffickers have ways of reaching the traditionally most secure of places taking advantage of the high levels of poverty.

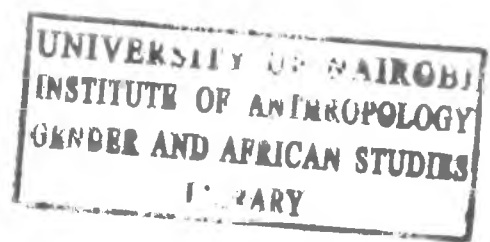




Figure 4.4: Living Arrangement before Trafficking

Figure 4.4 shows that most of the children that have been trafficked were either living with their parents or extended family members. Girls who lived with their employers were also trafficked. The children living with their parents may have been sent to seek for employment as domestic workers because of the economic constraints.

4.2.5 Parental Status of Children

Most of the orphans being trafficked are girls as is the case with children from single parents. The gender difference is minimized between children with both parents (Figure 4.5).

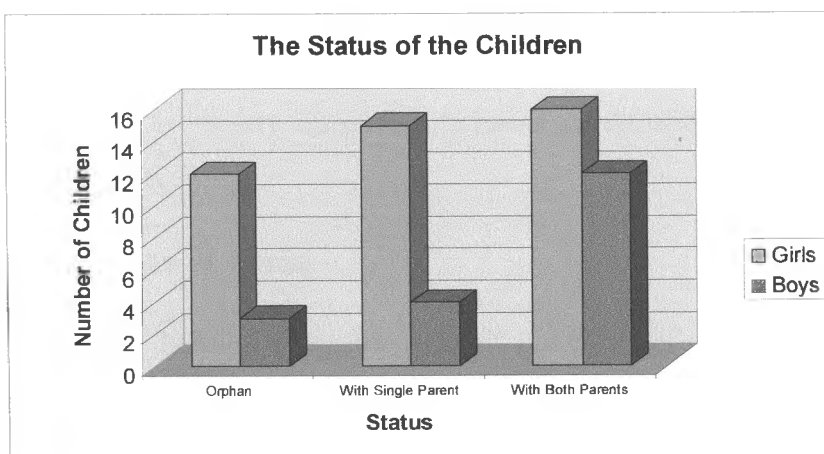


Figure 4.5: Parental Status

Figure 4.5 shows that the children who being assisted by the various organizations come from families with no parents (orphans), single parents, and both parents with no clear indication of which of these status is more disadvantaged. However, the number of boys with both parents is very high.

4.3 Type of Exploitation

Domestic labour for girls leads to other forms of exploitation, as shown in Figure 4.6.

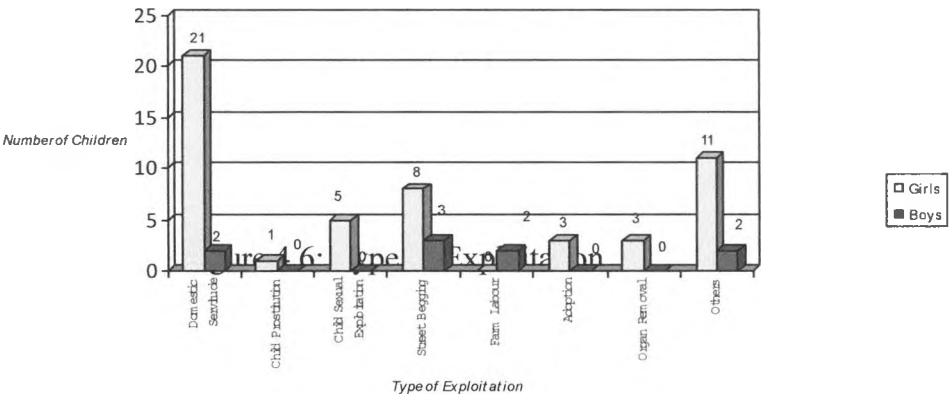


Figure 4.6: Type of Exploitation

Figure 4.6 shows that domestic servitude is the most common form of abuse for children especially girls. Street begging and child sexual exploitation are other forms of exploitation.

These figures correspond with available secondary data which state that (internal) trafficking is mostly done for purposes of domestic labour. Most girls are exploited domestically.

4.4 Duration of Abuse

Figure 4.7 below shows that most of the children’s period of abuse is not known. This may be due to the failure by these children to declare how long they had been abused because of various reasons such as the fact that the children may be too young to have the sense of time, or they may have received threats from their masters of dire consequences.

It is important to note that most of them would be rescued within the first year with none having been in the various types of abuses for more than four years.

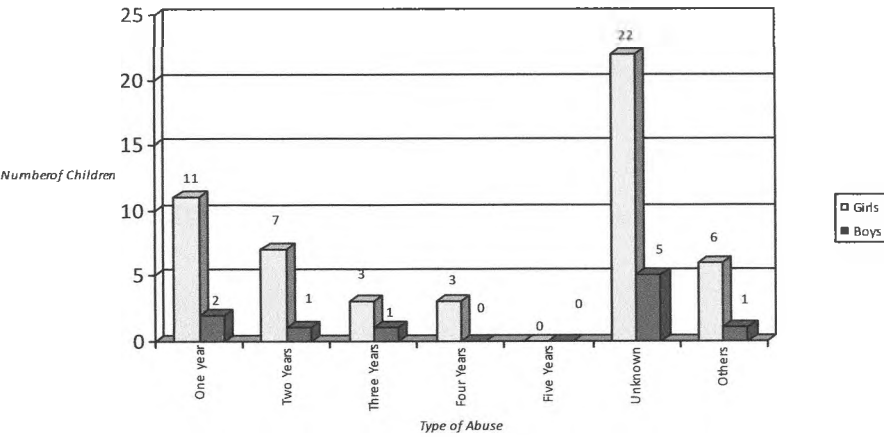


Figure 4.7: Duration of Abuse

4.5 Survivor Assistance

There is a big difference between the number of girls and boys receiving counselling. This is due to the fact that girls can be exploited in many ways including sexually. This view was also expressed by some of the key informants. However, some of them were of the view that boys and girls have the same needs during reintegration because they both have been deprived of love and have been abused. One professional counsellor said that when it comes to children being victims of sexual abuse/violence, girls heal faster than boys because girls express themselves more.

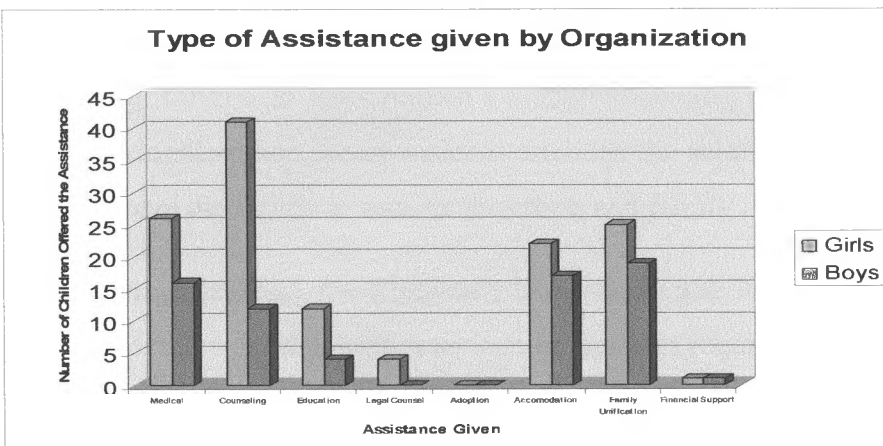


Figure 4.8: Type of Assistance Given

The most offered service is counselling. However, the level of counselling is not clear and may be done by non-trained counsellors. Following counselling are medical/health care, family reunification and accommodation. Other services are education and legal counsel with financial support being the least service provided. Most of the organizations offer multiple services but there is also a lot of referral to other service providers. None of the children have ever been adopted.

4.6 Reintegration of Child Victims of Trafficking

The respondents that reported to have assisted trafficked children in the past two years indicated that out of the 72 children, only 45, representing 62.5%, were integrated in either their original homes or with an extended family member. Thirty-three children, representing 73.3% of those integrated, were reintegrated in their original homes and 12 children with extended family members.

Most of the children who are reintegrated are taken back to their original homes. This is a good idea considering the fact that the family is the most ideal place for any child.

However, where poverty was the major reason for the child leaving the family, if the child is reintegrated without assistance that would help the family get out of the poverty cycle, there are high chances of such a child being re-trafficked.

4.7 Reintegration Process

Every organization had a different way of going about reintegration of children who have been trafficked. However, common aspects of the reintegration processes were counselling, referral to the Children's Departments and the courts, family tracing using the local administration, home visits to establish the suitability of the family for the child and to prepare the family to receive the child, and family reunification.

For some organizations, the Children's Department and the courts are mainly involved in cases where there are disputes or serious abuses that require government interventions. In most cases, several abuses that may have a long effect on the child are never reported to the relevant government organs such as the Police, the Provincial Administration,

Children's Department, and Children's Court. The mental torture that these children may undergo may have a long time effect on their lives.

One local children's organization informs the children's department about every child that they come into contact with from the beginning to the end. However, others have no interaction with the children's department throughout the reintegration process.

The Cradle, the Children's Foundation, had the most developed reintegration process. In this organization, reintegration takes between a month and 6 months depending on the complexity of the case. A team made up of a legal officer, counsellor and a social worker are involved.

Below are the steps taken in the reintegration process:

1. Where rescue is done, the help of the police is enlisted.
2. After receiving the survivor, a needs assessment is done to find out what the child's needs are.
3. The police are notified for purposes of taking the case to court. All children in need of assistance go through this system.
4. Safety and security is ensured by placing the child in a safe house which is run by a partner organization
5. Medical screening is done for every child by a partner organization.
6. Basic needs items like clothing, toiletries, and towels, are provided to the child.
7. If the child is on medication, the medication process is monitored and reviewed accordingly.
8. Psychosocial support and counselling is provided for all and frequency and duration is dependent on the needs of individual children.
9. Ascertain if they are ready for interview- usually is done after about 2 weeks.
10. After counselling, the counsellor makes the decision to reintegrate.
11. The counsellor does family tracing and a home visit.
12. The child is prepared for reintegration.
13. Parents/guardians are invited to the office for initial contact with the child.
14. Parents/guardians are invited to the office for a second contact.
15. The child requests for reintegration.

16. The court is requested to give a committal order at which time the parent/guardian attends the court session.
17. With a social worker and a legal officer to DCO who is provided with a court order, the team goes to the home of the child and hands over the child to the parents/guardians. The Children's officer then does a report.
18. A telephone call is done after a month to follow up on the progress of the child and a home visit is made after three months.
19. The child's file is held in abeyance.
20. After 6 months it is closed if there are no pending issues.

4.8 Challenges of Reintegrating Child Survivors of Trafficking

4.8.1 Challenges facing Survivors

Table 4.1 below shows that the threat of being re-trafficked is the biggest challenge facing the child survivors of trafficking. This is closely followed by lack of victim support, trauma and stigma associated with being trafficked.

Table 4.1: Challenges facing survivors

S/No.	Challenge	Numbers of Respondents
1	Threat of re-trafficking	5
2	No victim support mechanism	4
3	Trauma	4
4	Stigma	4
5	Separation/divorce	2
6	Refusal to be assisted	1
7	Lack of education	1
8	Preference of working than schooling	1
9	Non payment	1
10	Sexually abuse	1
11	Long legal process	1
12	Early marriages	1

4.5.2 Challenges Facing Survivors' Families

Table 4.2: Challenges Facing Survivors' Families

S/No.	Challenge	Numbers of Respondents
1	Poverty	6
2	Trauma	3
3	Stigma	3
4	Ignorance	2
5	Ridicule	1
6	No value for education	1

From Table 4.2, it is clear that poverty is the biggest challenge facing families of survivors of trafficking. Poverty is not just a challenge in that it makes people susceptible to trafficking but it is also a challenge in that if it is not addressed, survivors of trafficking can fall prey to trafficking again.

4.5.3 Challenges Facing Service Providers

Table 4.3: Challenges Facing Service Providers

S/N o	Challenge	Numbers of Respondents
1	Lack of sufficient resources (mainly Funds)	9
2	Lack of Expertise (investigative, staff)	7
3	Lack of support from the government	5
4	Language barrier	2
5	Inability to provide shelter	2
6	Lack of knowledge in Counter Trafficking in Persons (CTiP)	1
7	Identification of the families	1

It is evident from Table 4.3 above that lack of sufficient finances is a challenge to the service providers. Respondents also identified the second biggest challenge as the lack of

expertise in the counter-trafficking work. Lack of support from the government was the third challenges followed by language barrier, inability to provide shelter, lack of knowledge in counter-trafficking in persons and, lastly, identification of families of children who have been trafficked.

4.6 Recommendations

The surveyed organization proposed the following as a way of improving the reintegration of children who have been trafficked:-

1. **Legislation.** The most highlighted need was the enforcement of the counter-trafficking legislation. Related to legislation was the development of policies that will discourage child labour, early marriage and abuse. In addition, the judicial processes should be fast tracked to conclude trafficking cases in the shortest time possible.
2. **Community.** The community should be vigilant about the welfare of children and report missing children. This will result in proper documentation and availability of information to facilitate family tracing.
3. **Awareness.** Raise public awareness on child trafficking and general children's rights. The use of road shows can help in improving awareness.
4. **Government.** The government should fund alternative shelters/rehabilitation centres to facilitate the gradual process of reintegration.
5. **Financial support.** Funding for facilitating the reintegration process and providing a strong financial base for poor families to avoid re-trafficking.
6. **Cross border collaboration.** Trafficking information should be shared across borders.
7. **Skilled personnel.** Have trained and skilled counsellors who can comprehensively manage trauma.

CHAPTER FIVE

SUMMARY AND CONCLUSIONS

5.1 Introduction

This chapter discusses the research findings, draws conclusions from the findings, and makes recommendations.

This project paper aimed at finding out the challenges facing the reintegration of child survivors of trafficking in Nairobi Metropolitan Area. This was to inform activities and programming of counter-trafficking actors in general child trafficking and reintegration in particular.

5.2 Summary

According to Tom Odera, a lawyer who has been part of policy formulation and implementation process, before the counter-trafficking Act was enacted, counter-trafficking work was mainly led by nongovernmental organizations. These organizations still play a big role in the struggle to eradicate human trafficking. However, in the recent past, the Ministry of Gender and Social Services is taking a lead role in bringing together stakeholders. These stakeholders are in the process of developing victim assistance guidelines that will regulate all the actors and thereby ensuring quality and accountability.

The research did not find any organization whose sole mandate was counter-trafficking and one of the reasons given by the organizations that were contacted but declined to participate in the study was that they did not have counter-trafficking programmes.

Out the 15 organizations that responded, only two (one national and one international) had a main counter-trafficking department. All the others were responding to the needs of survivors of trafficking as a minor activity.

The fact that there is no single organization in Nairobi whose sole mandate is counter-human trafficking and that only two organizations have full-fledged counter-trafficking programme is worrying considering the magnitude of the crime globally, and the fact that Kenya is a hub for trafficking activities. This situation provides a good environment for traffickers to carry on with their activities.

It is evident that what is urgently needed in the fight against human trafficking as a whole and child trafficking in particular is awareness of the crime, starting with duty bearers in the government and moving on to the community and not excluding children who are the best ambassadors of issues affecting them.

5.3 Conclusion

Successful reintegration programmes should be part and parcel of counter-trafficking efforts because reintegration is not only an end product but also a preventive measure to re-trafficking. Human trafficking survivors may be the best source of information that will guide strategies of combating the vice. The existing isolated reintegration efforts need to be standardized and standard operating procedures agreed upon and implemented.

The study concludes that reintegration is a very important aspect of counter-trafficking work and, therefore, it should be factored in at all stages of policy formulation, legislation, programme development and implementation, monitoring and evaluation. It is, therefore, recommended that as the counter-trafficking stakeholders plan on and develop victim assistance guidelines, specific guidelines should be developed on reintegration and awareness made to all the actors in the counter-trafficking sector.

5.4 Recommendations

- Education provides a form of protection to children. A very large number of the trafficked children had no formal education. All should be done to ensure the realization of Free Primary Education for all children of school going age.
- There is need for counter-trafficking actors to go beyond returning survivors to their homes or alternative safe places to empowering them or their families in the case of children to be economically independent, to preparing them to take leadership role in the fight against human trafficking and other forms of oppression in the society.

- All actors should be regulated and closely monitored in their operations to ensure that their operations are in the best interest of survivors of trafficking.
- Further research is needed on the more hidden victims of trafficking in Nairobi and other major towns of Kenya. For example, media report indicates that there are adult-run brothels where children are exploited and abused. Reintegrating these children will be a much more difficult task than reintegrating children who were exploited in the domestic setting.

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APPENDICES

Appendix 1: Introductory Letter

Dear

I am a student of the University of Nairobi, Institute of Anthropology, Gender and African Studies. I am taking an MA course on Gender and Development.

As part of my studies, I am carrying out a research on *Reintegration of Child Survivors of Trafficking in Nairobi metropolitan area*. Data collected will lead to the development of a Project Paper, whose findings will greatly inform reintegration services rendered to and with children who have undergone human trafficking.

I invite you to voluntarily participate in filling of the questionnaire/interview/. Be assured that any information provided will be treated in the strictest confidence and none of the participants will be individually identifiable in the resulting Project Paper.

Thank you for your attention and assistance.
Yours sincerely,

Achieng P. Kokonya
Student – University of Nairobi.

This research project has been approved by the Institute of Anthropology, Gender and African Studies. For more information regarding ethical approval of the project, please contact my supervisor, Prof. Simiyu Wandibba at swandibba@yahoo.com.

Appendix 2: Questionnaire for government departments and NGOs

(Reintegration data for the last 2 years)

Department/Organization:

Location in Nairobi Metropolitan Area:

Mandate of the Department/organization:

Type of the organization: Government Civil Society Faith-Based Other

Number of child survivors of trafficking assisted: Girls Boys Total

Number of child survivors waiting reunification: Girls Boys Total

Number of survivors reunified: Girls Boys Total

Key Area	Social-demographics															
	1-3		4-6		7-9		10-12		13-15		16-17.9					
Age	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys
Totals																
Original Home province	Central		Coast		Eastern		Nairobi		N. Eastern		R. Valley		Nyanza		Western	
	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys
Total																
Formal Education level before trafficking	None		Primary Class 1-2		Primary Class 3-4		Primary Class 5-6		Primary Class 7-8		Secondary Form 1-2		Secondary Form 3-4		Other	
	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys
Total																
Status of children	Orphan s				With Single parent				With both parents							
	Girls		Boys		Girls		Boys		Girls		Boys		Girls		Boys	
Total																
Living arrangement before trafficking	With parents		With extended family		With adopted family		Children's home		with employer		Other (specify)					
	Girls		Boys		Girls		Boys		Girls		Boys		Girls		Boys	
Totals																
Type of exploitation	Domestic servitude		Child Prostitution		Child sexual exploitation		Street Begging		Farm Labour		Adoption		Organ removal		Other	
	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys
Total																
Duration (Abuse)	1		2		3		4		5		Over 5 years		Unknown		Other	
	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys
Total																

Total																
Type of assistance given by organization	Medical/health care		Counseling		Education		Legal counsel		Adoption		Accommodation		Family Reunification		Financial support for family	
	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys
Totals																
Organization to which services are referred	Services								Organization to which referral was made							
	Medical care															
	Counseling															
	Education/ Training															
	Legal counsel															
	Adoption															
	Accommodation															
	Reunification with family/friends/children's home															
	Financial support for family															
Other (specify)																
No. of Survivors reintegrated	Girls								Boys							
Location of reintegration	Original home		Extended family members		Children's home		Group living arrangement		Own living arrangement		Marriage		Other (please specify)			
	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys
Total																
Reintegration process																
Challenges facing survivors	Facing girls								Facing boys							
Challenges facing survivors families																
Challenges facing service providers																
Improvements needed																
Challenges in reintegration																

Appendix 3: Key Informant Interview Guide for Counter Trafficking Experts

1. Where in Kenya are most children trafficked from?
2. To which parts of Kenya have you reintegrated most children?
3. Kindly elaborate on the process of reintegration of your organization
4. How different are the needs of boys from those of girls during the reintegration process?
5. In what ways have you collaborated with other organizations/government departments in facilitating the reintegration of child survivors of trafficking ?
6. How is the new Counter Trafficking in Persons Act 2010 going to impact on reintegration in Kenya?
7. How can families and communities contribute towards better reintegration of child survivors of trafficking?
8. What is the role of survivors in preventing child trafficking and facilitating improved reintegration
9. What are the challenges of reintegration process?
 - Facing child survivors of trafficking
 - Service providers
 - Families/communities of children who have survived trafficking
10. What improvements can be put in place to ensure better reintegration?
11. AOB

