

**TRAFFICKING OF CHILDREN INTO DOMESTIC LABOUR:  
A CASE STUDY OF NAIROBI CITY, KENYA.**

**BY**  
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**C50/P/8630/03**

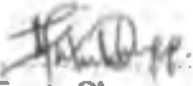
**A RESEARCH PROJECT SUBMITTED TO THE DEPARTMENT OF  
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## DECLARATION

This research project is my original work and has not been presented for an award of any degree in any other University

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## **DEDICATION**

This research project is dedicated to my father the late Arphaxad Nyatichi Kibwaga.

## ACKNOWLEDGEMENTS

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## ABSTRACT

This research project investigated child trafficking into domestic labour in Kenya. The study set to meet one broad objective of determining the push and pull factors that influence the trafficking of children into domestic labour.

A sample size of 90 respondents was selected from five Nairobi residential estates. 10 key informants from the area police stations and other organizations dealing with children affairs were also interviewed. The study collected raw data based on a structured questionnaire.

The study established that poverty was the major push factor in trafficking children into domestic labour. Specifically, 75.56 percent respondents of the study indicated that poverty pushed them into domestic labour. The sources of the trafficked children were spread across the country although slightly skewed to ethnic communities around Nairobi as represented by Akamba community (24.4 percent) and Agikuyu community (22.2 percent). The key players in trafficking of children into domestic labour were other relatives (40 percent), parents (28.89 percent) and friends (25.55 percent). The main features and strategies used in trafficking of children into domestic labour were force (42.22 percent), deception (30 percent) and persuasion (17.78 percent). It was also established that majority of these children trafficked into domestic labour did not attain education levels beyond primary school level as indicated by 95.55 percent. The research findings also established that most (68.9 percent) of these children have both their parents alive.

The study concluded that trafficking of children is real and poverty was the root cause of this trafficking of children into domestic labour. The study recommends that organizations dealing with poverty eradication be strengthened. There is also need to put emphasis on family health education to curb early pregnancies and school drop-out rate among the girls. Other study recommendations include restructuring of the weak judicial system and legal framework to deal with child trafficking, regulation of employment bureaus and enforcement of employment age limit.

The study strongly recommends that similar studies be carried out in other cities and major towns in Kenya to compare their findings with the findings of this study. Since this study was based on Nairobi city which is an urban area, there is need to carry out other studies in rural Kenya to ascertain the prevalence of the same vice in these areas and to what extent.

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## ACRONYMS

<b>ANPPCAN</b>	-	<b>African Network for the Protection and Prevention of Child Abuse and Neglect</b>
<b>CRC</b>	-	<b>Convention on the Rights of the Child</b>
<b>DRC</b>	-	<b>Democratic Republic of Congo</b>
<b>FIDA</b>	-	<b>Federation of Women Lawyers (Kenya chapter)</b>
<b>HIV</b>	-	<b>Human Immunodeficiency Virus</b>
<b>ICRC</b>	-	<b>International Committee of Red Cross</b>
<b>ILO</b>	-	<b>International Labour Organization</b>
<b>IOM</b>	-	<b>International Organization for Migration</b>
<b>NGOs</b>	-	<b>Non-governmental Organizations</b>
<b>OCS</b>	-	<b>Officer Commanding Station</b>
<b>SPSS</b>	-	<b>Statistical Package for Social Sciences</b>
<b>STDs</b>	-	<b>Sexually Transmitted Diseases</b>
<b>UN</b>	-	<b>United Nations</b>
<b>UNICEF</b>	-	<b>United Nations International Children Education Fund</b>
<b>UNODC</b>	-	<b>United Nations Office for Drug control and Crime Prevention</b>
<b>USA</b>	-	<b>United States of America</b>

## CHAPTER ONE: INTRODUCTION

### 1.1 Background to the study

Human trafficking is the movement of people occurring across national borders, but can also happen within a state. Trafficking in persons has existed for centuries and has grown over the years, both in magnitude and scope. Some of the earliest forms of child trafficking into domestic labour can be traced back to ancient biblical times when the ten sons of Jacob sold their younger brother Joseph through the Ishmaelites into Egypt to serve as a domestic labourer in Potiphar's house (Genesis 39:1). In Africa, trafficking in persons dates back to the slave trade; it involved the kidnapping, capture, ill treatment and transportation of people across the Atlantic and Indian Ocean to America and the Far East.

Although trafficking in children is an age-old phenomenon, the international community only managed to reach a consensus on its definition in 2000 through the Palermo Protocol, a demonstration of the complexity of the problem (UNICEF, 2003: 4). In this protocol, trafficking in children is defined as the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation, forced labour, slavery or practices similar to slavery, servitude or the removal of organs (US Department of state, 2004: 61). According to estimates, some 600,000 – 800,000 children are trafficked across borders every year worldwide. Yet, many more are trafficked within borders. Trafficked children are engaged in providing various services, including child labour.

Worldwide, an estimated 246 million children are engaged in child labour. Of these, almost three-quarters (171 million) work in hazardous situations or conditions, such as working in mines, working with chemicals and pesticides in agriculture or working with dangerous machinery. They are everywhere

but invisible, toiling as domestic servants in homes, labouring behind the walls of workshops or hidden from view in plantations (UNICEF, 2003).

Millions of girls work as domestic servants and unpaid house helps and are especially vulnerable to exploitation and abuse. Millions of others work under horrific circumstances. They may be trafficked (1.2 million), forced into debt bondage or other forms of slavery (5.7 million), into prostitution and pornography (1.8 million), into participating in armed conflict (0.3 million) or other illicit activities (0.6 million). However, the vast majority of child labourers – 70 per cent or more, work in agriculture (UNICEF, 2003). These children are not in school for various reasons. These reasons/factors, range from poverty to cultural practices such as early marriage. An estimated 9 million children are reported to be working in domestic work, support staff to armed conflict warlords and sexual exploitation (Onyango, 2004).

Although the evidence of children working in hazardous conditions may not be a conclusive indicator of trafficking, there are clear linkages between the working conditions and the means of procuring the workers. In Kenya, children working in domestic labour in urban centres like Nairobi, Mombasa and Kisumu are trafficked from rural Kenya. Similarly, Uganda and Tanzania are both sources and destinations of children and young women in prostitution. These countries are not only considered destinations for children trafficked from Rwanda and the Congo, but also from Asia and Middle East. Kenya in particular, is receiving an estimate of 1 million girls from Ethiopia, Eritrea, Uganda, Tanzania, Somalia, DRC and Rwanda who are trafficked into prostitution and forced labour. Young girls from South Asia, East Asia and Middle East are also smuggled through Kenya to European destinations for sexual exploitation (US Department, 2004: 61)

According to Onyango (2004), Uganda leads in trafficking of children into armed conflict, where Lord's Resistance Army has managed to abduct some 10,000 children from the war torn northern Uganda to work as cooks, porters or combat soldiers and subjected girls into sex slavery in situations of armed conflict.

The state of children in Africa, especially in Sub-Saharan Africa poses a lot of challenges. According to statistics, Sub-Saharan Africa has an estimated 48 million child workers. Almost one child in three below the age of 15 works. Fifteen per cent of children work in the Middle East and North Africa (UNICEF, 2003).

Given the economic and political situations in many African countries, a large number of children are to be seen roaming the streets where some of them live and work to eke a living. This scenario fosters child trafficking into domestic labour, as they are easily lured into domestic labour by false promises of a better life in major cities.

Trafficking in children has been identified as a problem in some West African countries like Nigeria and efforts have been made to produce data to guide effective response in these countries. Child trafficking into domestic labour is a social problem. Among others, it opens up a vicious cycle of social problems such as lack of access to basic education, which translates to low incomes that in turn increase poverty and hence foster social strife in society.

However, observations and experiences of agencies working in the area of child protection point to increasing numbers of between 400,000 to 600,000 children being trafficked within and outside borders of Eastern Africa, namely; Kenya, Uganda, Tanzania, among others. In some of these countries children are

lured, abducted and procured from their families and moved away to serve in domestic work, commercial agriculture, armed conflict and commercial sex. Many children are also trafficked for adoption in some of these countries.

## **1.2 Problem statement.**

Trafficking in persons has been attributed to high levels of poverty, where almost half of the populations in East African countries are reported to live below the poverty line, that is less than 1 US dollar a day; lack of access to basic education, absence of comprehensive laws and policies, as well as programmes to adequately address trafficking in persons. This situation has been complicated by civil strife and conflicts that have frequented the region as well as HIV/AIDS pandemic which has made very many children orphans (Onyango, 2004).

While trafficking in children is considered a human rights violation and criminal offence globally, there is no concerted effort to comprehensively combat the problem in most countries in Africa, especially in Eastern Africa, including Kenya. Similarly, there are no adequate studies undertaken to generate data that could help combat this vice of child trafficking in Kenya. However, a few studies which have been carried out on human trafficking in Africa and other countries (ANPPCAN, 2006; EUROPOL, 2002; ILO, 2002; Miko, 2003; Laczko, 2004; Onyango, 2004), have focused on the trafficking of women and children, particularly into domestic labour and commercial sex. Therefore there is no clear data on child trafficking alone due to the fact that in many cases, states do not collect separate data on women and children trafficked for domestic labour and sexual slavery. Also these studies are skewed to girls even though young boys are also trafficked for domestic labour, mainly as farm hands.

Despite efforts being made to address child labour in these countries, trafficking in children has yet to attract serious attention in Kenya. Hence the need for this kind of study, especially in Nairobi which could be the most significant destination and transit point of trafficked children into domestic labour from villages. This study sought to find out the push and pull factors in child trafficking (both boys and girls) into domestic labour in Kenya.

### **1.3 Research questions**

Specifically, the following research questions were raised.

1. What factors cause and sustain child trafficking into domestic labour in Kenya?
2. What are the main features of child trafficking into domestic labour in Kenya?
3. Who are the key players in trafficking of children into domestic labour in Kenya?

### **1.4 Study Objectives**

#### **1.4.1 General objective**

To determine the push and pull factors that influence the trafficking of children into domestic labour.

#### **1.4.2 Specific Objectives**

1. To investigate the causes of child trafficking into domestic labour in Kenya.
2. To identify the sources of trafficked children into domestic labour in Kenya.
3. To identify the key players and their roles in trafficking children into domestic labour.
4. To identify and analyse the main features of child trafficking into domestic labour



## **1.5 Significance of the Study**

Lack of data on child domestic labour in Kenya is a challenge to policy implementers. It makes it difficult to draw evidence based programmes to address the plight faced by these children. This study provides insights into the causes, features of child trafficking and the key players involved in child trafficking into the domestic labour market. The study therefore generates data that policy makers can use to make clear evidence-based policies

Child trafficking is recognized as a violation of children's basic rights. The study is of great value to various agencies including humanitarian, the private institutions and organizations involved in prevention and searching for solutions against child trafficking into domestic labour. The study findings would also be of importance to various players in areas of the child's rights and protection from exploitation.

## **1.6 Scope and limitations of the study**

In terms of scope, this study focuses on child trafficking into domestic labour in Nairobi. The study focused on child trafficking and domestic labour in Nairobi and would therefore not be fully generalizable to areas outside Nairobi.

A limitation is an aspect of a research that may influence the results negatively but over which the researcher has no control (Mugenda, 2003). A common limitation in social science studies is the scope of the study which sometimes may not allow for generalizations.

In terms of limitations, the study faced the following: given the sensitivity of the issues involved, the researcher didn't have a chance to involve the respondents in more detailed interviews. There was also fear among some of the respondents that if the employer discovered that they had divulged any information to a stranger, they could be punished.

The data of this study was affected by the use of a relatively small number of respondents; this can not guarantee generalization of the findings. Due to unwillingness of some of the targeted respondents to participate in the study, the researcher was forced to study only a few respondents.

## **1.7 Operational definition of Terms and variables**

**Children:** Persons aged 18 years old and below, according to the UN Convention on the Rights of the Child (CRC).

**Parental status:** State of parenthood of the trafficked children i.e. orphan, partial orphan or both parents alive

**Trafficking:** The recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of 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.

**Young women:** 18 and below year-old girls are young women according to the *ILO Worst Forms of Child Labour Convention* (No. 182).

**Study variables:** The dependent variable for this study was trafficking of children into domestic labour.

The independent variable for this study was poverty.

## **CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK**

### **2.1 Introduction**

This chapter presents a review of the related literature on the subject under study. It is divided into the following sub-sections: - a) trafficking in human beings as a modern form of slavery; b) trafficking as a criminal offence; c) causes of child trafficking; and d) consequences of child trafficking. The theoretical framework that guided the study is also presented in section 2.3.

### **2.2 Literature Review**

#### **2.2.1 Trafficking in human beings as a modern form of slavery**

The words "human trafficking" have a broader meaning today than they did just a few years ago. That is not to say that a few years ago the problem did not exist. But today, when you talk of human trafficking, you are talking about a broad range of subjects that were not considered as part of one major problem.

Indentured servitude is a major part of what is considered the slavery problem, and thus the human trafficking problem of today (GlobalITRoundup, 2010).

Trafficking in human beings is a form of modern day slavery and a serious violation of human rights. It involves the recruitment, transportation, transfer, harbouring and receipt of persons for the purpose of exploitation. The exact number of people trafficked annually across borders is unknown. According to

the International Organization for Migration (IOM), this is particularly due to the illegal nature of the phenomenon, the lack of anti-trafficking legislation in many countries of the world, the reluctance of the victims to denounce their traffickers and the low priority given by Governments to research activities and data collection in this field (IOM, 2001).

Lack of exact data is also related to the lack of a definition of trafficking in persons until the recent adoption of the "Protocol to Prevent, Suppress and Punish Trafficking in Persons," especially women and children (Laczko and Gramegna, 2004). Consequently, many states still confuse data on trafficking in persons, smuggling in migrants and irregular immigration.

Recent estimates by the U.S. Department of State indicate that every year approximately 600,000 – 800,000 people, most of whom are women and children, are trafficked across international borders, generating huge profits for organized criminal groups of traffickers. The number of children trafficked within borders may be even higher. The United Nations estimates that 1.2 million children are trafficked both internally and across international borders every year (United Nations, Special Session for Children, 2002).

These children are subsequently placed in forced domestic and other forms of labour. A study carried out by the Human Rights Watch (2005) in Iogo revealed that girls were being recruited in their villages and then trafficked to Nigeria and then to Gabon, where they provided cheap domestic labour. The girls said that they were driven to meeting places in Nigeria where they were informed that a boat would arrive to pick them. They reported waiting up to two months with nothing to eat and nowhere to stay. Some slept outside; others slept in abandoned buildings. All had to scrounge for food or steal from the local market and got beaten by the shopkeepers. While waiting for their boat to arrive, they were raped.

prostituted, and sold their belongings to survive. The girls recalled that after a period in Nigeria, boats arrived and helmsmen directed them onboard. They described the boats as wooden barks lacking any navigational equipment or sanitation facilities. There were girls defecating on each other and vomiting in the boat. Also it was impossible to vomit into the sea without falling in. At the end of their journey, they were housed with employers who ordered them to perform housework and to assist with commercial enterprises. Girls worked long hours without breaks or holidays, in some cases staying up all night to work after having already worked a full day. Few received any remuneration for their services. Numerous girls recounted incidents of intimidation and physical abuse, sometimes leading to permanent injury. Those who fled their employers sought shelter on the streets, at police stations or with local NGOs; in some cases, they resorted to sex work at the suggestion of friends (Human Rights Watch: 2005).

In East Africa, both cross border and internal trafficking have been reported. For instance, in Uganda, children from the north are being trafficked into armed conflict situations to be used as child soldiers, or sex slaves, wives and porters. Perennial conflicts in Africa particularly in the Great Lakes region, have displaced large numbers of people particularly women and children who are living as refugees or internally displaced persons. Reports from the recent studies carried out by the Africa Network for the Prevention and Protection against Child Abuse and Neglect (ANPPCAN, 2006) on trafficking of children and young women in Kenya, Uganda and Tanzania indicate that all the three countries are the sources, transit and destination points for women and children trafficked within and across these countries or to other regions of the world such as Europe, the Middle East and South Africa.

In Kenya, children are being moved from their rural homes to serve as domestic workers in major towns around the country. These children often work for hours with little or no pay and are sometimes forced to work in very hostile conditions.

The Government of Kenya does not fully comply with the minimum standards for the elimination of human trafficking; however, it is making significant efforts to do so. Kenya's anti-trafficking efforts improved markedly over the reporting period that is from the time a report is made to the time action is taken, particularly through investigations of suspected trafficking cases.

The government failed to punish acts of trafficking on receiving reports, but demonstrated significantly increased law enforcement activity throughout the period such acts are reported. Kenya does not prohibit all forms of trafficking although it criminalizes the trafficking of children and adults for sexual exploitation through its Sexual Offences Act, enacted in July 2006. The Act prescribes penalties that are sufficiently stringent and commensurate with those for rape; however, the law is not yet widely used by prosecutors. The Employment Act of 2007 outlaws forced labour and contains additional statutes relevant to labour trafficking.

In October 2007, police in Malindi arrested an Italian national on suspicion of human trafficking, facilitating child prostitution, and drug trafficking. Upon the conclusion of a separate police investigation, two women were charged with child defilement and child prostitution after luring a 14-year old girl to their home and forcing her into prostitution. Two children trafficked to Tanzania for forced labour were rescued by Kenyan officials and placed in a children's home; investigation were launched as police believed the perpetrators were harbouring an additional 40 children and six adults in forced labour. Six people in Bomet District and Nandi District of Rift Valley Province were charged with the sale and trafficking of children. The Police Commissioner worked with Interpol to investigate the suspected trafficking of a Kenyan girl to The Netherlands and four children to Ireland. The Ministry of Home Affairs began, for the first time, collecting information on trafficking cases from the police, media, foreign governments and UNODC. Corruption among law enforcement authorities and other

public officials hampered efforts to bring traffickers to justice. Some anti-trafficking activists made credible claims that, in certain areas, police officials were complicit in trafficking activities.

Kenya is fast becoming a source, a destination and a transit point for victims of human trafficking and smuggling. The trade that is said to be among the most lucrative illegal businesses in the world is on the increase in the country. International Organisation for Migration (IOM), an anti-human trafficking organisation says Kenya's porous borders and war in the neighbouring countries is fuelling the vice. Police in Nairobi have rescued hundreds of people being trafficked through Kenya. Most of these people were found living under deplorable conditions and they had paid thousands of shillings to their traffickers for safe passage to their destination. According to IOM most people who are trafficked come from Tanzania, Rwanda, Ethiopia, Somalia, Uganda, Congo and Kenya itself. Victims are trafficked from these countries after being promised better jobs and living conditions. However, they end up working as slaves with little or no pay wherever they are taken. Kenya has become a lucrative human trafficking centre because of lack of a specific law to fight the menace. The country does not have a specific law to protect victims and counter human trafficking. It would have been easier for police to combat the crime if there was a precise legislation to assist them (Global Times, 2008).

Nairobi, Coast and North Eastern provinces are hot spots for human trafficking. Mombasa is a lucrative route for human traffickers. Victims are lured into Kenya with hopes of getting better jobs and linking up with wealthy tourists but some of them end up as sex slaves in massage parlours or prostitutes. It is estimated that about 10, 000 people are trafficked in the coast province, which is Kenya's tourist hub, annually. Kenya is considered a transit route for victims of trafficking from its war torn neighbours to Europe, Asia, South Africa and the U.S. It is also a destination for people from Somalia, Ethiopia, Pakistan, India and Bangladesh. Kenya is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labour and sexual exploitation. Kenyan children are

trafficked within the country for domestic servitude, forced labour in agriculture (including on flower plantations), cattle herding, in bars, and for commercial sexual exploitation, including involvement in the coastal sex tourism industry (U.S. State Dept. June 2009).

### 2.2.2 Child trafficking as a criminal offence

Child trafficking is lucrative and linked with criminal activity and corruption, which is often hidden and hard to address. Trafficking always violates the fundamental rights of children; the child's right to grow up in a family environment. Trafficked children are even arrested and detained as illegal aliens in foreign countries (UNICEF, 2003). In addition, children who have been trafficked face a range of dangers, including violence and sexual abuse.

Arlacchi, Director of the United Nations Office for Drug Control and Crime Prevention (UNODC) stated that, trafficking in persons is the fastest growing form of organized crime, because it is less risky than drug or arms trafficking and guarantees greater profits (Arlacchi, 2001). EUROPOL estimates in its 2004 European Union Organized Crime Report that the earnings of the modern "human trade" are between 8.5 and 12 billion Euros per year (EUROPOL, 2004). Thus, considering the low risk compared to other forms of organized crime and the high profits it generates, human trafficking can be considered an easy and lucrative activity for traffickers.

In Kenya, the absence of strong legal framework on trafficking makes prosecution a daunting task. The Penal laws are inadequate and fail to make provision for the same. Although trafficking is prohibited in both the Children Act, Trafficking of Persons Act and the Sexual Offences Act, the provisions are not clear. There is no clear definition of trafficking, which would aid the investigators. On the other hand, trafficking remains a relatively unknown phenomenon making it difficult for society to recognize the same as an offence. Some cases of internal trafficking pass as employment.



It is hoped that the enactment of the Counter-Trafficking in Persons Act 2010, will serve to alleviate this problem. The new act is expected to give momentum to curb, crack down on human trafficking and offer protection to affected persons. In addition, the Chief Justice is yet to promulgate rules to facilitate redress in court under the Children Act as anticipated there-under. Also there is urgent need to lobby for promulgation of rules to bring to life the provisions of sections 4-19 of the Act which outlines the rights of children.

### 2.2.3 Causes of child trafficking

Trafficking is a many sided problem. Traffickers prey on the vulnerable, who are mainly women and children. They use creative ploys to coerce or win the confidence of potential victims. Very often, these involve promises of marriage, employment, educational opportunities or better life.

According to Kelly (2002), the new human trade has a variety of causes including, among others, extreme poverty, lack of access to resources, unemployment and poor education. The globalisation of labour, markets and increasing obstacles to legal migration are also contributing to human trafficking. Transition countries and post-conflict situations are a perfect environment for the flourishing of the new slave trade. Poverty and lack of opportunities for education and employment drive men, women and children to grasp for any hope for a better life, making them vulnerable to trafficking. Desperate parents may push their children into harsh domestic servitude to provide income for the families.

The HIV/AIDS pandemic has left thousands of children orphaned as well as making them vulnerable, thus forcing them to seek work opportunities. In the regional conflict areas, armies and militia groups forcefully recruit these children. The Lords Resistance Army of Northern Uganda is notorious for using children as soldiers, errand boys and sex slaves.

According to ANPPCAN (2006), factors like orphan-hood, increasing poverty, lack of access to school, single parent household, gender inequality, inadequate registration, poor law enforcement, wars and calamities lead to child trafficking. Others like desire for better life, demand for cheap labour, sexual exploitation and availability of many customers pull children into trafficking traps. Poverty is the main cause of exploitation. Poverty combined with destabilization of families particularly due to rural-urban migration, tribal clashes, armed conflict and global economic policies are placing many people in developing countries, including Kenya, at the risk of exploitation. The culture of consumer values in the context of structural adjustment programmes in rural areas and Africa in general have been combined with open market policies placing low income families at risk of exploitation and adults getting tempted by financial considerations.

Traditional family values of child care seem to be breaking down. Children themselves are becoming attracted to consumer culture. In that context tourism is becoming a link to sexual exploitation of women in general and children particularly. Promotion of tourism has become a goal to attract foreigners at any cost. The demand for exotic locations creates an urgent demand for such services.

Although there is now allocation of more resources for free primary education (FPE), it is not enough for education and other aspects of human development. Tertiary/ University education is still expensive and out of the reach of many. The culture of emphasizing male child education over female child education is still being practiced in some communities. The women's literacy levels are still lower than those of males. This means that women have relatively less skills and training for employment in the formal sector and are, therefore, vulnerable to exploitation. Global economic trends have created an environment in which trafficking is flourishing and the women especially do not have access to education and their families to employment or alternative methods of income generation (Oumo, 2007).

The low status of women /girls in the family and community has contributed to trafficking and exploitation of women/girls. Local customs and values which put emphasis on male power have given legitimacy to manipulation of social practices. For example, in some communities women can not inherit land.

Poor parents are forced or duped into giving their own daughters to strangers as brides or workers and the girls have no personal choice. The permissive attitude to domestic violence against women and girls also results in sexual abuse in the family or in the domestic service; so the victims of violence are drawn into prostitution.

#### **2.2.4 Consequences of child trafficking**

The growing exploitation of children around the world today is a horrifying fact. The abuse and trafficking of children, in particular, have severe consequences both at individual and community level, undermining the personal development of the children and also bringing serious problems to the entire communities and state security.

The consequences of human trafficking on victims can be devastating. They may include damage to physical or mental health, exposure to sexually transmitted diseases (STDs), including HIV/AIDS, pregnancy, early motherhood and reproductive illnesses and even death (ILO, 2002). Sexual activity is often seen as a private matter, making communities reluctant to act and intervene in cases of sexual exploitation. These attitudes make children more vulnerable to sexual exploitation. Myths, such as the belief that HIV/AIDS can be cured through sex with a virgin, put young women in great danger.

They are trapped in lives of misery—often beaten, starved, and forced to work as prostitutes or to take gruelling jobs as migrant, domestic, restaurant, or factory workers with little or no pay. Working hard to stop human trafficking not only because of the personal and psychological toll it takes on society, but also because it facilitates the illegal movement of immigrants across borders and provides a ready source of income for organized crime groups and even terrorists. There were instances when it was apparent that the child's parents were involved (GlobalHTRoundup, 2010).

### **Child Beggars**

Beggar children can be aggressive. This could be the result of being forced by their superiors to beg for money and being beaten when daily quotas were not met. Such environment can lead the children to learn aggressive survival skills to protect themselves. As a result, the children are treated with no respect, are not welcomed, and are considered sociopaths. Due to such behaviours, the children can be placed into worse environments and not given a chance to be accepted in a society. The beggar children are also easily arrested as they have to beg money for things on the street or in the public areas. Many of them are detained many times. Detention for a long period or many times also disempowers the children (SANTAC, 2008).

### **Migrant Children In the Extreme Forms of Child Labour**

Trafficking in children is unlawful, businesses which use child labour, especially trafficked child labour, have to perform their businesses underground and uninspected by authorities. These businesses usually offer no welfare facilities to the migrant children. They are found to be subjects of verbal, physical and mental abuses instead. Furthermore, the work conditions are usually notorious for the children's dire health and safety hazards which have certainly affected their physical and mental development (SANTAC, 2008).

### **The impact of human trafficking on the population.**

Human trafficking and sexual exploitation impacts on a person's right to protection from abuse and exploitation, the right to privacy, personal liberty and participation recognized by UN conventions like ICRC. It involves discrimination which will result in marginalization, exclusion and for children- denial to physical and physiological development.

It creates greater risk to physical damage, the damage of sexual organs / STDs; it exposes them to grave physical injury, rape, sodomy permanent disfigurement, HIV/AIDS infection and/or death. The right to life and protection from violence is denied. Women and girls seem to suffer greater abuse. They are more frequently trapped and enslaved and have less freedom when they are victims of trafficking or abduction. They may be forced to give up children for abortion or be required to report children with no resources to do so. In many conflict areas, the men often run and leave the women to run with the children. The women/girls face a greater risk of sexual exploitation and psychological violence since every effort is made to destroy their self esteem so that they lose the sense of individual identity and succumb to sexual enslavement (SANTAC, 2008).

In Kenya, reports abound of children working in the domestic sector being exposed to long hours of work, engaged in very exploitative conditions of work, suffering both physical and sexual abuse and denied food (ANPPCAN, 2006). This is an indication that such vices are real in Kenya and that exploitation of children working in domestic labour is real.

## 2.3 Theoretical Framework

Singleton, et al (1988:136) asserts that all empirical studies should be grounded in theory. A theory is a set of interrelated constructs, definitions and propositions that present a systematic view of phenomena by specifying relations among variables, with a purpose of explaining and predicting the phenomena (Kerlinger, 1964:11). This study used theoretical literature to try and explain trafficking of children into domestic labour in Nairobi.

Trafficking of children into domestic labour does not just happen. It happens because of human behaviour that is too complex. There are a number of theories that may give plausible account of child trafficking into domestic labour as discussed below. These include conflict theory, systems theory and social learning theory.

### 2.3.1 Conflict theory

Conflict theory is best understood by reference to the various domains and background assumptions behind the various traditions (Gouldner, 1970). All conflict theorists have in common a *conflict* view of society, that is, that society is held together, not by consensus, but by competition and conflict between incompatible values and interests.

Children are therefore trafficked into domestic labour because of competing interests of the parties involved. The trafficked children are victims of these competing societal interests that more often than not, rotate around scrambling for scarce resources in society.

One implication of this idea is that people with less power are more likely to be defined and processed as deviants and criminals. It is a case of the well-off (the rich) taking advantage of the poor. There is a variety of conflict theories that can be classified in various ways including, according to their affinity, or closeness, to the ideas of Karl Marx (1818-1883), Max Weber (1864-1920), and George Simmel (1858-1918), three of, perhaps, the greatest proponents of social ideas. It was Marx (1867) who said "There must be something rotten in the very core of a social system which increases its wealth without diminishing its misery, and increases in crime even more than its numbers."

The theory can best explain the situation where the people in the middle class lifestyles will want to spend as little as possible from their middle income to get maximum benefits without taking into consideration the consequences on the source of that benefit and in these cases it is the trafficked children who are the source of that benefit in terms of cheap labour. This is a situation of the haves exploiting the have-nots in society. They seek to satisfy their needs without spending much or looking for professional services.

On the other hand, it so happens that there are people who don't have income in the society and are willing to offer services at any consideration however small it may be. Some parents can give away their children to provide cheap labour in order for the parents to get a consideration for the service irrespective of how small it may be. These services can easily be offered in the middle class estates due to demand unlike in the upper classes where the residents of the said estates want and can afford better and trained people to offer professional services.

The demand for cheap domestic labour in the urban area especially the middle class estates in Nairobi city and the possibility of its availability in the rural areas has accelerated the trafficking of children

from the said rural areas. This is used to satisfy the urban demand. The trafficking of children is a vice that is brought about by the competing needs and wants in society which must be satisfied at any given time.

### 2.3.2 Systems Theory

Kay and Schindler (1994) described the essential implications of the systems theory as follows: "systems theory suggests that ecosystems are inherently complex, that there may be no simple answers and that our traditional managerial approaches, which presume world of simple rules, are wrong-headed and are likely to be dangerous".

A system is a set of elements connected together which form a whole, thereby possessing properties of the whole, rather than of its component parts (Checkland, 1981). Activity within a system is the result of the influence of one element on another. This influence is called feedback and can be positive or negative in nature. Systems are not chains of linear cause and effect relationships but complex networks of interrelationships (Senge, 1990). Systems are described as either open or closed. Open systems exchange materials, energy and information with their environment while closed systems are completely autonomous and independent of what is going on around them. The systems of interest in trafficking of children into domestic labour can be characterised as closed systems.

Citizen engagement in the maintenance of law and order, decision making and policy implementation has been integrated into a wide range of governance process. The call for participatory processes is partly driven by the democratic position that those affected by a decision should be involved in the decision-making process (Jacobs, 1999; Dryzek, 2000; Roseland, 2000).



In trafficking of children, with the secrecy it operates, the affected children are not even aware of the existing framework, or are kept out of such framework in terms of knowledge. The traffickers enjoy the benefits of the vice in the absence of such a vice getting known to the relevant authorities. The fact that there is no involvement of the children in the decision-making of the laws affecting them, the agencies which deal with children rights have done much but achieved little in alleviating the vice from the society due to its secrecy and the form it takes.

### 2.3.3 Social learning theory

Social learning theory advanced by Gabriel Tarde, Julian Rotter (1945) and Albert Bandura (1977) contains three underlying concepts behind it that is, modelling, imitation and reinforcement. Children model and imitate behaviour of people they come into contact with. As a result parents act as reference points for the type of behaviour to be modelled since children tend to copy their parents and close relatives. Therefore the children's behaviours are from the parents as the first models to adapt from.

Modelling and imitation of behaviour by any child is based on an individual past experience. Children act according to what they see their parents do. The way children behave in certain situations is not entirely dependent on predispositions of the current state but rather based on internalized information (Bandura, 1977). This theory is relevant in explaining why some of the children prefer to follow the examples of their mentors who are either their parents or relatives as well as older friends who have been to similar jobs.

In learning, children adopt the lifestyle of their seniors which may not necessarily be the best lifestyle. For instance, parents may have been domestic workers and the child was born and brought up within

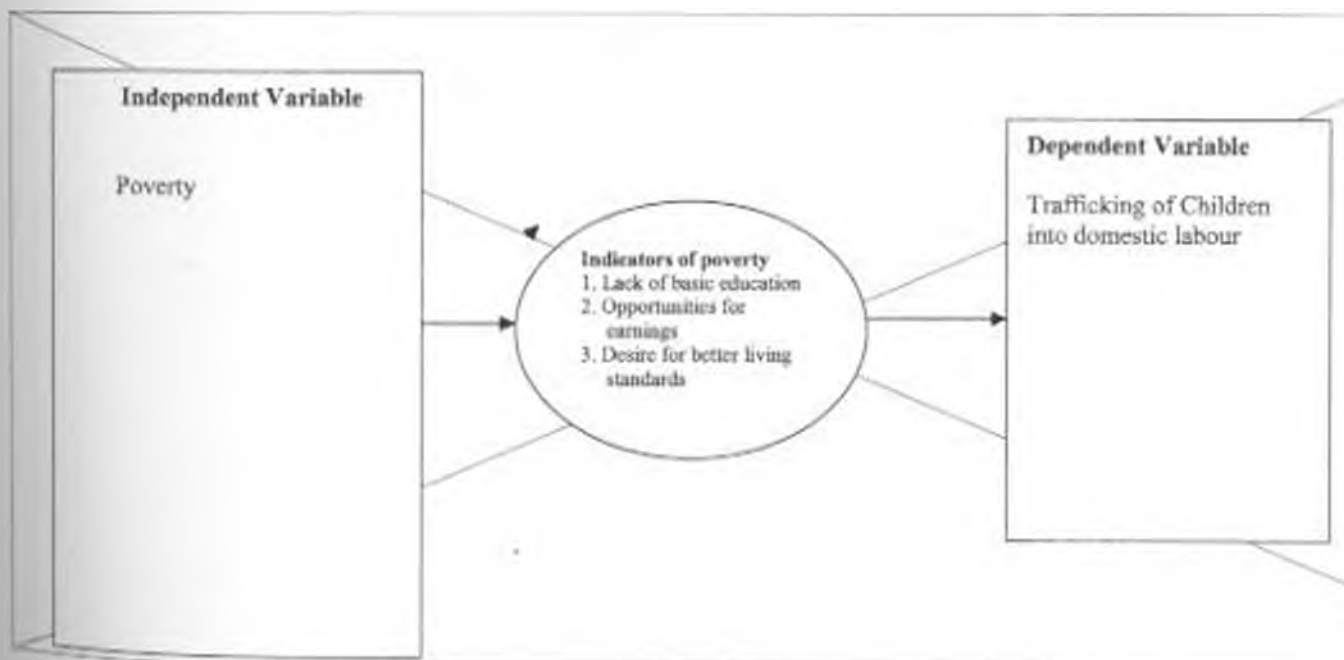
such an environment and got oriented to the lifestyle of domestic work since the child has never known the parent to do any other job other than the domestic one. As such, they don't have much resistance to such lifestyles because in their orientation they have seen their mentors live with it. This makes them believe that such lifestyles are good. They therefore see no need of seeking different ways of living.

The theories above are the most relevant to the study because they best explain the rot in society posed by trafficking of children.

## 2.4 Conceptual framework

Under the conceptual framework, the variables of this study are explained. These variables include the dependent (trafficking of children into domestic labour) and the independent variable. The following diagram vividly brings out these variables of concern.

Figure 1: Conceptual Framework



Poverty that does not allow children access to basic education is a major independent variable of child trafficking into domestic labour as these young children have to fend for themselves.

The indicators of poverty include.

The desire to fund further education. This leads them to look for employment so as to save some money and use the same to pay for their school fees.

Opportunities for earnings. Wherever there is an opportunity to earn some income, people tend to maximize it and the children are no exception.

The desire for better living standards too, which is every person's wish, is another need motivate children to work.

## **CHAPTER THREE: METHODOLOGY**

### **3.1 Introduction**

This chapter focuses on the research design to be used in this study. Research design is defined as "the plan, structure and strategy of investigation conceived so as to obtain answers to research questions and control variance." (Kerlinger, 1964:275). A research design guides the research in collecting, analyzing and interpreting observed facts. This includes target population, the study sample and sampling procedures, research instruments, the methods used for data collection and how the data was analysed.

### **3.2 Site Selection and description**

The study was conducted in Nairobi city in Nairobi County. Nairobi city is both the administrative and commercial headquarter of Kenya. The city borders Machakos County to the east and southeast, Kiambu County to the north and west, and Kajiado County to the south. Nairobi was chosen because it is a cosmopolitan city which comprises many ethnic groups and communities as well as people of different working classes. Therefore, it serves as a good destination for child trafficking, for example, from the rural areas and the neighbouring countries. Nairobi city also has diverse living standards ranging from slums to executive and exclusive high class estates. The sampled estates were Komarock, Umoja 1, Ayany, Pangani and Harambee. These were considered to be middle class estates within Nairobi.

### **3.3 Unit of Analysis.**

According to Singleton et al (1988), a unit of analysis is what or who is to be described or analyzed. It is what the researcher seeks to explain or understand and can therefore be individuals, social roles, positions or relationships. The unit of analysis for this study was the trafficked children into domestic labour in Nairobi city.

### **3.4 Units of observation.**

The units of observation were the trafficked children.

Key informants were: OCS' (Pangani, Kayole, Buruburu, and Kilimani Police Stations), IOM, ANPPCAN and children officers in the department of children (Ministry of Gender and Children Affairs)

### **3.5 Target Population**

According to Borg and Gall (1983:241), "a target population refers to all the members of a real or hypothetical set of people, events or objects to which we wish to generalize the results of our research."

For this study it was the young girls and boys (under 18 years of age) who are working in various households within Nairobi city.

### 3.6 Sampling Techniques

According to Moore (1991), sampling is necessary because of constraints in finance and time. He also notes that it has been proved from experience that handling a sample is more efficient than dealing with the total population. It is also assumed that by studying a sample, the characteristics of the sample will fully reflect those of the statistical population.

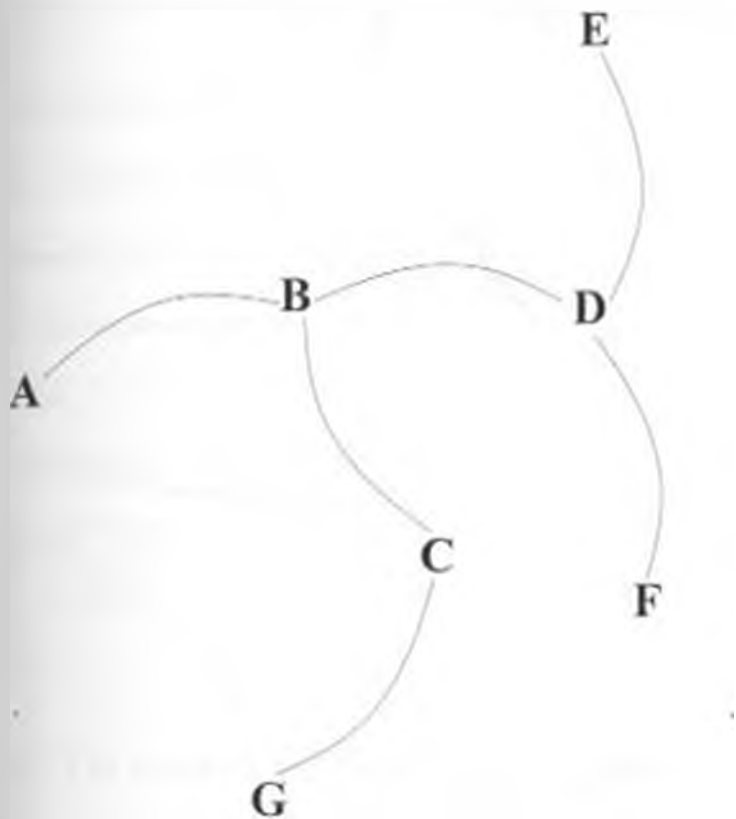
Nairobi was categorised into four that is, according to the 1973 Nairobi Broad Strategy which allowed settlement east of the Outer Ring road and classified the city into four categories that is, the European settlements were classified as high class estates, Asian settlements were upper-medium class estates while the rest of formal settlements were medium class estates apart from the informal settlements (slums) which were considered low class.

The study focused on middle class estates because they were considered less restrictive in accessing households and raising suspicion compared to upper class estates. Furthermore, middle class estates are mainly occupied by people seeking cheap domestic labour because of their perceived middle incomes, where spending less or nothing at all for labour in return for high results is considered the best method of spending their income; these estates therefore form a ready market for the trafficked children.

Convenience sampling was applied in picking the five estates namely Komarock, Umoja 1, Ayany, Pangani and Harambee. A sample of 18 domestic workers was drawn from Komarock, 26 from Umoja 1, 12 from Ayany, 20 from Pangani and 14 from Harambee estate using snowball sampling giving a study sample of 90 respondents. This is where one respondent gives the researcher direction on how and where to get another as shown in the figure below. Respondent A directs the researcher to respondent B

who in turn directs the researcher to respondent C and D until a sample size of respondents is achieved in that estate as shown in figure 1 below.

Figure 2: Snowball sampling



This sample was drawn from residential homes in Nairobi where the trafficked children are believed to be providing domestic labour. Snowball sampling was the most convenient as the respondents seemed to know where others worked, although it was not possible to achieve the same sample size in all the five estates due to suspicion. Also interviewed were four Officers Commanding police Stations (OCS) within whose jurisdiction the sampled estates are, two officials from the Ministry of Gender and Children Affairs, two officials from IOM and two officials from ANPPCAN. These key informants were

conveniently selected because they are working in relevant departments dealing with children, reported cases or migration of people.

**Table 1: Sample structure of Informants**

Sample	Sample size
Rescued children	90
Law enforcement agencies (Police O.C.Ss)	4
Ministry of Gender and Children Affairs (Children department)	2
IDM	2
ANPPCAN	2
<b>Total</b>	<b>110</b>

### 3.7 The methods and tools of data collection

The study collected primary data. These data were collected using questionnaires that contained both structured and semi-structured questions. Kinoti (1998) argues that semi-structured questions elicit useful qualitative data. This has the advantage of the respondents remaining anonymous, can be more truthful and has more time to think about the questions resulting in more meaningful answers (Peil, 1985). Moore (1983) observes that, questionnaires give detailed answers to complex problems and they are most effective for use in studies. The questionnaires were administered by the researcher and four research assistants since majority of these young boys and girls were not able to read and write properly.



The researcher also used interview guides to collect data from selected ten (10) key informants, that provided in-depth qualitative information.

Secondary data were collected using the documentary method of data collection. Documents are an important source of data in many areas of investigation. Vast amounts of information are held in documents, and provide a cost effective method of getting data which is permanent and available in a form that can be checked by others. Various reports on child and human trafficking, books, periodicals, available records, internet and organizations dealing with child trafficking issues were reviewed in order to source the required data from them.

#### **Data collection methods and tools**

Table 2 below summarises the data collection process:

**Table 2: Summary of data collection process**

<b>Type of data</b>	<b>Data collection method</b>	<b>Data collection tool/instrument</b>
<b>Primary data</b>	-Personal interviews -Key informant interviewing	-Structured questionnaire -Key informant guide
<b>Secondary data</b>	Desk review	Magazines, journal and book reviews, newspapers

### **3.8 Data Analysis**

Data analysis involved preparation of the collected data (i.e. cleaning, coding, and editing of data) so that it could be processed using Statistical Package for Social Sciences (SPSS) software. During clean up of data, nineteen questionnaires were discarded and are not part of the ninety respondents whose data were analysed, eight of them due to lies about their age as they hinted about having attained the age of acquiring identification cards and two of them having acquired the identification cards then and another eleven for giving incomplete data.

The coded data were entered into the SPSS program and excel where they were developed into a database and hence analysed. Quantitative data were analysed using frequencies and percentages. These were subsequently presented in form of tables. The analyzed data were presented in this research project guided by the objectives of the study.

## **CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS**

### **4.1 Introduction**

This chapter presents the data analysis, interpretation and discussion of the research findings from the two categories of respondents. The study investigated the trafficking of children into domestic labour in Nairobi City. It targeted a sample of 150 respondents from 150 households in randomly selected households in Nairobi's five medium class residential estates. The study used a structured questionnaire to collect the primary data. The researcher managed to collect data from 90 respondents who were below the age of 18 years. The researcher did not achieve 100 percent response rate since some of the targeted respondents were uncooperative and due to suspicion mainly from employers of the targeted respondents. The findings consist of demographic data of the sampled respondents and key variables related to trafficking of children into domestic labour in the cosmopolitan city of Nairobi.

### **4.2 Socio-demographic characteristics of respondents**

Table 3 below shows the distribution of respondents that were interviewed. 70 percent of the respondents were female as compared to 30 percent who were male.

**Table 3: Socio-demographic characteristics of the respondents**

<b>Gender of respondent</b>	<b>Frequency</b>	<b>Percentage</b>
Female	63	70
Male	27	30
<b>Total</b>	<b>90</b>	<b>100</b>

<b>Age of respondent</b>	<b>Frequency</b>	<b>Percentage</b>
15- 18	72	80
10-14	18	20
<b>Total</b>	<b>90</b>	<b>100.0</b>

<b>Education level</b>	<b>Frequency</b>	<b>Percentage</b>
None	22	24.44
Primary	64	71.11
Secondary	4	4.44
<b>Total</b>	<b>90</b>	<b>100.0</b>

As shown by table 3 above, the sampled respondents were all aged below 18 years showing that they are still young. However, within the same category of respondents, there were those who were still very young aged below 14 years and indicated they were very ignorant of what they were being recruited to do.

Most of the respondents (71.11 percent) had only attained primary school level of education before they started working as domestic labourers implying that most of the respondents were children who were not well educated. It is possible that some of the children were unable to proceed to secondary level of

education due to poverty and therefore they had to start lending for themselves. The age at which the respondents started working, that is, below 18 years of age shows clearly that they could not have completed secondary school level of education

It was observed that 24.44 percent had not attained any educational level, that is, they had never been to school at all. Such respondents had no knowledge what recruitment to work meant. Only 4.44 percent of the respondents had attained secondary level of education before they were recruited to work as domestic labourers. Although this group of respondents had basic education, they did not understand the conditions and difficulties associated with the work they were being recruited to do.

### **4.3 Causes of child trafficking into domestic labour in Kenya**

The first objective of this study was to investigate the causes of child trafficking into domestic labour. As noted in the literature review, child trafficking is real and very secretive which calls for investigation into its causes. In establishing the causes, several factors were considered and included the following;

#### **Parental status**

Table 4, below shows the parental status of the sampled respondents in this current study. Parental status is significant to well-being of the child especially in upbringing.

**Table 4: Parental status of the respondents**

<b>Parental status</b>	<b>Frequency</b>	<b>Percentage</b>
Total orphan	12	13.33
Partial orphan	13	14.44
All parents alive	62	68.89
No response	3	3.33
<b>Total</b>	<b>90</b>	<b>100.0</b>

Table 4 above shows that majority (68.89%) of the sampled respondents had both parents (that is, father and mother) alive implying that it was not lack of parental presence that led the respondents to work as domestic labourers. 13.33 percent of the total number of respondents were partial orphans (that is, they had one parent alive). The study also established that 14.44 percent of the respondents were total orphans (that is, both parents had died) a factor that must have forced them into domestic labour. A few respondents (3.33 percent) did not give details of their parental status.

#### **Occupation of parents**

Table 5 below, shows the occupation of parents of the sampled respondents that formed part of this study.

**Table 5: Occupation of the parents of trafficked children**

<b>Occupation of the mother</b>	<b>Frequency</b>	<b>Percentage</b>
House wife	21	28.77
Peasant farmer	39	53.42
House help	11	15.06
Small scale business	1	1.37
Casual	1	1.37
<b>Total</b>	<b>73</b>	<b>100.0</b>
<b>Occupation of the surviving father</b>	<b>Frequency</b>	<b>Percentage</b>
Casual worker	41	58.57
Artisan	10	14.28
Farmer	14	20.00
Driver	2	2.86
Business man (small scale)	3	4.29
<b>Total</b>	<b>70</b>	<b>100.0</b>

Table 5 above, shows that most of the mothers of the trafficked children into domestic labour were peasant farmers in rural Kenya as represented by 53.42 percent response rate. This shows that their income was little and as such they were poor, since peasant farming is known to have minimal returns to sustain families. Another 28.77 percent of the respondents indicated that their mothers were housewives meaning that they did not have any income and as such relied on either their husbands or other well-wishers to provide for them. This may have pushed the respondents away to look for income generating activities and thus landing in the jobs as domestic labourers. Small scale businesses and casual jobs formed the occupation of 1.37 percent and 1.37 percent of the mothers of the trafficked children

respectively, a sign that, their income was very low and therefore unable to provide for their families. Mothers who worked as house helps were represented by 15.06 percent of the respondents. This may have caused the respondents to copy their mothers thus living in a vicious cycle of domestic labour. It also painted a grim picture of meagre salaries that could not support a family.

Most fathers of the trafficked children were casual labourers as represented by 58.57 percent of the respondents and this was an indication that their income was not good enough to sustain a family. Due to the low income attributed to the fathers of the respondents, the respondents were unable to continue with schooling, which in return pushed them to seek jobs and hence landing into domestic labour.

Another 20 percent of the respondents indicated that their fathers were farmers. This is an occupation, which is unpredictable in terms of income, since the outcome depends on climatic/weather conditions while the farmers themselves do not determine prices of their products. Income is therefore unpredictable and there can be total failure leading to poverty, hunger and depression forcing children to seek an alternative elsewhere. Domestic labour is one of the easily available jobs due to its secrecy in recruitment.

These types of workers were followed in terms of majority by those who worked as artisans as represented by 14.28 percent. This is equally a low-income job to sustain a family, thus a contributing factor to children seeking employment to sustain themselves and ending up in available jobs such as domestic labour.

The next 4.29 percent of the respondents indicated that their fathers were small scale businessmen. This type of business brings forth meagre income thus unable to sustain requirements of a family. Minority of



fathers of trafficked children worked as drivers as represented by only 2.86 percent of the total respondents. Although this is a small percent, it was worthy noting that the drivers were away most of the time on duty and had little time for their children and, possibly, contributed to their children making wrong choices including engagement into domestic labour.

### Push factors

Table 6 below indicates the reasons that pushed the respondents into their current places of work.

**Table 6: Factors that pushed respondents into their current state**

<b>Push factors</b>	<b>Frequency</b>	<b>Percentage</b>
Poverty	68	75.56
Frustration by parents	17	18.89
Desire to fund further education	5	5.55
<b>Total</b>	<b>90</b>	<b>100.0</b>

As shown in table 6 above, most of the respondents (75.56 percent) were pushed into domestic labour by poverty. With high levels of poverty, their basic needs could not be met at their homes thus pushing the respondents away from home to try and meet these basic needs.

Some of the respondents (18.89 percent) indicated that they were pushed to their current engagement as domestic labourers by frustration from the parents. It was also noted that parents were a contributing factor in their children going to work as domestic labourers in other people's homes. A few respondents (5.55 percent) indicated that, they worked in order to save and use the savings to further their education.

This showed that, back in their homes, there was no hope of continuing with education. A sign that they were willing to continue with education although poverty was prevalent in their homes and there was no likelihood of investing in education while at home.

#### **Pull Factors**

Besides examining the push factors, this study also sought to know what attracted the respondents to their present place of work.

**Table 7: Factors that pulled respondents into their current state**

<b>Pull factors</b>	<b>Frequency</b>	<b>Percentage</b>
Opportunity for earnings	35	67.3
Desire for better environment/life	15	28.8
No response	2	3.8
<b>Total</b>	<b>52</b>	<b>100</b>

As table 7 above illustrates, 67.3 percent of the respondents indicated that opportunity for earning was what pulled them to Nairobi to work as domestic labourers. Irrespective of the method used to get to their current work place, they saw that as an opening for earnings and as such have their own income to sustain themselves. It therefore implies that the search for independent income was the greatest pull factor. Although the same kinds of engagements are also available in the rural areas, people generally, prefer working in urban areas. There is the notion that in urban areas there are both higher earning opportunities and better wages than in rural areas. This explains the desire to move to the urban areas and Nairobi in particular.

Desire for better life/environment in relation to the one they were moving from was represented by 28.8 percent of the respondents as what pulled them to their current engagement. It is a belief in the rural areas especially among the young that in urban areas there are better lives and good environment to live in. So the desire to move to these urban areas was part of the pull factors. The other 3.8 percent of the respondents did not respond to this question.

#### 4.4 The sources of trafficked children into domestic labour in Kenya

The study in identifying the sources of the trafficked children looked into the ethnic community distribution of the respondents and got data as presented in table 8 below.

**Table 8: Ethnic identity of respondents**

<b>Ethnic identity of respondents</b>	<b>Frequency</b>	<b>Percentage</b>
Akamba	22	24.4
Akikuyu	20	22.2
Kuna	5	5.6
Luo	7	7.8
Luhya	14	15.6
Meru	6	6.7
Digo	1	1.1
Embu	2	2.2
Nandi	2	2.2
Kisii	5	5.6
No response	6	6.7
<b>Total</b>	<b>90</b>	<b>100.0</b>

As the table above illustrates, Akamba were the leading community (24.4 percent) while 22.2 percent were Kikuyu. The two ethnic communities are the inhabitants of provinces that border Nairobi; to the east and south east for the Akamba community while the Agikuyu community are to the north and North West. However, this is not conclusive since the Kenyan ethnic communities are inhabitants of any part of Kenya which they choose to reside in. The findings mirror to a large extent the population trends in this country. According to Kenya Census, 2009, the Kikuyu are the leading ethnic community numerically, followed by the Luhya, Kalenjin, Luo, Akamba, Kisii and Meru. Another ethnic community that was significantly represented was the Luhya at 15.6 percent Luo came in fourth at 7.8 percent, followed by Meru (6.7 percent) and Kisii (5.6 percent). Embu and Nandi each made 2.2 percent of the respondents. Another 6.7 percent did not respond to this question. The study established that the ethnic communities to which the respondents belong also form the sources of the trafficked children irrespective of which part of Kenya where they reside.

#### **4.5 The key players and their roles in trafficking children into domestic labour**

The third objective of the study was to identify the key players and their roles in the trafficking of children into domestic labour. As indicated in the literature review, trafficking of children into domestic labour is very secretive and can easily pass for guardianship and is very difficult even to suspect the people involved. The key players who had a role in the recruitment of these children into domestic labour are shown in the following table.

### The recruiter of the respondents to the current work place

The respondents indicated as illustrated in table 9 below the person who recruited them to their current place of work.

**Table 9: Recruiter of the respondents**

<b>Recruiter</b>	<b>Frequency</b>	<b>Percentage</b>
Friend	23	25.55
Parents	26	28.89
Other relatives	36	40.00
Self	5	5.56
<b>Total</b>	<b>90</b>	<b>100.0</b>

As shown in table 9 above, 40 percent of the respondents indicated that they were recruited by other close relatives including uncles, aunts and sisters to their present job. This showed that irrespective of any knowledge the relatives may have had about the job as domestic labourers, they still went ahead and recruited the children to those jobs. Relatives, just like parents, are expected to safeguard the interest and well being of the children, a responsibility which they abdicated in these cases.

Parents formed 28.89 percent of the recruiters of the respondents. This indicates that the parents were most likely poor and wanted the children to work in any engagement and earn a living to assist them back home. With such situations, the parents were willing to easily give their children away to work for as long as they are guaranteed of some income trickling back to them.

Another 25.55 percent of the respondents indicated that they were recruited by friends, an indication that the friends knew about the existence of such jobs and either decided to help the child by securing the job

for him/her to enable them earn a living just like themselves or just deceived them in order to have them recruited to the job irrespective of the dangers they were exposing the children to if they knew of such dangers. A few (5.56 percent) of the respondents indicated that they sought the employment by themselves. It was observed that over 94 percent of all the respondents were recruited by somebody who at least knew them as well as their background. It was noted that the people who were supposed to assist the children by protecting and safeguarding them were the same ones who exposed them to such dangers.

#### 4.6 The main features and strategies used in child trafficking into domestic labour

The fourth objective of the study was to identify and analyse the main features of child trafficking into domestic labour. As stated in the literature review, several strategies and methods are used in the recruitment exercise of the children and how they end up in their places of work. The following information was obtained.

##### Methods used to recruit

The table below shows the methods used to recruit the respondents into their current places of work.

**Table 10: Methods of recruitment**

Methods used to recruit	Frequency	Percentage
Deception	27	30.00
Persuasion	16	17.78
Use of force	38	42.22
Parents being paid money	9	10.00
<b>Total</b>	<b>90</b>	<b>100.00</b>

As table 10 above indicates, 42.22 percent of the respondents indicated that they were recruited by force. This was a sign of slavery-like business where one was taken away by force to work on any job whether one liked it or not, without pay or with minimal pay. This, according to data collected from the respondents, was the most used method in recruitment.

Deception was the second most used method. Thirty percent of the respondents indicated that they were deceived and recruited to their current engagements as domestic labourers. Those who deceived them took advantage of their educational levels, naivety due to non-exposure, as well as other hardships such as poverty, lack of parental care and death of parents, to lure them with false promises like good lives compared to what they had. The respondents blindly believed, only to find themselves working as domestic labourers. Others were deceived that they could be given very nice jobs that were well paying which would in turn ensure comfortable lives, but which were never to be. Another 17.78 percent of the respondents indicated that they were recruited through persuasion. Persuasion was one of the tools used in the recruitment exercise. The children admitted that although they were not willing to engage themselves in such employments they were persuaded and finally gave in and were recruited even if they did not understand the nature of work to be done.

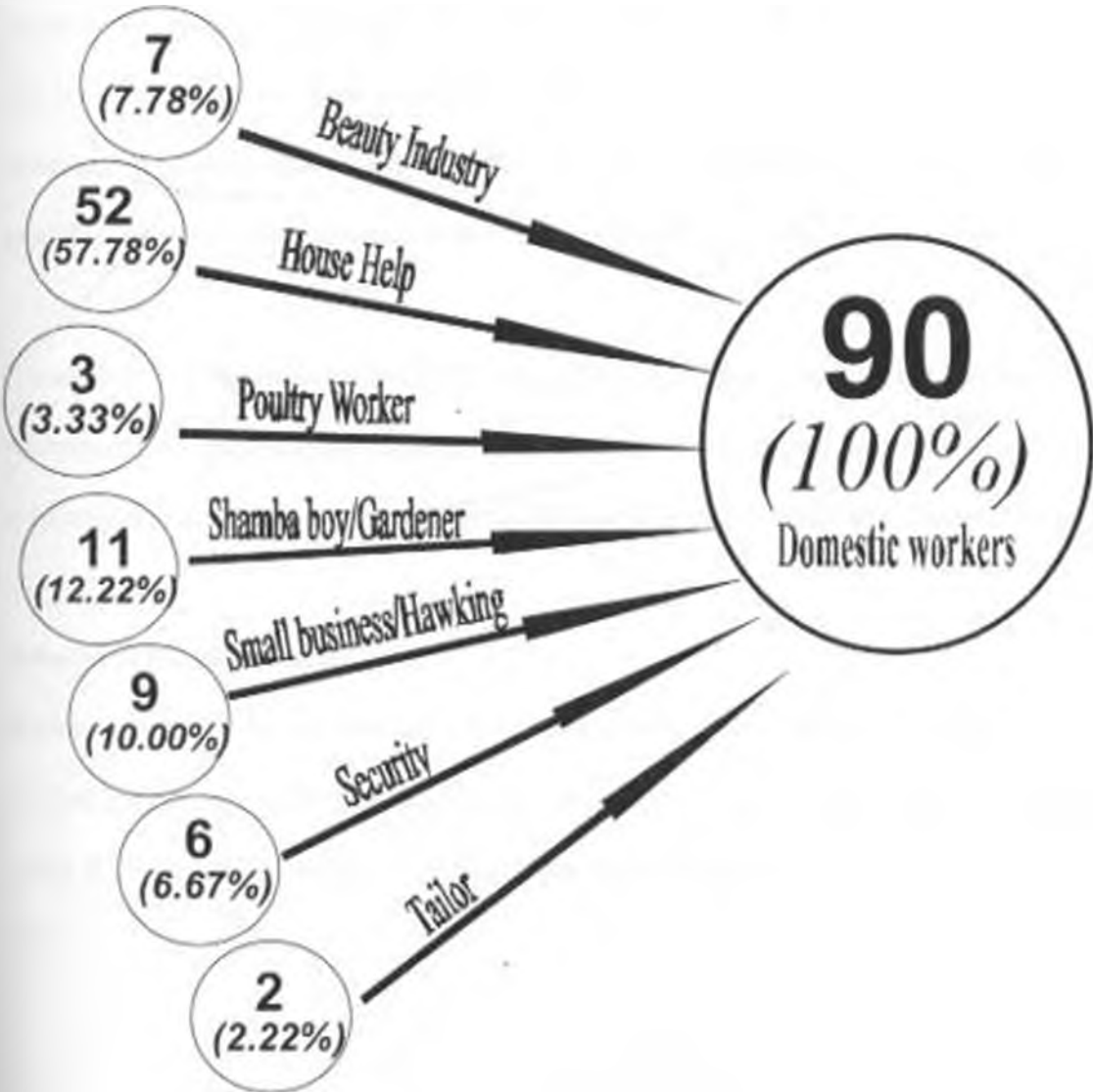
Some of the respondents (10 percent) indicated that their parents were paid money to give them away. It was noted that the parents were literally selling their children to go and work in Nairobi without bothering to find out the nature of work they were to do. Parents had either become too greedy to sell off their children, or poverty may have been a great contributor to such a kind of act. Due to poverty, some parents easily gave away their children to whoever was willing to give them some money.

Those who recruited them must have known them or their parents and took advantage of their situations to deceive, persuade, coerce or pay the parents in order to get the respondents. It showed that the recruiters knew of the benefits accruing from the recruitment of the respondents.

**The kind of Work recruited to do**

The respondents were recruited with a promise that they would be given specific jobs. However these jobs may not be necessarily what they ended up doing as shown in figure 3 below;

**Figure 3: Work recruited to do**





The figure above shows that majority (57.78 percent) of the respondents were recruited as house helps. This was an indication that most of the respondents were being recruited to work in other people's homes houses and that their job specifications were defined on recruitment.

Some 12.22 percent of the respondents indicated that they were recruited to work as shamba boys/gardeners. Security personnel were represented by 6.67 percent of the respondents while another 10 percent of the respondents indicated that they were recruited to do hawking/small business. Those recruited to work in the beauty industry represented 7.78 percent of the respondents, another 3.33 percent claimed to have been recruited as poultry workers, while 2.22 percent indicated that they were recruited to work as tailors, although they did admit that they never had any professional training or qualifications to enable them undertake those types of engagements.

It was clear that the promises made for some of the engagements were just a bait because some claims of recruitment to professional engagements such as tailoring and poultry without any training was evidently not attainable. As a result, all the 90 respondents ended up working as domestic workers.

### **Salaries of the respondents**

Besides the above factors and the information gotten, it was important to take into consideration the salaries paid to the trafficked children for the services they provide to their respective employers to gauge if it was commensurate to the work they did. The following data was obtained in regard to salaries paid.

**Table 11: Salaries of respondents**

<b>Salary (Kshs)</b>	<b>Frequency</b>	<b>Percentage</b>
0	11	12.22
Below 500	28	31.11
501 - 1500	38	42.22
1501 - 2500	6	6.67
2501 - 3500	7	7.78
<b>Total</b>	<b>90</b>	<b>100</b>

The data regarding salaries paid to the respondents indicated that the salaries are quite low based on the prevailing economic demands. 12.22 percent (11 respondents) indicated that they were not earning anything for the domestic work they were doing that is, they were not being paid any salary at all.

Another 31.11 percent (28 respondents) indicated that their monthly earnings were Kshs 500 or below. From this kind of rewarding, it was evident that the children are not commensurately paid for the domestic labour they provide.

The largest group of respondents earned between Kshs 501 – 1500 as represented by 42.22 percent (38 respondents). Respondents who earned between Kshs 1501 – 2500 were represented by 6.67 percent (6 respondents) while those who earned between Kshs 2501 – 3500 were represented by 7.78 percent (7 respondents). It was evident that of the 90 respondents, none earned more than Kshs 3500. This kind of salary is actually considered low for somebody to operate on. This showed that the trafficked children are exploited in terms of salary payment.

## 4.7 Data from key informants

Besides collecting data from the trafficked children, there was need to get data from relevant authorities and organizations dealing with children and child welfare to ascertain whether the data collected could be corroborated to draw concrete conclusions. This required that relevant data be obtained from key informants as specified in the earlier chapter and the following information was collected.

The total number of cases reported within the last one year, according to police records was sixty three, they had been fully investigated and action taken that is, thirteen parents of the trafficked children whose cases had been reported and investigated had been arrested and prosecutions were on-going. Of the fully investigated cases, seven of them were of orphaned children. Another eleven of the investigated cases had said that if they took the children home, they will still give them away because they didn't have the economic prowess to sustain them. All the key informants pointed out that the main cause of child trafficking into domestic labour was poverty over and above the other factors. They indicated that from their investigations which had been conducted about the backgrounds of all reported cases of child trafficking, poverty was very prevalent and as such concluded to be the main cause of the said trafficking. This was supported by the proof they had about poor economic backgrounds of the affected children.

Players in this trafficking of children into domestic labour are mainly the people who the children know very well. A total of forty nine of the reported cases were involving the parents directly giving the children away to the employers, while seven of the reported cases involved guardians giving away children under their care to prospective employers.

The key informants indicated that the strategies used by the traffickers included force. In the forty nine reported cases involving the children reportedly given away by the parents, force was used as the children confirmed that they were beaten by the parents to accept to be taken away to employment. They showed scars inflicted on them by the beatings they got when they tried to resist being given away. In the seven cases where the children were given away by guardians, deception was the strategy used to entice them to accept to be taken to employment. The children were deceived that better things awaited them wherever they were to be taken. However things did not work as promised. Three cases reported that they were persuaded to accept and go to work in Nairobi.

#### **4.8 Limitations faced by police and NGOs**

Trafficking of children is rarely reported to authorities for action unless an ugly incident brings itself to the fore and police are required to investigate and take action. It requires one to liaise with media houses that carry out investigative journalism/reporting to get information of such ills because the media houses' staff come across such cases easily as compared to the police.

Cases reported have ended up being turned into guardianship or urban migration rather than trafficking for employment. In other words, whenever the employers of the trafficked children were arrested, they claimed to be guardians of the children and not employers. The police reports from the sampled stations showed that when the employers are required to give account of the employment of children in their homes in Nairobi, they simply claim that they are the children's guardians and not employers. Other guardians reported that the children migrated from the rural areas and were just staying with them temporarily before going back, relocating or being taken to school.

Arrested parents, traffickers and/or employers who have been charged in court, have either been freed or given very minor punishments which are not deterrent enough against the vice. This, according to the police, was due to the weak judicial system and legal framework in the country which frustrated the effort of fighting the vice. The NGOs sampled conceded that they do not have investigative powers to conduct any detailed investigations. So they just confirm such cases and hand them over to the police for investigations and possible prosecution.

#### **4.9 Assistance given to victims by police and respective NGOs**

There had been some assistance given to the rescued children. Seven children rescued had been taken up by children's homes where they are taken care of. This is because the police and the NGOs do not have facilities to take care of the children and as such, children homes which offered to adopt them were given the children after fulfilling the mandatory legal requirements. Another five children who were above 16 years had chosen guardians to live with, rather than those who gave them away. When the chosen guardians were contacted, they wilfully took them up. Twenty three had gone to school courtesy of scholarships from both the government and NGOs. However, there was no further information as to whether the children were comfortable in their new environments. Six others, on request, had been assisted to trace their homes where they were trafficked from, with the assistance of the police and local administration; they were taken back to their original home.

It was noted from the key informants that the trafficked children have no information about domestic labour, they just find themselves in such engagements which are unfamiliar to them leading to several domestic mistakes which in turn lead to punishment by the employer. That is how some of the cases

have landed in the hands of the police and children's department, where good Samaritans have opted to report or take action themselves against the violator of the children's rights. Many of the reported cases showed that the children were trafficked in very secretive ways such as private transport from the rural areas, then to isolated homesteads without contact to the outside world.

## **CHAPTER FIVE: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

### **5.1 Introduction**

This chapter presents the summary of key findings, conclusions and recommendations. The study sought to determine the push and pull factors that influence the trafficking of children into domestic labour.

### **5.2 Summary of key findings**

The study established that the trafficked children started working while aged below 18 years. It was also established that majority (95.55%) of these children trafficked into domestic labour did not attain education levels beyond primary school level. The research findings also established that most (68.89%) of these children had both their parents alive, although these parents were engaged in low income paying jobs such as peasantry and house helps as reported by 54.44 percent and 14.44 percent of the respondents respectively.

The source of the trafficked children was spread to several ethnic communities, although slightly skewed to some parts of the country especially those ethnic communities around Nairobi as represented by 24.4 percent for the Akamba community and 22.2 percent for the Agikuyu community.

Poverty was established as the major push factor of children trafficked into domestic labour as reported by 75.56 percent of the respondents, while searching for job opportunities was established as the major pull factor of the children into domestic labour as reported by 67.3 percent of the respondents

Most of the children trafficked into domestic labour were recruited to work as house-helpers as represented by 57.78 percent. However, all the other respondents admitted that they were working as domestic workers irrespective of what they had been promised on recruitment.

The study established that the key players in trafficking of children into domestic labour were other relatives as represented by 40 percent, followed by parents as represented by 28.89 percent and friends as represented by 25.55 percent.

The main features and strategies used in trafficking of children into domestic labour were force, deception and persuasion as represented by 42.22 percent, 30 percent and 17.78 percent respectively. This was also corroborated by the information gotten from the key informants.

Low pay was established as a problem facing children trafficked into domestic labour as represented by 12.22 percent who earn nothing for the work they are engaged in, 31.11 percent who earn below Kshs 500 and 42.22 percent who earn between Kshs 501 - 1500. This shows that over 73 percent earn less than Kshs 1500 per month which is quite a low wage.

### **5.3 Conclusions**

In light of the above, it is evident that trafficking of children into domestic labour is real, quite secretive and easily passes as guardianship. Trafficking of children into domestic labour is slowly eating into society irrespective of laws that are supposed to safeguard the children against trafficking and the legal structures that are supposed to enforce the said laws.



The study concludes that poverty was the root cause of trafficking of children into domestic labour. The study further infers that most children trafficked into domestic labour could be rehabilitated and integrated into society.

## **5.4 Recommendations**

The summary and conclusions lead us to make recommendations both to policy makers, institutions and organizations working with children. It is evident from this study that there is a gap between the legal provisions on the protection of children and the implementation and enforcement of the said law by both the legal framework and the relevant organizations.

The study recommendations touch on various levels of stakeholders. These stakeholders comprise of: Policy makers in the children's department in the Ministry of Gender, Children Affairs and Social Services, and organizations working for the well-being of children.

At policy level, the weak judicial system and legal framework should be looked into as a matter of urgency. The Children's Act which has provisions for child trafficking and the penal code should be publicized and implemented to its fullest. The personnel in the authorities dealing with trafficking in children should be trained and retrained in concerned provisions so as to serve the children appropriately.

Employment bureaus should be regulated and laws regarding their establishment instituted and made clear to the operators. NGOs, children's homes and religious organizations should also be vetted thoroughly and those found to be trafficking in children be deregistered with their leaders being

prosecuted. Age limit for domestic workers should be strictly implemented and the parents, employers, agents and other citizens, including children, be sensitised about it.

Poverty was established as the root cause of children's desperation and vulnerability into being trafficked into domestic labour. Organizations dealing with the fight against poverty should be strengthened by the government through enactment of laws so as to empower them in assisting families fight poverty. Family health education is also necessary, especially for the girls to combat early pregnancies and school drop-out rate in order for the girls to pursue education and achieve better goals in future.

### **5.5 Areas for further research**

The study strongly recommends that similar studies be carried out on other cities and major towns in Kenya to compare their findings with the findings of this study. Further, since this study was based on Nairobi city which is an urban area, there is need to carry out studies in rural Kenya to ascertain the prevalence of the same vice in these areas and to what extent.

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## **APPENDIX 1: RESPONDENTS' QUESTIONNAIRE**

My name is Evans Obuya Nyatichi, a student in the Faculty of Arts at the University of Nairobi. In partial fulfilment of the requirement of the Master of Arts (MA), I am conducting a study on the trafficking of children into domestic labour in Nairobi. I would like to ask you some questions and I assure you that the responses you will give will be treated with strict confidentiality.

Please fill the questionnaire carefully and note responses to each question.

Estate name \_\_\_\_\_

### **Section A: Demographic characteristics.**

1. Gender

(a) Male       (b) Female

2. How old are you?

\_\_\_\_\_

3. At what age did you start working?

4. Education level

(a) None

(b) Primary

(c) Secondary

**5. Parental status**

- (a) Total orphan
- (b) Partial orphans
- (c) All parents alive.

**6. Occupation of the surviving parents**

- (a) Mother.....
- (b) Father.....

**7. State your ethnic identity.....**

**Section B: Issues on trafficking**

**8. What pushed you into current engagement?**

**Push factors**

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9. What attracted you into the current engagement?

Pull factors

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10. Who arranged for you to work in your current place?

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.....

11. Which method/methods were used to convince you to come and work here (your current place?)

- (a) Deception
- (b) Persuasions
- (c) Use of force
- (d) Children absconding from home
- (e) Parents being paid money

12. State the kind of work you were recruited for

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.....

**13. Currently which work are you doing?**

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**14. How much do you earn?**

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**15. What are your recommendations?**

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.....  
.....  
.....

**THANK YOU FOR YOUR RESPONSES**

## APPENDIX 2: INTERVIEW GUIDE FOR KEY INFORMANTS.

My name is Evans Obuya Nyatichi, a student in the Faculty of Arts at the University of Nairobi. In partial fulfilment of the requirement of the Master of Arts (MA), I am conducting a study on the trafficking of children into domestic labour in Nairobi. I would like to ask you some questions and I assure you that the responses you will give will be treated with strict confidentiality.

### Category of the informant

#### 1. Category of key informant (Specify)

- a)
- b)
- c)
- d)

2. For how long have you been working with the mentioned department/section \_\_\_\_\_ years?

3. In your own view, is trafficking in children into domestic labour in Nairobi real?

Yes \_\_\_\_\_

No \_\_\_\_\_

Explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. What are the main causes of child trafficking into domestic labour?

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5. To what extent are the trafficked children informed about domestic labour?

Explain \_\_\_\_\_

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6. Do you keep statistics of cases reported on child trafficking? If yes, how many in the last one year?

7. Do you conduct investigations into such cases when reported?

If no, why \_\_\_\_\_

If yes, explain \_\_\_\_\_

8. Who are the key players in the trafficking of children business?

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9. What are the main strategies used by the traffickers of children into domestic labour in Nairobi?

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10. What challenges do you face when dealing with cases of trafficking of children?

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11. How were the trafficked children assisted by your department after receiving a report?

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12. What do you recommend?

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**THANK YOU FOR YOUR RESPONSES**