

HUMAN SMUGGLING AND HUMAN TRAFFICKING IN SOMALIA



UNITED NATIONS OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS SOMALIA

THE DEFINITION OF HUMAN SMUGGLING AND HUMAN TRAFFICKING

In 2005, stories of desperation began to unfold outlining how hundreds of people from the Horn of Africa were risking their lives to make a perilous sea voyage in overcrowded fishing boats, from Somalia across the Gulf of Aden to Yemen, to escape a region stricken by conflict, poverty and recurrent drought conditions. This smuggling route had been known to be active for years but in 2005, the number of people being transported grew dramatically - and since the voyage is so dangerous - there was an alarming increase in the number of dead bodies being washed up on the shores of Yemen.

The United Nation's Protocol Against the Smuggling of Migrants by Land, Sea, and Air defines the smuggling of migrants as "the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident." In most cases, individuals will contact smugglers themselves to realize their objective of crossing a border illegally in search of a better life and improved economic prospects.

Human smuggling is quite different to human trafficking which is defined in the United Nation's Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, as "the recruitment, transportation, transfer, harbouring or receipt of persons, either by the threat or use of abduction, force, fraud, deception or coercion, or by the giving or receiving of unlawful payments or benefits to achieve the consent of a person having the control over another person."

THE BACKGROUND ON HUMAN SMUGGLING IN SOMALIA

Human smuggling continues unabated from the north east coast of Puntland, Somalia, resulting in the death of hundreds of Ethiopians and Somalis. Hundreds of Ethiopians travel for days, often by foot, across the desert from Ethiopia to Puntland with the aim of crossing the sea to Yemen. As a result of the worst drought in a decade, there has also been a notable increase in the number of Somalis from the south of the country attempting the journey. Yemen is mostly used as a point of transit en route to the Gulf States, Europe and other destinations in search of work. Most of the passengers are young men and women between the ages of 15 to 30.

Smugglers are charging between thirty and fifty dollars per person for each voyage, often cramming hundreds of people onto small vessels, with little food and water for a 30 hour passage on high seas. In one recorded account of a voyage, there were six dead among 65 passengers and 14 more had been thrown overboard during the journey. Such casualty rates are not uncommon with some individuals tied up and/or thrown overboard by the smugglers in an attempt to avoid capsizing in dangerous waters. Others drift for days at a time with little food or fresh water on board. Even when the boats do reach Yemen's coast, passengers - including children - are forced to swim to shore so the boat is not detectable to Yemen authorities. Most passengers including children cannot swim and drown. While fatality figures are difficult to verify - the trade is secretive and many bodies are never found - the UN confirmed 262 deaths in January and February 2006. Since September 2005, officials say, the dead could number close to 1,000.

In the spring of 2006, the Puntland authorities reported between 200 and 300 Ethiopians were arriving in the town of Bossaso everyday to attempt the sea voyage. Many become stuck in Bossaso as they lacked the money to pay the smugglers. As a result up to 3,000 to 4,000 Ethiopians were living in appalling and wretched living conditions in Bossaso - unable to afford to travel onto Yemen or having changed their minds - and unable to afford to return to Ethiopia.

ALARMING HUMAN SMUGGLING TRENDS

According to UNHCR, approximately 100 people a day attempted to cross from Somalia to Yemen in the period from September 2005 to March 2006. During six days in January alone UNHCR counted 22 smuggling boats - small, open fishing dhows - arriving in Yemen. In 2006 there was a significant increase in the number of people especially Somali's from south/central Somalia and Ethiopians from eastern Ethiopia:

January/February 2006 - Somali arrivals in Yemen 3,406 persons
Ethiopian arrivals in Yemen 3,033 persons

March/April 2006 - Somali arrivals in Yemen 1,999 persons
Ethiopian arrivals in Yemen 2,174 persons

Total number of Somalis registered in 2005 in Yemen 13,400 persons

In Yemen, Somalis benefit from automatic refugee status by the Yemen government and are therefore more likely than Ethiopians to register officially with UNHCR. Ethiopians who may also be fleeing their country for fear of persecution are in general much less likely to attempt the remainder of the journey without registering in Yemen - many afraid to be deported back to their home country.

INTERNATIONAL AND NATIONAL RESPONSE TO HUMAN SMUGGLING

The humanitarian community started work on a response to the issues raised by human smuggling in Somalia in 2005. UN agencies (UNICEF, UNDP/RRIDP, WHO, WFP, UNHCR) and the international NGO Danish Refugee Council began providing emergency assistance for the most vulnerable groups stranded in Bossaso including the urgent provision of water, sanitation and health facilities. This assistance was only a temporary measure since the abusive nature of people smuggling is a regional problem that will require the support of the wider international community in the longer term.

Meanwhile the UN and partners are seeking to provide technical support to the Puntland authorities to curtail the smuggling and have provided additional vehicles for police to patrol the coastline in search of the smugglers (UNDP). The local authorities in Puntland, however, continue to lack resources to tackle people smuggling since the coastline is 1,600km long.

Yemen's authorities are almost as powerless to halt the influx. The Ethiopians that are caught are deported back to their home country but many return to Bossaso— awaiting an opportunity to try again.

The International Organization for Migration (IOM) has proposed a project to facilitate assisted voluntary return of 900 stranded Ethiopian irregular migrants who have no means to organize a return to their country of origin, and to familiarize governmental authorities with the principles and procedures of orderly and humane Assisted Voluntary Return.

Technical assistance for the authorities is also planned to address migration issues and border control as well as assistance to bring regional governments and technical advisors together for consultations to combat the smuggling and trafficking (IOM/UNHCR).

Refugee Status Determination (RSD) services in Puntland will soon be initiated for Ethiopian and other non-Somalis (UNHCR)

Local authorities in Puntland have also taken a lead and held discussions on human smuggling with the Ethiopian and Yemen authorities and are now working closely with UNHCR to register asylum seekers and to respect their right to not to be returned home.

A PROGRAMME WHICH SEEKS TO ADDRESS HUMAN TRAFFICKING AND SMUGGLING IN PUNTLAND

Instability and armed conflict in the Horn of Africa coupled with weak governance capacity to control or monitor movements across borders has created fruitful grounds for the emergence of irregular migration. This is true for Somalia, which continues to be characterized by intense migration flows with irregular migration constituting a major challenge for the development of institutional and legal systems. In addition to being an important source of emigrants, the country also represents a major area of transit for people being smuggled from the Horn of Africa to the Gulf States. Recent media coverage indicates the port of Bossaso in North Eastern Somalia being one of the world's busiest smuggling hubs. Smuggled migrants have a number of specific vulnerabilities, including a higher risk of becoming victims of trafficking. Push factors increasing the likelihood of being trafficked are linked to the social and contextual realities faced by smuggled people such as lack of protection and security, poverty, or human rights abuses.

Given the magnitude of smuggled migrants transiting the Puntland State of Somalia, there is an urgent need to develop responses to prevent human trafficking as well as to protect smuggled human beings and potential victims of trafficking. . The lack of knowledge of the dangers of trafficking and smuggling has been cited as one of the factors that facilitate the persistence of this crime. Thus, IOM (International Organization for Migration) will initiate a pilot project consisting of a series of inter-related components that combine capacity-building of the Puntland authorities and civil society organizations to address issues related to human smuggling and trafficking, and raising the level of awareness of government players, civil society organizations, internally displaced populations and the public at large. In this regard, IOM in synergy with UNICEF and civil society organizations will give special attention to the need to develop appropriate response strategies to the particular vulnerability of children to trafficking with UNHCR continuing to build capacities of authorities to address the needs of asylum seekers and refugees.

To achieve the above objectives, the following activities will be carried out:

- 1) Map and assess the capacity of local partners to address human trafficking and smuggling.
- 2) Create a network of concerned stakeholders and carry out workshops on issues related to irregular migration, including human trafficking and smuggling of migrants, in order to build consensus around priorities and actions aimed at countering irregular migration in Puntland.
- 3) Improve and/or enhance the capacities of civil society organizations, local authorities and police personnel in Puntland through appropriate and focused training (in synergy with UNDP; Rule of Law and Security - Law Enforcement component) to counter human trafficking and smuggling.
- 4) Carry out awareness raising campaigns on human trafficking and smuggling targeting internally displaced populations and international refugee law in Puntland, selected vulnerable communities, and the public at large (in synergy with UNESCO; Civic Education for Peace, Communication and Democracy for Vulnerable Communities in Emergency Situations).

HUMANITARIAN PARTNERS AND COORDINATION MECHANISMS

Activities related to this issue are coordinated through the Protection and IDP working group based in Nairobi, which is co chaired by OCHA and UNHCR as well as through the Protection and IDP working group established in Puntland. The working groups in Somalia facilitate the collaborative approach to addressing Protection assistance needs by including a range of UN agencies and other humanitarian actors and in the field these working groups also include local authorities. Key partners working to tackle the issues raised in the field of human smuggling and human trafficking are UNHCR, IOM, OCHA, UNDP, UNICEF, WHO, WFP and the Danish Refugee Council as well as other international organizations and local NGOs.

UN OCHA SOMALIA

7th Floor, Kalson Towers, Crescent Street, off Parklands Road, P.O. Box 28832, 00200 Nairobi, Kenya

Tel No: (254-20) 3754150-5; Fax No: (254-20) 3754150

Updated May 2006