

A HUMAN RIGHTS-BASED APPROACH TO COUNTERACT TRAFFICKING IN WOMEN: THE CASE OF ETHIOPIA

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1. INTRODUCTION

Trafficking in persons which is akin to contemporary slavery is highly prevalent across the world. It is affecting hundreds of thousands of persons every year. According to the latest ILO estimate, there are 20.9 million people who are trapped in forced labor¹ including human trafficking for labour and sexual exploitation.² When we breakdown this figure, it shows that at any given point in time, around three out of every 1,000 persons worldwide are victims of forced labour.³ With the illicit profit of 32 billion dollars for traffickers, Trafficking in Persons stands as the third largest organized crime next to arms deal and drug trafficking.⁴

While men are also exposed to trafficking, women and girls constitute a significant majority of victims of trafficking. According to the US State

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¹According to ILO documents the term Forced labour is used 'to denote situations in which the persons involved – women and men, girls and boys – are made to work against their free will, coerced by their recruiter or employer, for example through violence or threats of violence, or by more subtle means such as accumulated debt, retention of identity papers or threats of denunciation to immigration authorities'. See ILO 2012 Global Estimate of Forced Labour, June 2012.

² This new estimate updated the 2005 estimate. The estimate includes human trafficking. In words of ILO, 'Human trafficking can also be regarded as forced labour, and so this estimate captures the full realm of human trafficking for labour and sexual exploitation.' Ibid, executive summary.

³ Ibid.

⁴ Ibid.

Department report, 80% of people trafficked are women and girls.⁵ Women are trafficked mostly for sexual exploitation and domestic labor. Amnesty International reported in 2004 that two million girls aged 5-15 have been introduced into the commercial sex market across the world each year.⁶

Trafficking in women is affecting virtually all countries either as a source, transit or destination country. Ethiopia is among source countries highly affected by problem of women trafficking. In 2004, IOM reported that human trafficking is rising at an alarming rate in Ethiopia.⁷ Poverty, unemployment, widening income gap between rich and poor families, lack of women's ownership (possession) of land and other property, and women's lack of schooling opportunity coupled with ignorance of harsh consequences of human trafficking make Ethiopian women vulnerable to the trafficking business.⁸ Accordingly, thousands of women and girls are trafficked primarily to the Middle East every year mostly for domestic work and sexual exploitation. According to a recent IRIN (UN News agency) report, some 20,000 to 25,000 Ethiopians are trafficked to various countries annually.⁹ Ethiopian women in the Middle East face severe abuses, including physical and sexual assault, denial of salary, sleep deprivation, confinement,

⁵ Ibid.

⁶ Yoseph Endashew *etal*, Assessment of Trafficking in Women and Children in and from Ethiopia, IOM (2006).

⁷ <http://gvnet.com/humantrafficking/Ethiopia.htm> (Last accessed on February, 2011).

⁸ Yoseph, *supra* note 6.

⁹ IRIN News on 16 March 2010, available at, <http://www.irinnews.org/report.aspx?reportid=88438> (Last accessed on September 15, 2011).

incarceration, and murder.¹⁰ Many are driven to despair and mental illness while some end up committing suicide.¹¹

Regarding anti-trafficking measures, the human rights based approach – anti-trafficking response that considers trafficking in women as a human rights issue that requires a human rights oriented interventions – seems to be gaining ground in anti-trafficking discourses.¹² This approach addresses not only the process and consequences of trafficking but also seeks to dismantle the structural root causes of trafficking in persons such as: poverty, lack of education, unemployment and discrimination against women. Accordingly, the human rights based approach encompasses prosecution of trafficking cases, protection of victims of trafficking and prevention of trafficking in holistic manner.¹³

¹⁰ US Trafficking Report 2011, p.158.

¹¹ Ibid, regarding suicide case, a local newspaper has reported 67 cases of suicide of Ethiopian women working in Lebanon between 1997-1999, The Reporter, Addis Ababa, 29 September 1999 as quoted in GTZ, Study on Trafficking in Women in East Africa, 2003. The recent case of Alem Dechasa's death apparently due to a suicide out of despair and disappointment which is highly publicized across globe reminds us the enormity of suffering Ethiopian maids are facing even these days.

¹² Tom Obokata, *Trafficking of Human Beings from a Human Rights Perspective: Towards a Holistic Approach* (Leiden, Martinus Nijhoff Publishers, 2006) p.35; Dina Haynes, 'Used, Abused, Arrested and Deported: Extending Immigration Benefits to Protect the Victims of Trafficking and to Secure the Prosecution of Traffickers', 16 *Human Rights Quarterly*, (2004), p.221-272; Janie Chuang, 'Beyond a Snapshot: Preventing Human Trafficking in the Global Economy', 13 *Indiana Journal of Global Legal Studies*, (2006), p.137-163 ;Ann D. Jordan, 'Human Rights or Wrongs? The Struggle for a Rights-Based Response to Trafficking in Human Beings', 10 *Gender and Development*, (2002), p.28-37. On the pros and cons of Human rights based approach see Bahar Jibriel, *Adopting A Human Rights Based Approach to Counteract Trafficking-In-Women: The Case of Ethiopia*, LLM Thesis submitted to AAU School of law in 2011(Unpublished).

¹³ Obokata, Ibid.

Thus, the objective of this article will be to assess whether anti-trafficking measures adopted in Ethiopia are in line with the human rights based approach. The article is divided into five sections. Following this introduction, the second section tries to explain the concept of human trafficking and discuss elements of the definition of human trafficking. It also tries to elaborate the relationship between human rights and human trafficking. The third section deals with the tenets of the human rights based approach to anti-trafficking. The fourth section is devoted to the study of the case of Ethiopia. Accordingly, it will discuss the scale and magnitude of the problem of women trafficking and analyze the causes and consequences of the problem. It also attempts to make a detailed scrutiny of anti-trafficking responses adopted in Ethiopia under the lens of the human rights based approach. Further, it seeks to explain the factors inhibiting the adoption of the human rights based approach to combat women trafficking. The last section provides some conclusion and recommendations.

2. UNDERSTANDING HUMAN TRAFFICKING

2.1 DEFINITION

Human Trafficking¹⁴ is defined for the first time in international legal instrument in the 2000 Trafficking Protocol.¹⁵ Article 3(a) of the Trafficking Protocol provides that:

¹⁴The terms Human Trafficking, Trafficking –In- Persons and Trafficking of Human Beings are used interchangeably in this article.

[t]rafficking in person shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;¹⁶

The definition contains three constituent elements. These are:

1. Action (what is done), consisting of: recruitment, transportation, transfer, harbouring or receipt of persons;¹⁷
2. The Means (how it is done), consisting of : threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the

¹⁵Trafficking Protocol for excellent commentary on the Trafficking Protocol, see Anne Gallagher, 'Human Rights and the New UN Protocols on Trafficking and Migrant Smuggling: A Preliminary Analysis', 23 *Human Rights Quarterly*, (2001), p.975-1004. See also Janice G. Raymond, 'The New UN Trafficking Protocol', 25 *Women's Studies International Forum*, (2002), p. 491 – 502.

¹⁶ Art.3 (a) of Trafficking Protocol.

¹⁷ Ibid.

consent of a person having control over another person, for the purpose of exploitation;¹⁸ and

3. Purpose (why it is done), which is: Exploitation which includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;¹⁹

All these three elements must be present to establish the commission of the crime of trafficking in persons.²⁰ However, the requirement of means is waived when it comes to child trafficking.²¹ The adoption of such a broad and comprehensive definition is hailed as an important development because it provides a general guidance to different actors, such as scholars, governments, NGOs and Inter-Governmental Organizations to examine and respond to trafficking.²² In other words, it creates a global language and legislation to define human trafficking.²³ Thus, the Trafficking Protocol can be considered to be a global standard setting instrument which serves as a minimum bench mark for national

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Gallagher, *supra* note 15, p.987.

²¹ Art.3(c) of Trafficking Protocol states that '[t]he recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article.'

²² Obokata, *supra* note 12, p.3; Susan Kneebone, 'The Refugee-Trafficking Nexus: Making Good (The) Connections', 29 *Refugee Survey Quarterly*, (2010), p.152.

²³ Raymond, *supra* note 15, p.491.

governments to define the crime of trafficking in their domestic laws and policies.

2.2 HUMAN TRAFFICKING AND HUMAN RIGHTS

There is a growing consensus to consider human trafficking as a human rights issue as articulated by several authors and reports.²⁴ It has been widely acknowledged that violations of human rights are both a cause and a consequence of human trafficking.²⁵ As Special Rapporteur on Trafficking in Persons notes that ‘in a significant number of situations, the root causes of migration and trafficking can be attributed to the failure of States to guarantee the fundamental human rights of all individuals within their jurisdiction.’²⁶ The root causes of trafficking, i.e., poverty, discrimination, violence and

²⁴ Obokata, supra note 12, p.3; GTZ, Programme Promoting Gender Equality and Women’s Rights, Trafficking in Persons as a Human Rights Issue, 2008(hereafter GTZ 2008),available at <http://www.gtz.de/gender> [last accessed on June 5, 2011]; Marie Segrave, ‘Human Trafficking and Human Rights’, 14 *Australian Journal of Human Rights*, (2009), p.71-94; Patience Elabor-Idemudia, ‘Migration, Trafficking and the African Woman, Agenda, No. 58, African Feminisms Three (2003), p. 101-116; Elaine Pearson, ‘Human Traffic, Human Rights: Redefining Victim Protection’, (Anti-Slavery International, 2002); Jennifer S. Nam, ‘The Case of the Missing Case: Examining the Civil Right of Action for Human Trafficking Victims’, 107 *Columbia Law Review*, (2007), p. 1655-1703; Anne Gallagher , ‘Trafficking, Smuggling and Human rights: Tricks and Treaties’, 12 *Forced Migration Review*; ‘Promotion and Protection of All Human Rights, Civil, Political, Economic, Social And Cultural Rights, Including The Right To Development, Report submitted by the Special Rapporteur on Trafficking In Persons, Especially Women and Children, Joy Ngozi Ezeilo, A/HRC/14/32 (4 May 2010); Anne T. Gallagher, ‘Human Rights and Human Trafficking: Quagmire or Firm Ground? A Response to James Hathaway’, 49 *Virginia Journal of International Law*,(2009), p.847-848; the United Nations High Commissioner for Human Rights Principles and Guidelines on Human Rights and Trafficking, E/2002/68/Add.1 (2002) (hereafter OHCHR Principles and Guidelines).

²⁵ OHCHR Principles and Guidelines, *ibid*, Guideline 1.

²⁶Promotion and Protection of All Human Rights, Civil, Political, Economic, Social And Cultural Rights, Including The Right To Development, Report submitted by the Special Rapporteur on Trafficking In Persons, Especially Women and Children, Joy Ngozi Ezeilo, A/HRC/14/32 (4 May 2010), para.21.

general insecurity emanate from deprivation of human rights.²⁷ Furthermore, the phenomenon of trafficking itself entails a serious violation of human rights and human dignity.²⁸ The most common rights at stake are: the right to personal autonomy, the right not to be held in slavery or servitude, the right to liberty and security of person, the right to be free from cruel or inhumane treatment, the right to safe and healthy working conditions and the freedom of movement and the right to life.²⁹

Since human trafficking is a human rights issue, a human rights based anti-trafficking framework offers a helping hand to supplement and/or complement ongoing anti-trafficking initiatives.³⁰ Obokata in his book, 'Trafficking of Human Beings from a Human Rights Perspective' has identified two dimensions of the human rights based approach to combat human trafficking.³¹ The first dimension is that the approach serves as a framework of analysis which explores and identifies relevant human rights norms and principles in relation to human trafficking. Secondly, the approach also serves as a framework of action which articulates legal obligations imposed up on states, such as obligations to prohibit trafficking, prosecute traffickers, protect victims, and address the causes and consequences of trafficking.

²⁷ GTZ 2008, supra note 24.

²⁸ Obokata, supra note 12; Nam, supra note 24.

²⁹ GTZ 2008, supra note 24; Viviana Waisman, 'Human Trafficking: State Obligations to Protect Victims' Rights, The Current Framework and A New Due Diligence Standard', 33 *Hastings International and Comparative Law Review*, (2010), p.385-386; Conny Rijken and Dagmar Koster, 'A Human Rights Based Approach to Trafficking in Human Beings in Theory and Practice', p.8.

³⁰ Pearson, supra note 24, Segrave, supra note 24; Obokata supra note 12; the Joy Ngozi Ezeilo's report, supra note 24; Rijken and Koster, supra note 29, p.8.

³¹ Obokata, supra note 12, p.35.

In terms of normative framework, there are a plethora of international and regional human rights instruments which are relevant to combat human trafficking. For instance, Article 6 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) urges states to suppress all forms of trafficking in women and exploitation of prostitution of women.³² Article 35 of the Convention on the Rights of the Child (CRC) calls for the prevention of the abduction of, sale of or traffic in children for any purpose or in any form.³³ The provision of CRC is further strengthened through the adoption of the Optional Protocol to the Convention on the Rights of the Child on the Sales of Children, and Child Pornography (OP CRC on Sale of Child).³⁴ At regional level, the African Charter on Human and Peoples' Rights (ACHPR) states that all forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited,³⁵ and the African Charter on the Rights and Welfare of Child (ACRWC) calls on states parties take appropriate measures to prevent the abduction, the sale of, or trafficking of children for any purpose or in any form, by any person including parents or legal guardians of the child.³⁶ Moreover, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa urges States Parties to take appropriate and effective measures to prevent and condemn trafficking in women, prosecute the perpetrators of such trafficking and protect those

³² The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979.

³³ The Convention on the Rights of the Child (CRC), adopted in 1989.

³⁴ The Optional Protocol to the Convention on the Rights of the Child on the Sales of Children, and Child Pornography (OP CRC on Sale of Child), adopted in 2000, arts.1-3.

³⁵ Art.5 of The African Charter on Human and Peoples' Rights (ACHPR), adopted in 1981.

³⁶ The African Charter on the Rights and Welfare of Child (ACRWC) adopted in 1990, art.29.

women most at risk.³⁷ Apart from these, there are some instruments which touch up on some aspects of human trafficking. For instance, the International Covenant on Civil and Political Rights (ICCPR) prohibits slavery, servitude, and forced labor.³⁸ Similar provision is also enshrined in the International Convention on Rights of All Migrants Workers and Members of Their Families (MWC).³⁹ Further, the International Covenant on Economic, Social and Cultural Rights (ICESCR) calls for the adoption of special measures to protect children from economic and social exploitation.⁴⁰

The Trafficking Protocol also deals with protection of human rights of victims of trafficking.⁴¹ Accordingly, its preamble provides the need to protect the ‘internationally recognized human rights’ of those trafficked.⁴² Article 2 also states that the protection of human rights of victims is one purpose of the Protocol.⁴³ Importantly, Articles 6-8 provides protection of human rights of victims of trafficking. These include, in particular, temporary resident status and temporary shelter, medical and psychological services, access to justice as well as compensation or restitution.⁴⁴

³⁷The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, art.4 (2) (g).

³⁸ The International Covenant on Civil and Political Rights (ICCPR), adopted in 1966, art.8.

³⁹ The International Convention on Rights of All Migrant Workers and Members of their Families (MWC), adopted in 1990, art.11.

⁴⁰The International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted in 1966, art.10 (3).

⁴²Preamble of Trafficking Protocol, para.1.

⁴³ Trafficking Protocol, Art.2 (b).

⁴⁴Trafficking Protocol, Arts.6-8.

Finally, the question may arise as to what is the value added of considering human trafficking as human rights issue. There are two main advantages accrued in putting human trafficking in human rights perspective.⁴⁵ First of all considering human trafficking as human rights issue facilitates the understanding of the problem of trafficking.⁴⁶ Consequently, the human rights regime considers those trafficked as victims of human rights abuses and calls for adopting victim-centered approach anti-trafficking response.⁴⁷ Secondly, human rights framework unlike criminal justice approach⁴⁸ adopts a holistic response to trafficking. Hence, it attempts to address not only the process and consequences of trafficking but also the root causes of trafficking.⁴⁹

3. A HUMAN RIGHTS-BASED APPROACH ANTI-TRAFFICKING RESPONSE

The Human Rights Based Approach Anti-trafficking response is a conceptual framework that is normatively derived from international human rights standards and that is operationally aimed at promoting and protecting human

⁴⁵ Tom Obokata, 'Trafficking and Smuggling of Human Beings in Europe: Protection of Individual Rights or States' Interests?' *Web Journal of Current Legal Issues*, available at 'www.webjcli.ac.uk' [Last accessed on June 7, 2011].

⁴⁶ See Jordan, *supra* note 12, p.30.

⁴⁷ Obokata, *supra* note 12, p.35; OHCHR Principles and Guidelines, Guideline 1.

⁴⁸ Criminal justice approach viewing trafficking as crime and immigration issues focuses on the process and consequence of trafficking. Hence it does not bother to address the underlying root causes of trafficking crime. For detailed discussion on the pros and cons of criminal justice approach vis-à-vis a human rights approach see Bahar Jibriel, *supra* note 12, chapter three.

⁴⁹ Obokata, *supra* note 12, p.35.

rights.⁵⁰ In the context of anti-trafficking measures, the approach requires analysis of the ways in which human rights violations arise throughout the trafficking cycle, as well as of States' obligations under international human rights law. It seeks to both identify and redress the discriminatory practices and unjust distributions of power that underlie trafficking, that maintain impunity for traffickers, and that deny justice to victims of trafficking. Under a human rights-based approach, every aspect of the national, regional and international response to trafficking is anchored in the rights and obligations established by international human rights law.⁵¹

A Human Rights Based Approach recognizes that trafficking is first and foremost a human rights issue. It holds that trafficking in human beings constitutes both a cause and a consequence of human rights violations. According to the former UN High Commissioner for Human Rights, Mary Robinson,

[T]rafficking is a cause of human rights violation because it violates fundamental human rights, such as the right to life, the right to dignity and security, the right to just and favorable conditions of work, the right to health, the right to equality and the right to be recognized as a person before the law.

⁵⁰ Commentary on Recommended Principles and Guidelines on Human Rights and Human Trafficking, United Nations Office of High Commissioner for Human Rights, (2010) (hereinafter Commentary on Trafficking Principles and Guidelines), p.49-50. For further discussion on human rights based approach anti-trafficking programming, see Marjan Wijers, An Exploration of the Meaning of A Human Rights Based Approach to Trafficking , GAATW Alliance News, Issue 22, (2004), p.7-14.

⁵¹ Ibid.

*It is a consequence because it is rooted in poverty, inequality and discrimination.*⁵²

Accordingly, Human Rights Based Approach takes the protection of the human rights of victims of trafficking as the main guiding principle for adopting measures, policy, and legislation in the fight against human trafficking.⁵³ It views trafficked persons as victims of crime and human rights abuses who deserve protection and assistance.⁵⁴ Smith and Mattar argue that the foundation of the Human Rights Based Approach shifts the notion of criminalization from the trafficked persons to the traffickers through the decriminalization and protection of the trafficked persons in conjunction with the criminalization and prosecution of the traffickers.⁵⁵ In this approach, the position of the victims, the violations of their human rights and their vulnerable position are the starting points for taking counteracting measures against human trafficking.⁵⁶ In other words, it shifts the attention from a

⁵² Wijers, supra note 50, p.8.

⁵³ Rijken and Koster, supra note 29, p.9.

⁵⁴ Elizabeth Yuko, 'Theories, Practices and Promises: Human Trafficking Laws and Policies in Destination States of the Council of Europe', LLM dissertation submitted to Dublin City University, School of Law and Government, (September 2009), p.29; Jordan, supra note 12, p.30.

⁵⁵ Smith, Linda and Mohamed Mattar, 'Creating International Consensus on Combating Trafficking in Persons: US Policy, the Role of the UN, and Global Responses and Challenges', 28 *The Fletcher Forum of World Affairs*, (2004), p.1621-162, as quoted in Yuko, *ibid.*

⁵⁶ Rijken and Koster supra note 29; Haynes, supra note 12, p.247.

State's right to control trafficked persons to their obligation to protect them.⁵⁷ Accordingly, it requires that anti-trafficking responses have to be centralized on the needs and safety of victims of trafficking.⁵⁸

Human Rights Based Approach also promotes prosecution of traffickers. But it does not condition victim protection on the willingness or ability of the victim to assist with the prosecution.⁵⁹ Rather, it facilitates the prosecution of traffickers by securing confidence of victims to testify against their abusers. As Haynes observes, Human Rights Based Approach allows victims of trafficking to become better potential witnesses by securing their safety and physical presence and promoting their psychological capacity to testify.⁶⁰ It takes into account the agency of trafficked person in effecting prosecutorial efforts. Similarly, Pearson notes this approach will lead to more effective investigation and successful prosecution of traffickers. Thus, women who understand their rights and are protected from retaliation and prosecutions will cooperate in investigations.⁶¹ This means as some authors argue that

⁵⁷Yuko, supra note 54, p.30. Regarding states obligation in protection of trafficked persons see generally, Anne T. Gallagher, *The International Law of Human Trafficking* (Cambridge, Cambridge University Press, 2010), chapters 5 and 6; see also Obokata, supra note 12, chapter 5. For analysis of states obligation to uphold due diligence standards in protection of trafficked persons, see generally, Viviana Waisman, 'Human Trafficking: State Obligations to Protect Victims' Rights, the Current Framework and a New Due Diligence Standard',³³ *Hastings International and Comparative Law Review*, (2010),p.385-430.

⁵⁸Obokata, supra note 12, p.35. Since it puts victims at the center stage of anti-trafficking, it is also known as victim centered approach see Haynes, supra note 12.

⁵⁹ Haynes, supra note 12, p.247.

⁶⁰ Ibid, p.252.

⁶¹Pearson, supra note 24, p.66.

prosecution is part of the package of the Human Rights Based Approach to fight human trafficking.⁶²

The approach also goes beyond the immediate consequences and processes of trafficking phenomena and seeks to dismantle the structural factors causing and sustaining women trafficking.⁶³ It has been widely established that women trafficking is fueled by structural contexts exposing women and girls to the net of traffickers.⁶⁴ As Ray observes trafficking is ‘a symptom’ of socio-economic disease such as: feminized poverty, discrimination, lack of education, unemployment, lack of access to resource.⁶⁵ Unless these underlying root causes are uprooted, there is no way of breaking the vicious cycle of trafficking crime. Hence, Adopting Human Rights Based Approach would contribute to eradicate trafficking by addressing underlying ills fostering contemporary slavery.

⁶² Rijken and Koster, supra note 29. But note that in Human Rights Based Approach prosecution entails twin purposes of ending impunity and securing justice for victims. As such it seeks to establish effective criminal justice administration which include, inter alia, ensuring victims protections and remedies as well granting fair trial for suspects of trafficking crime. On prosecution of trafficking in context of Human Rights Based Approach see generally, Anne T. Gallagher and Nicole Karlebach, ‘Prosecution of Trafficking in Persons Cases: Integrating a Human Rights-Based Approach in the Administration of Criminal Justice’, Background Paper, July, 2011, Geneva, Available at: http://works.bepress.com/anne_gallagher/18 (Last visited on August 12, 2011). See also Gallagher, supra note 57.

⁶³ Obokata, supra note 12, p.35.

⁶⁴ On this point see inter alia, Joy Ezeilo, Report on the Prevention of Trafficking in Persons, supra note 26; Commentary to Trafficking Principles and Guidelines, supra note 50; Jordan, supra note 12.

⁶⁵ Nilanjana Ray, ‘Looking at Trafficking through a New Lens’, 12 *Cardozo Journal of Law and Gender* (2006), p.909.

Further, the Human Rights Based Approach adopts a holistic anti-trafficking framework encompassing prosecution, protection, and prevention. It suggests that all three Ps⁶⁶ must be implemented simultaneously to counteract women trafficking in a ‘humanized fashion’.⁶⁷ It does not advocate preferences or prioritization among the three Ps; rather it views all of them as integral part of anti-trafficking package.

Finally, unlike the Criminal Justice Approach, it takes on board the agency of trafficked persons (victims) in designing and executing anti-trafficking strategies. It frames trafficked persons as active participants and beneficiaries of anti-trafficking initiatives. Accordingly, protection of human rights of trafficked persons including, the right to participation in designing, steering and evaluating anti-trafficking initiatives, permeates through all three Ps in Human Rights Based Approach framework.⁶⁸ Hence, it takes a full picture of the problem of women trafficking including the worse implications of designing exclusionist intervention strategies.⁶⁹ In other words, it attempts to ‘humanize’ anti-trafficking responses by shifting the perception from viewing trafficked persons as only instrumentalities of facilitating prosecution of

⁶⁶ Three Ps stands for shorthand prosecution, protection and prevention strategies. These so called three Ps frequently appear in anti-trafficking literatures and reports.

⁶⁷ See Conny Rijken and Renée Römkens, ‘Trafficking for Sexual Purposes as a Globalized Shadow Economy: Human Security as the Tool to Facilitate a Human Rights Based Approach’, in Rianne Letschert and Jan Van Dijk (eds.), *The New Faces of Victimhood Globalization, Transnational Crimes and Victim Rights*, (2011) p.73-98.

⁶⁸See Wijers, *supra* note 50; Joy Ezeilo, Report on the Prevention of Trafficking in Persons on the importance of Human Rights Based Approach in imposing the obligation to participate trafficked persons in designing, implementing and evaluating anti-trafficking initiatives, paras.49-53.

⁶⁹ Wijers, *supra* note 50.

traffickers to looking them as bearers of rights claimable against the state. Hence, it seeks to make the trafficked persons more visible as subjects of entitlements than objects of law enforcement.⁷⁰

In sum, the Human Rights Based Approach integrates all three Ps without requiring either trade off or prioritization among them with the protection of human rights as common thread. It simultaneously requires the closing of circle of justice to fight the impunity of traffickers and broadening of circumference of freedoms and rights of trafficked persons. Putting the rights of trafficked persons at the center of anti-trafficking initiatives, it has prospect of reducing and ultimately eradicating women trafficking. Due its inclusive nature, it takes the agency of trafficked persons to develop and implement anti-trafficking initiatives. Further, it seeks to go to dry the roots of women trafficking by calling for dismantling underlying structural factors causing and sustaining contemporary slavery. Hence, there is a better future in Human Rights Based Approach to counteract women trafficking. Although a golden opportunity to adopt a human rights based instrument at international level has been lost in Vienna process, the same opportunity does exist at national level especially for those countries that did not legislate a comprehensive anti-trafficking law such as Ethiopia.⁷¹ At this historic junction, it is thus far imperative to contemplate about adopting Human Rights Based Approach anti-trafficking initiatives in domestic arena. In what follows the author interrogates whether such approach is adopted in Ethiopia or not.

⁷⁰ Ibid.

⁷¹ Jordan, *supra* note 12.

4. ANALYSIS OF ANTI TRAFFICKING INITIATIVES IN ETHIOPIA

4.1. A BRIEF OVERVIEW OF WOMEN TRAFFICKING IN ETHIOPIA

While the exact data is hard to come by, trafficking in persons is highly prevalent in Ethiopia. According to the recent IRIN report, some 20,000 to 25,000 Ethiopians are trafficked to various countries annually.⁷² While men are also subjected to trafficking in Ethiopia, women constitute the majority of those victimized by traffickers.⁷³ Further, the ILO study indicates that women and girls aged between 19-30 years comprise the significant share of victims of trafficking in persons in Ethiopia.⁷⁴ Poor, less educated, residents of major regional towns are identified as the obvious victims of trafficking.⁷⁵ Majority of female migrants are mainly trafficked outside of the country for household labour purposes.⁷⁶ However, some female migrants may also be trafficked for commercial sex work, particularly in Djibouti, Yemen, Sudan and South Sudan.⁷⁷

Poverty, lack of employment opportunities, lack of prospect at home country, failure in educational endeavors, gender based discrimination, and the search for better opportunities and income to support themselves and their families are critical push factors behind high prevalence of women trafficking in

⁷² IRIN News on 16 March 2010, available at, <http://www.irinnews.org/report.aspx?reportid=88438>(last accessed on September 15, 2011).

⁷³Trafficking in Persons Overseas for Labour Purposes: The Case of Ethiopian Domestic Workers, ILO CO Addis Ababa (2011) (hereinafter ILO Study), p.ix.

⁷⁴ Ibid, p.26.

⁷⁵Yoseph, supra note 6, p.38-40.

⁷⁶ ILO Study, supra note 73.

⁷⁷ Ibid; US TIP Report 2013, p.165.

Ethiopia.⁷⁸ On the other hand, there are pull factors which attract women and girls into trafficking business. These include: rapid changes in the local and regional economies, restrictive immigration laws, weak protection regimes for migrant workers, an aging population in the receiving countries, the role of traffickers in artificially expanding demand for cheap labour, increased demand for unskilled labor in Middle East countries,⁷⁹ and the expansion of service sector requiring women involvement.⁸⁰

Trafficking in women has been mostly conducted by brokers (known as ‘*delala*’ in local vernacular), unlicensed employment agents, travel agents, import and export owners, relatives and family members of migrant workers.⁸¹ Further, a number of reports identify that Private Employment Agencies (PEAs) are also actors in the trafficking of migrants contrary to the law regulating their operation.⁸²

Popular destination countries for most of trafficked women outside Ethiopia are mainly Middle East countries including Lebanon, UAE, Saudi Arabia, Kuwait, and Bahrain, while Yemen, Djibouti, Egypt, Somalia and Sudan serve mainly as a transit country.⁸³ The Middle East is a popular destination due to its proximity and high demand for domestic workers.⁸⁴ Besides Middle

⁷⁸ Ibid; Yoseph, supra note 6, p.37.

⁷⁹For instance the Saudi government announces to recruit 30,000 labor workers from Ethiopia, Saudi gazette, on June 15, 2011 <http://www.thebigprojectme.com/2011/06/15/ksa-to-employ-30000-ethiopian-labourers/> (Last accessed on September 3, 2011).

⁸⁰ Yoseph, supra note 4, p.38; ILO Study, supra note 73, p.24.

⁸¹ Yoseph, supra note 4, p.41.

⁸² Ibid; ILO Study, supra note 73, p.33.

⁸³ US Trafficking in Persons Report 2011(hereinafter US TIP Report, 2011), p.158; Yoseph, supra note 6, p.46; US TIP Report 2013, p. 165.

⁸⁴Yoseph, supra note 6, p.46.

Eastern countries, other destinations for Ethiopian women and girls include Sudan, South Africa, Djibouti, and Egypt.⁸⁵

Ethiopian women in the transit⁸⁶ and destination countries face severe human rights abuses which include, inter alia, physical and sexual assault, denial of salary, sleep deprivation, withholding of passports,⁸⁷ confinement, incarceration, and murder.⁸⁸ Further, some commit suicide due to despair and mental illness.⁸⁹ For instance, from 1999-2005 the Quarantine Office of the Addis Ababa International Airport reported 129 female bodies returned from Jeddah, Dubai, and Beirut.⁹⁰ In all cases the cause of death was determined to be suicide.⁹¹ Having said this, the following section examines the anti-trafficking measures adopted in Ethiopia to address the problem of trafficking in women.

4.2.ANTI TRAFFICKING MEASURES IN ETHIOPIA

The high prevalence of trafficking in women and ensuing socio-economic problems necessitate strong and concerted anti-trafficking initiatives to eradicate the problem. As explained in the foregoing sections, trafficking in women constitutes a human rights issue and as such it requires a human rights oriented intervention measures. Hence, the purpose of this section is to examine anti-trafficking initiatives so far adopted in Ethiopia in light of the

⁸⁵ Ibid.

⁸⁶The recent US TIP Report notes that “[s]ome women become stranded and exploited in these transit countries, unable to reach their intended destinations.” US TIP 2013, p.166.

⁸⁷ US TIP Report 2013, p.165.

⁸⁸ Ibid, p.48.

⁸⁹ US Trafficking in Persons Report 2010 (hereinafter US TIP Report, 2010), p.144.

⁹⁰ Yoseph, supra note 6, p.53.

⁹¹ Ibid.

human rights based approach. To this end, the prosecution, protection and prevention measures put in place and the gaps therein will be discussed as follows.

4.2.1. Prosecution of Trafficking Cases

Prosecution of trafficking cases to combat trafficking in women requires enacting comprehensive legislative framework that proscribes trafficking as a punishable offence. It also requires establishing procedures and institutions adequately mandated, staffed and funded to undertake investigation and prosecution of trafficking cases. Effective investigation and prosecution of traffickers also lie at the heart of the prosecution of trafficking. This section seeks to examine the prosecution of trafficking cases in Ethiopia. In so doing an attempt is made to review laws, institutions and practices of prosecution of trafficking cases in Ethiopia in light of the human rights based approach.

While trafficking in persons is widespread and causing socio-economic problems, ironically Ethiopia has not adopted a comprehensive anti-trafficking law. But this does not lead one to conclude that trafficking in persons is not addressed under Ethiopian legal frameworks. While scattered and lack common policy guideline, there are laws in Ethiopia of particular relevance to combat trafficking in persons. Further, Ethiopia has ratified most of the international and African regional legal instruments relevant to combat human trafficking and related offences.⁹² According to the Federal Democratic Republic of Ethiopia (FDRE) Constitution, international treaties ratified by

⁹² Of late Ethiopia has ratified the Trafficking Protocol in 2012.

Ethiopia are recognized as integral part of law of the land.⁹³ Article 13 (2) of the Constitution also states that human rights chapter of the Constitution shall be interpreted in light of international human rights instruments. Thus, Ethiopia is bound by the obligations emanating from ratified international and regional legal instruments in combating women trafficking.

Moving onto domestic laws relevant to anti-trafficking, the FDRE Constitution under Article 18 (2) states that ‘trafficking in human beings for whatever purpose is prohibited.’ The Constitution prohibits trafficking in persons encompassing trafficking in children, women and men. It also prohibits trafficking in persons for whatever purposes. This can be interpreted to mean that it prohibits all exploitation purposes enumerated under the Trafficking Protocol. Further, the Constitution made the prohibition against trafficking non-derogable right which implies that the right cannot be suspended even during the state of emergency.⁹⁴

Apart from the Constitution, there are some subsidiary laws that prohibit trafficking in persons. The Criminal Code of the Federal Democratic Republic of Ethiopia of 2004,⁹⁵ for example, proscribes trafficking in persons as punishable act. Accordingly, trafficking in women and children for purpose of exploitation of prostitution is criminalized under Article 635. Similarly,

⁹³FDRE Constitution, Art.9 (4). But it is beyond the scope of this article to resurface the debate regarding the status of international treaties visa-a- vis the constitution and subsidiary of laws, for further discussion on this point see Takele Soboka Bulto, ‘The Monist-Dualist Divide and the Supremacy Clause: Revisiting the Status of Human Rights Treaties in Ethiopia’, 23 *Journal of Ethiopian Law*, (2009).

⁹⁴Adem Kassie, ‘Human Rights under the Ethiopian Constitution: A Descriptive Overview’, 15 *Mizan Law Review*, (Spring 2011), p.62.

⁹⁵ Hereinafter, Criminal Code.

trafficking in women and children for labor exploitation is also criminalized under Article 597 of Criminal Code.

Furthermore, unlawfully sending Ethiopians abroad for work is penalized pursuant to Article 598 of Criminal Code. The provision states that ‘whoever, without having obtained a license or by any other unlawful means, sends an Ethiopian woman for work abroad, is punishable with rigorous imprisonment from five years to ten years, and fine not exceeding twenty-five thousand Birr’. Similarly, the Employment Exchange Services Proclamation criminalizes sending Ethiopians abroad without license.⁹⁶

But none of the aforementioned laws comprehensively defined what constitutes trafficking in persons. The lack of comprehensive legal definition of trafficking in persons has seriously impeded the effective investigation and prosecution of human trafficking cases.⁹⁷ It has been noted that cases of trafficking have been prosecuted under different types of crimes.⁹⁸ In some instances astonishingly enough traffickers have been charged with petty offences.⁹⁹

In terms of the scope, the Criminal Code is limited to trafficking in women and children unlike the Trafficking Protocol. Another caveat is that the Criminal Code criminalizes trafficking for prostitution and labor exploitation

⁹⁶ Employment Exchange Services Proclamation No.632/2009 (hereinafter Employment Exchange Proclamation), Art.40.

⁹⁷ ILO Study, supra note 73, p.71; US TIP Report 2013, p.166.

⁹⁸ While article 598 on unlawful sending of Ethiopians for work abroad is commonly used to prosecute cases of trafficking in persons, some cases of trafficking of persons are charged using article 692 of the Criminal Code dealing with fraudulent misrepresentation, ILO, Study, supra note 73, p.72.

⁹⁹ Yoseph, supra note 6, p.77.

alone. Thus, trafficking for exploitative purposes other than prostitution and labor exploitation including other forms of sexual exploitation,¹⁰⁰ slavery or practices similar to slavery, servitude, and the removal of organs is not criminalized under Criminal Code. If we draw a comparison against the scope of trafficking in persons under the Trafficking Protocol, the Ethiopian criminal law falls short of international standards.

4.2.1.1. Investigation and Prosecution of Trafficking Cases

Although there is no specialized institution established to deal with trafficking in all its aspects, there are investigation and prosecution (adjudication) units in Federal Judiciary and Federal Police Commission which specifically handle trafficking cases. The Federal High Court's 11th Criminal Bench entertains all cases of external trafficking as well as internal trafficking cases reported and investigated in Addis Ababa. Further, the Federal Police established in 2009 a Human Trafficking and Narcotics Section under its Organized Crime Investigation Unit.¹⁰¹ The organized crime investigation team which works mainly on trafficking in persons has 30 staff members.¹⁰² Since the establishment of the team, there has been a relative improvement in investigation and prosecution of trafficking crimes as most of the cases are successfully decided. In a related development, the Ethiopian Federal Police started to form cooperation with the Federal Prosecutor's Office to bring an

¹⁰⁰Note trafficking in women and children for exploitation of prostitution is penalized under Art.635; but trafficking for other forms of sexual exploitation is not covered under this provision.

¹⁰¹ US TIP Report 2010, p.145.

¹⁰² Interview with Wondimu Chama, Senior Coordinator at Organized Crime Investigation Division of Federal Police Crime Investigation Sector (September 3, 2011).

increased number of cases to trial and conclusion.¹⁰³ Thus, in 2012 alone, the Ethiopian Federal Police's Human Trafficking and Narcotics Section investigated 166 trafficking offenders at year's end. Eight individuals remained under investigation while the remaining 158 individuals were prosecuted in the court, of which 58 prosecutions remain ongoing. In similar vein, the Federal High Court's 11th Criminal Bench secured 100 convictions (compared to 77 in 2011) and ordered punishments ranging from two to 16 years' imprisonment without parole in the same year.¹⁰⁴

Capacity building trainings have been given to law enforcement agencies though in a piecemeal and limited manner. The Ministry of Justice (MoJ) in collaboration with IOM has provided training for police, prosecutors, judges and immigration officials on the law, investigation techniques and services available to victims of human trafficking.¹⁰⁵ The Federal Justice Professionals Training Centre has also incorporated a module on trafficking in human beings into its routine training programs since 2009.¹⁰⁶ However, training needs are huge and the training provided is offered in a piecemeal basis, and is only provided depending on available resources and experts.

Further, there is a low rate of prosecuting trafficking offenders compared to the scale of the problem. There are some factors that have contributed to low rate of prosecuting trafficking offenders. These include: the low rate of reporting of trafficking offence, lack of evidence to hold offenders

¹⁰³ US TIP Report 2013, p.166.

¹⁰⁴ US TIP Report 2013, p.166.

¹⁰⁵ ILO Study, supra note 75, p.73.

¹⁰⁶ US TIP Report 2010, p.145.

responsible, work load on law enforcement agencies and judiciary, low level of victim cooperation, lack of coordination with regional law enforcement agencies, and less attention given to internal trafficking in persons.¹⁰⁷

4.2.1.2. Proportionality of Sanctions

The Criminal Code prescribes five years imprisonment for trafficking in women and children for prostitution,¹⁰⁸ and twenty years imprisonment for forced labor.¹⁰⁹ While the punishments set by law are more or less sufficiently stringent, in practice, often, the lesser penalties are handed down. For instance, among the 13 cases of trafficking in persons reported and prosecuted in 2010, the maximum sentence passed was three years and four months of rigorous imprisonment.¹¹⁰ Moreover, in some cases punishments are passed in the form of a fine instead of imprisonment. There are also various instances where sentences passed are suspended. This is due in part of relatively strong financial capacity of the majority of suspects who are able to evade criminal liability. In several instances the suspects meticulously tamper with the evidence. Thus, the sentences rendered in practice are very low that does not outweigh the benefit accrued and cannot deter others from engaging in similar crimes in the future.¹¹¹

¹⁰⁷Interview with Wondimu Chama, supra note 102, and Nabit Girma, Deputy Head of MoJ Arada Justice Office, (September 29, 2011).

¹⁰⁸ Criminal Code, Art.635.

¹⁰⁹ Criminal Code, Art.597.

¹¹⁰ ILO study, supra note 73.

¹¹¹ Ibid and interview with Wondimu Chama, supra note 102.

4.2.2. Protection of Trafficked Persons

Victims of trafficking presumably need proper protection support to recover from their experience of trafficking. As most victims of trafficking (VoT) suffer from multiple violation and abuse of rights, the protection efforts must seek to respond to heal their wounds. Further, the proper protection services contribute to the prevention of trafficking by avoiding likelihood of re-trafficking. Having said this, the ensuing paragraphs discuss protection measures available in Ethiopia to help trafficked persons.

Protection of VoT requires accurate and rapid identification of victims. Such identification, in turn, primarily requires active engagement of law enforcement and coordination with victim support agencies. In Ethiopia, in this regard, there are rare cases undertaken on the initiatives of police or prosecutorial office. The majority of cases are reported to law enforcement agencies either by the victims or their families and relatives.¹¹² Hence, there are low rates of proactive investigation of trafficking cases by law enforcement agencies. In a similar vein, there is low level of coordination between criminal justice agencies and victim support agencies in the process of identification of VoT. Consequently, the referral mechanism between criminal justice and victim support agencies (mainly NGOs) is of negligible significance.¹¹³

¹¹²Interview with Nabit Girma, supra note 107.

¹¹³Interview with Wondimu Chama, supra note 102 & Nabit Girma, supra note 107, as they put it most NGOs or victim support agencies are not interested in referring the victim to criminal justice agencies; US TIP Report 2013, p. 167.

In particular, victims of trafficking in destination countries are presumably in need of various protection and support services. Among other things, they require protection of safety and provision of psychological, medical and shelter services. In Ethiopia protection and support services to VoT in destination countries are primarily provided by the MoFA. According to the official in consular affairs directorate of the MoFA, the ministry provides temporary shelter for VoT in Kuwait and Lebanon via its embassies.¹¹⁴ It provides among other things, food, clothing, free telephone calls, and medical support for VoT in these countries. For example, the shelter run by the Ethiopian Consulate General in Beirut provided services to 300 women in 2010.¹¹⁵ But it has been noted that the shelters are run with limited resources.¹¹⁶ In addition, the consulate provides services such as mediation with domestic workers' employers, and visitation of workers held in the detention center.¹¹⁷ Accordingly, this Consulate General secured the release and repatriation of 117 victims in 2009, who were being held in Lebanon for immigration violations.¹¹⁸ Further, Ethiopian embassies in Kuwait and Yemen also provide limited services, though specific information regarding these efforts was not made available.¹¹⁹ But reports show that Ethiopian government provides a limited consular assistance to VoT which is partly attributable to the lack of deployment of labor attaché in Ethiopian embassies.¹²⁰ Hence,

¹¹⁴Interview with Zaleke Hirpa, officer at Consular Support and Monitoring Directorate of MoFA, (September 27, 2011).

¹¹⁵ US TIP Report 2011, p.159.

¹¹⁶ ILO study, supra note 73, p.69; interview with Zaleke Hirpa, supra note 114.

¹¹⁷ US TIP Report 2010, p.145.

¹¹⁸ Ibid.

¹¹⁹ US TIP Report 2011, p.159.

¹²⁰ US TIP Report 2013, p.167.

there exists an urgent need to enhance protection and support to VoT in abroad and at home to avoid the risks of re-trafficking of victims.

4.2.2.1. Legal Assistance to VoT in judicial Proceeding

The Ethiopian government provides limited legal assistance to VoT in destination countries unlike some labor sending countries.¹²¹ For instance, the Philippines has established a legal assistance fund under its Migrant Workers Act of 1995, to be used exclusively to provide legal services to migrant workers and overseas Filipinos in distress.¹²² This could partly be attributed to the lack of bilateral labor agreements in enforce with most of destination countries.¹²³ But the situation is relatively better at home as far as providing legal information to VoT is concerned. According to the interview with official in MoLSA, the staff of the ministry offers legal information to returned VoT regarding the relevant court, procedure and remedies available to vindicate their claims against wrong doers.¹²⁴ EWLA also provides legal aid to VoT through its volunteers.¹²⁵ According to a representative of EWLA, the organization provides free legal aid and representation to VoT in both criminal and civil court proceedings.¹²⁶

¹²¹ Philippine is case in point, ILO study, supra note 73, p.70.

¹²² Ibid.

¹²³ Ibid.

¹²⁴ Interview with Tsegabirhan Solomon, Employment Inspection, Follow up and Support Expert at MoLSA, (September 21, 2011).

¹²⁵ Interview with Genet Shume, program coordinator at EWLA, (Tuesday, October 11, 2011). She notes that owing to CSO law the overall work of the organization is seriously affected, regarding legal aid the incentives used to be paid to cover travel costs, etc of the volunteers are stopped.

¹²⁶ Ibid.

4.2.2.2. Repatriation and Reintegration of VoT

The MoFA facilitates the repatriation of VoT from destination countries including mainly Middle East countries. The ministry conducts the process of verifying victims' nationality or residence and issuing necessary travel documents. It has been noted that recently 2,000 Ethiopians had been repatriated from Tanzania, Yemen, Libya and other Gulf countries, with the support of the IOM, the UN Refugee Agency and other stakeholders.¹²⁷ The key challenge has been to determine the status of nationality particularly in cases of victims whose passports are either lost or confiscated by employer(s). Further, the verification of nationality is a bit challenging since several trafficked persons change their Christian names into Islamic names to facilitate their visa process.¹²⁸

Once the verification of nationality is made, then the MoFA undertakes the verification of whether the victim is sent by PEAs, and if so requires the latter to facilitate the return of victim.¹²⁹ If the victim is not sent by PEAs the ministry facilitates the return of VoT through raising funds from Ethiopian community in destination country.¹³⁰ However, there are complaints raised from PEAs and victims that the assistance provided by Ethiopian missions is minimal and staff members are not necessarily caring and understanding.¹³¹ In

¹²⁷ IRIN, supra note 72.

¹²⁸ B.Dessalegn 'FMO country guide: Ethiopia' (2004) 22 available at www.forcedmigration.org/guides/fmo033/fmo033.pdf (Last accessed on September 5, 2011).

¹²⁹ ILO study, supra note 73, p.69.

¹³⁰ Ibid.

¹³¹ Ibid.

general, the lack of financial and human resources have been reported as factors affecting assistance and support to VoT.¹³²

Returned women VoT relied heavily on the few NGOs and international organizations¹³³ working with adult victims and psychological services provided by one government's Mental Health Hospital. In 2004 a victims rehabilitation shelter named Addis Hiwot Centre has been established in Addis Ababa by the fund from USAID. The centre helps the victims to reintegrate in the society.¹³⁴ It provides VoT with, inter alia, counseling and skills training activities so that victims will not be re-trafficked. However, it can only give service to a maximum of 12 persons at a time. In 2009, the Addis Ababa City Administration provided land for use by 10 female victims repatriated from Djibouti as a site for a self-help project. In addition, the Ministries of Foreign Affairs and Women's and Children's Affairs provided assistance to 75 victims repatriated from Lebanon in 2009, and assisted 12 victims repatriated from Israel with starting a cleaning business.¹³⁵

Further, some NGOs such as AGAR provide vocational training to VoT to reintegrate them into society.¹³⁶ However, it has to be emphasized that

¹³² Ibid.

¹³³ The US TIP Report 2013, p. 167. The US TIP Report of 2011 notes that 'the government's over-reliance on donor-funded NGOs to provide direct assistance to most trafficking victims resulted in unpredictability in the availability of adequate care in the country. Many of these facilities lack sustainability as they depend on project-based funding for continued operation', p.159.

¹³⁴ The rehabilitation of victims of trafficking in group residential facilities in foreign countries: A Study Conducted Pursuant to the Trafficking Victim Protection Reauthorization Act, 2005 (2007), p.15.

¹³⁵ US TIP Report 2010, p.145.

¹³⁶ ILO study, supra note 73, p.70.

compared to the needs for services by victims of trafficking, and the challenges of returnees, the services available are very minimal, and are neither comprehensive nor immediate.¹³⁷ Here, it is fair to point out that the Charities and Societies Proclamation¹³⁸ which prohibits, inter alia, foreign-funded NGOs from engaging in human rights advocacy poses a negative impact on the ability of NGOs to adequately provide protective services by informing victims of their rights under Ethiopian law or advocating on their behalf.¹³⁹ For instance, as a result of this Proclamation, the joint police-NGO identification and referral units, known as Child Protection Units (CPUs) ceased formal operation in all Addis Ababa police stations as of 2010.¹⁴⁰ This includes the CPU at the central bus terminal that identified and obtained care for 1,134 trafficked children in 2009.

4.2.3. Prevention of Trafficking in Women

Although effective prosecution of trafficking cases and proper protection of trafficked persons contribute to prevention of women trafficking, addressing the root causes of the problem is essential to eradicate trafficking in women by drying up the push factors exposing women to trafficking. Besides addressing root causative factors, prevention measures entail conducting public awareness raising campaigns regarding the causes, process and consequence of the trafficking in women and undertaking research and data gathering about the scale of the problem and anti-trafficking intervention measures available.

¹³⁷ Ibid.

¹³⁸ The Charities and Societies Proclamation No.621/2009 (hereinafter CSO Proclamation).

¹³⁹ US TIP Report 2010, p.145.

¹⁴⁰ US TIP Report, 2011, p.159.

4.2.3.1. Addressing Root Causes of Trafficking in Women

Obviously, prevention of trafficking in women naturally requires addressing the underlying root causes. Poverty, lack of education opportunities, unemployment, and gender based discrimination are identified as major causative factors of trafficking in women. This section seeks to scrutinize prevention measures adopted in Ethiopia to address the root causes of trafficking in women. Accordingly, an attempt is made to discuss to what extent the existing legal frameworks, and practical measures taken to prevent trafficking in women in Ethiopia are in line with human rights based approach standards. However, it has to be submitted at the outset that prevention is at the lowest level of all three Ps implemented in Ethiopia. The lack of comprehensive national policy or national action plan on trafficking in persons¹⁴¹ and the absence of institution¹⁴² specifically mandated to deal with trafficking in persons can be cited as indication of inadequate attention given to prevention aspect of anti-trafficking measures. Even worse, the existing policy frameworks do not entertain prevention of trafficking in persons as policy objectives. However, there are some recent progresses and improvements in undertaking prevention of trafficking in persons in the country. One good example of progress is the signing of a Memorandum of Understanding between IOM and MoLSA in 2013 to implement a two-year

¹⁴¹ However, according to US TIP Report of 2013 the Ethiopian government has approved a National Action Plan to Eliminate the Worst Forms of Child Labor in December 2012, which includes provisions for preventing the trafficking of children, US TIP Report 2013, p. 167.

¹⁴² Although Inter-Ministerial Task Force on Trafficking has been established in 2004, so far it has yielded no significant achievement. For instance, a much awaited National Action Plan proposed in 2009 has not been adopted to date. See, ILO Study, *supra* note 73 and US TIP Report 2013, p.167.

project intended to enhance national capacities and cooperation for the prevention of Trafficking in Persons (TIP) and to ensure the protection of victims and prosecution of traffickers in Ethiopia.¹⁴³ According to IOM Website report the project will focus on the thematic areas of improving the capacity of the national Anti-Human Trafficking Committee to spearhead and coordinate nation-wide efforts against human trafficking; strengthening the national legislative and criminal justice capacities to effectively prosecute traffickers and adjudicate Trafficking In Person cases and improving identification, referral, protection and assistance services to victims of trafficking.¹⁴⁴ Having noted this, the following discussion seeks to expound the available legislative framework relevant in the prevention of trafficking in women and practical measures undertaken in the country in this regard.

4.2.3.1.1. Education Opportunities

While the right to education is not provided explicitly in the chapter of bill of rights of the Constitution, there are some provisions which the right can be read into.¹⁴⁵ For instance, Article 41(3) states that “[e]very Ethiopian national has the right to equal access to ‘publicly funded social services’. Education can be considered as one of the publicly funded social services. Article 41 (4) obliges the State to allocate resources to provide to the public health, education and other social services. Further, the Constitution urges the government to devise the policies that aim to provide all Ethiopians access to

¹⁴³ <http://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2013/pbn-listing/ethiopia-to-enhance-national-cap.html> (Last accessed on July 2013).

¹⁴⁴ Ibid.

¹⁴⁵ Sisay Alemahu, The Protection of Economic and Social Rights in the Constitution of Federal Democratic Republic of Ethiopia, 22 *Journal of Ethiopian Law* (2008).

public health and education, clean water, housing, food and social security.¹⁴⁶ In practical terms, it has been noted that the government has taken commendable measures to increase women's and girls' access to all levels of education, such as affirmative action, awareness raising, support to disadvantaged girls, and incentives for parents to send their daughters to school, in particular in rural and pastoralist areas.¹⁴⁷

To the contrary, there are some shortcomings exhibited regarding the participation of women in education. Specifically, low enrolment rates of girls in primary education in rural and pastoralist areas and in secondary and higher education, as well as in traditionally male dominated fields of technical and vocational education; the high drop-out and low retention and completion rates of girls, in particular at the primary level and the limited access of poor girls to education due to economic and socio-cultural barriers needs to be addressed to enhance participation of women in education sector.¹⁴⁸ Moreover, there is no special attention given to women and girls who are at risk of trafficking in providing education opportunities.

4.2.3.1.2. Employment Opportunities

Regarding the right to employment while the Constitution does not clearly establish the right to employment incumbent on the state, nevertheless; it recognizes the right to engage freely in economic activity and to choose ones

¹⁴⁶ FDRE Constitution, Art.90 (1).

¹⁴⁷ Concluding observations of the Committee on the Elimination of Discrimination against Women, CEDAW/C/ETH/CO/6-7(July 2011), para.30.

¹⁴⁸ Ibid.

means of livelihood. The relevant provision states that every Ethiopian national has the right to engage freely in economic activity, and the right to choose his or her means of livelihood, occupation and profession.¹⁴⁹ The state is also obliged to pursue policies that aim to expand job opportunities for the unemployed and the poor and shall accordingly undertake programmes and public works projects.¹⁵⁰ Further, the state is under the duty to undertake all measures necessary to increase opportunities for citizens to find gainful employment.¹⁵¹

In a bid to enhance access to employment opportunities, particularly MoLSA is undertaking a job fair manual that attempts to provide databases of job seekers and employers. The ministry is also conducting market study to identify employment opportunities. Further, it is drafting national employment policy which, if it manages to see the light of the day, would be the first of its kind in Africa.¹⁵²

According to the information gained from the MoWCYA, regarding the need to reduce unemployment of women, the ministry is working on economic empowerment of women, strengthening saving and credit services, creating market linkages, giving training on business (marketing) skills, promoting accessibility of women to socio-economic facilities, organizing exhibitions

¹⁴⁹FDRE Constitution, Art.41 (1) & (2). It has to be noted that the Constitution does not provide for entitlement to employment to be sought against the state, rather than guaranteeing the right to get employment, it provides for protection to those have got jobs, read art.42 of the Constitution.

¹⁵⁰ FDRE Constitution, Art.41 (6).

¹⁵¹ FDRE Constitution, Art.41 (7).

¹⁵² Interview with Tsegabirhan Solomon, supra note 124.

and trade fares particularly to promote the achievements of small scale and micro association (enterprises).¹⁵³ However, as discussed elsewhere in this article, the lack of employment opportunities continues to fuel the increase of trafficking in women.¹⁵⁴ It has been also noted that the disproportionately high unemployment rate is exhibited among women.¹⁵⁵ Moreover, there is no special attention given to those at risk of trafficking in extending employment opportunities.

4.2.3.1.3. Safe and Non-exploitative Migration

In order to promote the right to movement¹⁵⁶ for employment and protect the rights and dignity of Ethiopian prospective migrant workers the legal framework has been established. Back in 1998, the Private Employment Agency Proclamation No.104/1998 to regulate the conduct of sending Ethiopian workers abroad for employment was enacted. In 2009, the Employment Exchange Proclamation revising the Private Employment Agency Proclamation is passed to enhance the protection of the rights, safety and dignity of Ethiopian workers going abroad for employment, and to strengthen the mechanism for monitoring and regulating the employment exchange services.¹⁵⁷ Accordingly, the newly revised proclamation outlaws extraneous commission fees, requires agencies or their local affiliates to

¹⁵³ Interview with Abiy Epherem, Director of Public Relation Directorate of MoWCYA, (October 5, 2011).

¹⁵⁴ The ILO study notes that high rates of unemployment and low levels of earning is cited as the main economic reason behind trafficking in persons in the country, see ILO Study, *supra* note 73, p.21.

¹⁵⁵ CEDAW Committee, *supra* note 147, para.32.

¹⁵⁶ Art.32 (1) of the Constitution recognizes that any Ethiopian national has the right to leave the country at any time he wishes to.

¹⁵⁷ Preamble of Employment Exchange Proclamation.

maintain a shelter for abused workers in each destination country, and increases agencies' cash and bond deposits as collateral in the event the worker's contract is terminated. The MoLSA is mandated to implement the duties enshrined under the proclamation. Accordingly, it is entrusted with the mandate to oversee the recruitment and sending of workers abroad by PEAs. Plus, in addition to ensuring that the requirements set by Proclamation are fulfilled before license is issued, MoLSA has the authority to assign inspectors to oversee that the operations of PEAs are in line with the requirements laid down under the Proclamation. PEAs are also required to report to MoLSA regularly on the profile, number and employment of migrant workers. They also have the duty to notify MoLSA if a migrant worker that they have deployed abroad has sustained a bodily injury or died. Moreover, MoLSA together with IOM is establishing a database to track PEAs, as well as worker complaints.¹⁵⁸

However, the study reveals that there are some irregularities and loopholes in the operation of PEAs which is indicative of some PEAs involvement in trafficking in persons. These are: receipt of payments and benefits regardless of an existing code of ethics and legal prohibition; lack of transparency with regard to their commission from employers and destination country agencies; their claim to cover all expenses, including those that should be covered by migrant workers; inadequate protection mechanisms for migrant workers they send; and their partnership with destination-point agencies and individuals who are known for human trafficking or are working closely with

¹⁵⁸ US TIP Report, 2010, p.146.

traffickers.¹⁵⁹ This calls for strengthening the monitoring and follow up of operation of PEAs.

The pre-departure orientation is regularly conducted by MoLSA to prospective migrant workers. Although boring and non-participatory, predeparture orientation is given for prospective migrant workers regarding causes, process and consequences of trafficking in persons, as well as how to avoid the risk of human trafficking and labor exploitation.¹⁶⁰ It has been reported that between July and December 2009, MoLSA provided three-hour pre-departure orientation to 5,355 migrating workers using two full-time counselors.¹⁶¹

Article 36 of Employment Exchange Proclamation obligates MoLSA to assign, in consultation with the MoFA, labour attachés in Ethiopian embassies to ensure the protection of the rights, safety and dignity of workers deployed abroad. However, no labour attaché has been assigned in Ethiopian embassies to date. The state minister of MoLSA noted that the request for appointment of labor attaché has been turned down by MoFA arguing that the staff of the embassies can handle the task of labor attaché.¹⁶²

Further, labor agreements have been concluded with some countries such as Jordan, Qatar, Saudi Arabia, Kuwait and Sudan.¹⁶³ There are some bilateral labor agreements in the pipeline. For instance, MOLSA anticipates the

¹⁵⁹ ILO study, *supra* note 73, p.ix.

¹⁶⁰ Observation at MoLSA predeparture orientation hall, on September 21, 2011.

¹⁶¹ US TIP Report 2010, p.146.

¹⁶² Reporter, (Amharic), February 13, 2003 E.C.

¹⁶³ US TIP Report 2013, p.167; Interview with Zaleke Hirpa, *supra* note 153.

conclusion of bilateral labor migration agreement with UAE government in the near future.¹⁶⁴ However, it appears that that the government of Ethiopia is not going far enough in engaging destination countries governments in an effort to improve protections for Ethiopian workers and obtain protective services for victims.¹⁶⁵

4.2.3.1.4. Addressing Gender Based Discrimination

The FDRE Constitution recognizes equality of all persons before the law and their entitlement to equal protection of the law.¹⁶⁶ The Constitution also states unequivocally the right to equality of women with men in enjoying the rights and protection provided under the Constitution.¹⁶⁷ It further imposes the duty on the government to ensure equal opportunity of citizens to improve their economic conditions and to promote equitable distribution of wealth among them. On top of this, the Constitution provides for affirmative action,¹⁶⁸ as a means of enabling women to compete equally with men in their economic, political and social life. Affirmative action is guaranteed for women in order to offset the injustice of the old order. Hence, it is aimed at providing special attention to women so as to enable them compete and participate on the basis of equality with men in political, social and economic life as well as in public and private institutions.¹⁶⁹ Further, the women are guaranteed equal right to acquire, administer, control, use and transfer property.¹⁷⁰ In particular, they

¹⁶⁴ Ibid, p.167.

¹⁶⁵ US TIP Report 2011, p.159.

¹⁶⁶ FDRE Constitution, Art. 25.

¹⁶⁷ FDRE Constitution, Art.35 (1).

¹⁶⁸ FDRE Constitution, Art. 35(3)

¹⁶⁹ FDRE Constitution, Art 35(3).

¹⁷⁰ FDRE Constitution, Art.35 (7).

have equal rights with men with respect to use, transfer, administration and control of land.¹⁷¹ They shall also enjoy equal treatment in the inheritance of property.¹⁷² Women's right to equality in access to employment is also entrenched under the Constitution. The relevant provision states that: “[w]omen shall have a right to equality in employment, promotion, pay, and the transfer of pension entitlements.”¹⁷³ Similarly, it states that women workers have the right to equal pay for equal work.¹⁷⁴ Moreover, the Labour Proclamation No.377/2003 prohibits employment discrimination on grounds of sex. Article 87 provides that ‘women shall not be discriminated against as regards employment and payment, on the basis of their sex’.

Apart from this, the Constitution proscribes laws, customs and practices that discriminate against women.¹⁷⁵ Consequently, any form of harmful practice which in one way or another contribute to women trafficking such as early marriage and forced marriage is outlawed by the highest law of the land. Similarly, the Criminal Code penalizes harmful practices such as early marriage¹⁷⁶ and marriage by abduction.¹⁷⁷

However, the practice of gender based discrimination still continues to drive Ethiopian women and girls to trafficking in persons. The ILO study notes that practices of gender discrimination have created ‘a climate where migration of

¹⁷¹ FDRE Constitution, Art. 35(7).

¹⁷² FDRE Constitution, Art. 35(7)

¹⁷³ FDRE Constitution, Art.35 (8).

¹⁷⁴ FDRE Constitution, Art.42(1)(d)).

¹⁷⁵ FDRE Constitution, Art.35 (4).

¹⁷⁶ FDRE Criminal Code, Art. 648.

¹⁷⁷ FDRE Criminal Code, Art. 587.

women is encouraged and the practice of trafficking in women is perceived as morally acceptable.¹⁷⁸ Similarly, the CEDAW Committee points out that the discrimination against women is still perpetuated in the country and are reflected in women's disadvantageous and unequal status in many areas, including in public life and decision making, economic life, sexual and reproductive health, and in marriage and family relations.¹⁷⁹

4.2.3.2. Public Awareness Raising Campaigns

Public awareness raising campaigns have been conducted by governmental, intergovernmental and non-governmental organizations regarding the causes and consequences of trafficking in persons for several years. While MoLSA, MoWCYA and MoJ engage in public awareness raising campaign,¹⁸⁰ it is the IOM that is doing the lion's share in this respect. Accordingly, starting from 2001 onwards, IOM conducted several public awareness raising campaigns on legal migration and the risks of trafficking for a number of years using tools such as radio programs, drama, and posters.¹⁸¹ Nonetheless, most of the projects save for the weekly 20 minute radio program on Ethiopian Radio aired on Fridays, have phased out owing to constraints in financial resources.¹⁸² From 2012 and mid-2013 onwards, the state owned media outlets have engaged in sustained awareness activities. Several programs (including documentary film) and talk shows have been aired out in the stated period.

¹⁷⁸ ILO study, supra note 73.

¹⁷⁹ CEDAW Committee, supra note 150, para.18.

¹⁸⁰ Interview Tsegabirhan Solomon; supra note 124; Abiy Epherem, supra note 153 and Nabit Girma, supra note 107.

¹⁸¹ ILO study, supra note 73, p.65.

¹⁸² Ibid.

Although the recent media campaign is commendable, it is relevant, at this juncture, to reiterate that the CSO law seriously hampers the capacity of NGOs to raise awareness regarding women trafficking and promotion and protection of women's rights.¹⁸³ This suggests that a lot of work is required to increase the awareness raising campaigns to alert the potential victims of trafficking in persons as the problem is on the rise in the country.

4.2.3.3. Research and Data Collection

There is a significant dearth of research and data on trafficking in persons in Ethiopia. According to the finding of recent ILO study there is lack of detailed and regular research and surveys that document the prevalence of trafficking, the routes and patterns of trafficking, methods used by traffickers, services available, measures taken by the Government and non-governmental organizations, and the impacts of the responses.¹⁸⁴ Similarly, the CEDAW Committee noted that it is concerned about the lack of data in relation to trafficking of women and children for forced labour and sexual exploitation.¹⁸⁵

5. CONCLUSION AND RECOMMENDATIONS

This article has analyzed anti-trafficking measures adopted in Ethiopia to counteract trafficking in women in light of a human rights based anti-trafficking response. It showed that while trafficking in women is widespread and causing multiple human rights violations, the anti-trafficking measures are

¹⁸³ Interview with Genet Shume, supra note 125.

¹⁸⁴ ILO study, supra note 73, p.65

¹⁸⁵ CEDAW Committee, supra note 147. Similar concern has been raised by Human Rights Committee, para.11, CCPR/C/ETH/1, Concluding Observation on Ethiopia, (July 2011).

not adequately devised to address the problem effectively. While there is no comprehensive legislative framework enacted to deal with the trafficking in persons, the crime is proscribed by the existing scattered various provisions of the laws, including the Constitution, Criminal Code and Employment Exchange Proclamation. But the lack of comprehensive legal definition of trafficking in persons and the narrow scope of criminalization of trafficking particularly in criminal law can be cited as draw backs in legislative frameworks in the prosecution of trafficking cases.

Regarding the investigation and prosecution of trafficking cases, it is shown that, while there is no specialized institution established to deal with trafficking in all its aspects, there are specialized investigation and prosecution (adjudication) units in Federal Judiciary and Federal Police Commission. Contrary to this, it is shown that there is low rate of prosecuting those involved in the trafficking of persons. Moreover, while the punishments set by law are more or less sufficiently stringent, in practice, often, the lesser penalties are handed down. Further, law enforcement officials are given capacity building training in a piecemeal and limited manner. In general, measures for the effective prosecution of trafficking cases that seek to end impunity and deliver justice to the victims are not yet established.

It is also discussed that limited and infrequent protection services are provided to VoT. In particular, although identification of VoT is considered as a starting point to provide protection services, it is argued that in Ethiopia there exists no proactive and coordinated identification mechanism. Besides, there is low level coordination between criminal justice agencies and victim support

agencies in the process of identification of VoT. Consequently, the referral mechanism between criminal justice and victim support agencies (mainly NGOs) is of negligible significance.

In terms of actual protection services a limited psychological, medical, material and legal assistance is provided to VoT. The MoFA provides temporary shelter for VoT in Kuwait and Lebanon via its embassies. But it has been noted that the resources of running the shelters is very scarce. Besides, the Ethiopian government provides limited legal assistance to VoT in destination countries unlike some labor sending countries. But the situation is relatively better at home as far as providing legal information to VoT is concerned. Although on limited level some government institution and NGOs provide legal aid to VoT to vindicate their cases in court of law.

Further, it is noted that the MoFA in collaboration with IOM and UN Refugee agencies undertakes to facilitate the repatriation of VoT from destination countries including mainly Middle East countries. But it is mentioned that there are complaints raised from PEAs and victims that the assistance provided by Ethiopian missions is minimal and staff members are not necessarily caring and understanding. Regarding reintegration of VoT, while some NGOs offer rehabilitation and reintegration protective services, the CSO proclamation negatively impacts their operation. On top of this, the lack of repatriation fund and protection center for VoT leave several trafficked persons to the risk of re-trafficking.

Moreover, this article has discussed that the prevention is perhaps at the lowest level of all the three Ps anti-trafficking measures implemented in Ethiopia.

The lack of comprehensive policy or national action plan on trafficking in persons and the absence of institution specifically mandated to deal with trafficking in persons is cited as an indication of less attention given to prevention aspects of anti-trafficking measures. In addition, even the existing policy frameworks do not entertain the prevention of trafficking in persons as policy objectives. It is also argued that while the Constitution stipulates certain obligations and policy guidelines that are relevant to address the root causes of trafficking, there remains a lot to be done to realize constitutional aspirations and entitlements.

Further, it is shown that there are some commendable measures taken to promote the right to movement for employment and protect the rights and dignity of Ethiopian prospective migrant workers. For example, the Employment Exchange Proclamation is passed to enhance the protection of the rights, safety and dignity of Ethiopian workers going abroad for employment, and to strengthen the mechanism for monitoring and regulating the employment exchange services. The MoLSA is mandated to implement the duties enshrined under the proclamation. Although boring and one way traffic, predeparture orientation is given for prospective migrant workers regarding causes, process and consequences of trafficking in persons. Further, labor agreements have been concluded some Middle East countries. There are some bilateral labor agreements in the pipeline.

However, there exists still significant draw backs in monitoring the operation of PEAs and ensuring the protection of migrants workers rights in destination countries. The irregularities and loopholes in operation of PEAs, reluctance of

engaging with destination countries to protect the rights and dignity of Ethiopian migrant workers, and the failure of appointing labor attaché in overseas embassies are discussed as the main factors behind perpetuation of trafficking and exploitation of many Ethiopian women and girls.

Finally, the lack of data and research on the scale of the problem and anti-trafficking measures available, as well as the low level of awareness raising campaign to alert potential victims of trafficking call for reinvigorating anti-trafficking measures in this respect. In sum, it is fair to say that, while there are some positive initiatives and efforts, anti-trafficking measures adopted in Ethiopia as discussed in this article fall short of Human Rights Based anti-trafficking standards. The lack of legislative, policy and institutional frameworks coupled with deficiencies in prosecution, protection and prevention strategies prove this assertion. Therefore, it is a high time to adopt A Human Rights Based Approach to anti-trafficking response in the country to see the effective and meaningful eradication of trafficking in women.

In order to comply with a human rights based anti-trafficking response, the author specifically recommends the following measures:

- a. Adopting comprehensive anti-trafficking law and national policy that is based on a human rights approach providing for the primacy of human rights in prosecution, protection and prevention of trafficking is necessary and guide the overall effort to combat trafficking in women in a coordinated and holistic manner is called for. Further, it vital to establish institution mandated exclusively to deal with the combating of trafficking in persons.

- b. Undertaking comprehensive effort to promote the rights of vulnerable groups, inter alia, access to education, information, employment and other social services, the right to equality and to be protected against gender based discrimination. Facilitating alternative employment opportunities available at home to women and girls so that they are not forced to fall prey of traffickers.
- c. Improving the quality of investigation, and prosecution of trafficking cases. Strengthening coordination between criminal justice agencies and victim support agencies to enhance the prosecution of traffickers and protection of victims of trafficking. And Strengthening the monitoring and inspection of PEAs.
- d. Improving the cooperation with destination countries in combating of Trafficking in Persons and protection of the rights of migrant workers. Appointing labor attaché in Ethiopian embassies. Establishing protection center that facilitate the effective physical, psychological, social and economic recovery of victims and allocating fund for rehabilitation and reintegration of VoT to avoid re trafficking.
- e. Undertaking data collection and nationwide research on the scale, causes, and consequence of trafficking, and measures to combat trafficking in women.
- f. Creating favorable environment for NGOs to enhance their participation in prevention and protection of trafficking in women including amending charity and civil society proclamation particularly to enhance awareness raising to the potential victims of trafficking regarding the risk of trafficking.