

# 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 multiplied, describing 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 conflict, poverty and recurrent drought conditions. This smuggling route had been known to be active for years but since 2005, the number of people arriving in Bossaso expecting to make the journey has grown dramatically. During this season's dangerous voyage there has been 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, harboring 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 northeast 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 drought, flooding, and conflict between forces of the Islamic Courts Union (ICU) and the Ethiopian/TFG, experienced in 2006, there has also been a notable increase in the number of Somalis from the south of the country attempting the journey. Continued conflict in Mogadishu in early 2007 continues to prompt movement north. Yemen is mostly used as a point of transit for migrants en route to Gulf States, Europe and other destinations in search of work. Most of the migrants are young men and women between the ages of 15 and 30.

Smugglers charge around US\$ 500 to cross Ethiopia and to reach the port of Bossaso, and then between US\$30-50 per person for each sea voyage. Hundreds of people are often crammed into small vessels, with little food and water for a 30 hour journey. Prices fluctuate depending on the number of boats and people wanting to cross at any one time. During monsoon season, however, fewer boats make the crossing thus prices increase to between US\$ 60-100 per person.

In one recorded account of a voyage, 20 passengers out of 65 were thrown overboard during the journey. Such casualty rates are not uncommon with some tied up and/or thrown overboard by the smugglers in an attempt to avoid capsizing in deep waters. Others drift for days at a time with little food or fresh water on board. Even when the boats reach Yemen's coast, passengers – including children – are forced to swim the last kilometres so that the boats are not detected by the Yemen authorities. Some drown. Fatality figures are difficult to verify as the trade is secret and many bodies are never found.

In September 2006, the Puntland authorities started to clamp down on migrants passing through Bossaso to the Gulf States; six smugglers were arrested and four boats captured immediately. However, even with these instantaneous achievements, the authorities state they do not have the resources to control all departure points such as Qaw, Elayo and Marero, some distance from Bossaso, which smugglers use as alternative departure points.

## ALARMING HUMAN SMUGGLING TRENDS

According to UNHCR, tragic incidents of people crossing the Gulf of Eden have increased. On 22 March 2007, at least 29 people were confirmed dead and 71 missing after smugglers forced some 450 Somalis and Ethiopians into stormy seas off the coast of Yemen. Survivors reported that those who resisted were stabbed and beaten with wooden and steel clubs, then thrown overboard. Some were then attacked by sharks. Some recovered bodies showed signs of severe mutilation. Upon arrival to Yemeni shores, some passengers reportedly had their money confiscated by security forces.

During the travel across Somalia and the sea voyage, several migrant and IDP women are sexually abused, exploited and/or raped by the smugglers as well as police. Somalis attempting the perilous journey continue to site fear of conflict in the South/Central regions as reasons for fleeing while most of the Ethiopians are in search of better livelihood options with some fleeing the deteriorating human rights situation back home.

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Australia, ECHO, Ireland, Republic of Korea, Netherlands, Norway, Sweden, Italy and United Kingdom  
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During February 2007 and with increased conflict in Mogadishu, a total of 1,186 Somalis were reported to have arrived in Yemen, in addition to 622 Ethiopians; 131 people are known to have died attempting the crossing, in March 2007, at least 1,391 Somalis and 818 Ethiopians followed. As of the 23 April, 915 Ethiopians and 430 Somalis arrived in Yemen. According to UNHCR since the start of 2007, nearly 5,400 people have arrived in Yemen, while at least 212 people have died during the crossing and 96 are missing. In 2006, despite efforts to curb human smuggling – including by the Puntland authorities – UNHCR estimates that around 26,000 people crossed the Gulf of Aden, with at least 330 deaths and another 300 reported missing (and now believed to be dead).

## **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 Danish Refugee Council (DRC) began providing emergency assistance for the most vulnerable groups stranded in Bossaso including the urgent provision of water, sanitation and health facilities. In June 2006, IOM assisted the voluntary return of 777 Ethiopians stranded in Bossaso. This assistance was only a temporary measure since the abusive nature of people smuggling required longer term investments and activities.

In mid-2006, with UNHCR support, Puntland's Ministry of Interior instated its Refugee Affairs Committee (RAC) and together with UNHCR arrived at joint procedures to ensure that the latter's Refugee Status Determination (RSD) services could be initiated. In September 2006, the Puntland authorities issued a Presidential Decree banning human smuggling, following which a series of arrests were made of Ethiopians and Somalis from South/Central. The smuggling of people, however, persisted. A decision was made to open a temporary 'transit and processing center' in October for Ethiopian migrants in Bossaso. In the center, humanitarian assistance was provided as well as counselling to identify potential asylum seekers, individuals who wished to return home, or anyone with special needs (unaccompanied minors, trafficked individuals). In November 2006, over 200 Ethiopians were returned to Ethiopia with assistance from IOM and DRC, while Puntland's RAC began registering and referring asylum seekers to UNHCR for RSD services. The temporary centre was officially closed with the RAC continuing to register asylum seekers for ongoing referral to UNHCR.

While efforts continue to curb smuggling, challenges persist. Somalis from southern Somalia continue to arrive, particularly as the fighting in Mogadishu is unresolved. On 23 March, some 300 people from South/Central were taken in for questioning by the local authorities on account of 'security concerns'. Shortly thereafter, 169 were released but on 28 March the remaining 131 – all men between the age of 18 and 35 - were transferred to Galkayo where they are being detained. UNHCR is following up with the Puntland authorities to gain access to the group to ensure their legal rights and protection.

In April 2007, the Protection Cluster formed a Mixed Migration Task Force to improve the design of rights-based humanitarian interventions with a cohesive and practical strategy for and on behalf of vulnerables unprotected in Somalia, within this larger,

## **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 and to Europe. The port of Bossaso is considered 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. 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 in their places of origin.

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, which include asylum seekers, refugees and IDPs. Even with the establishment of UNHCR's RSD services, an active and committed inter-agency IDP working group consisting of UN agencies, international NGOs and local partners continues to struggle to provide basic assistance to smuggling and trafficking victims and to give much-needed guidance and support to the Puntland authorities for IDPs in Bossaso and Garowe, looking also at the implementation of longer term responses which focus on IDP reintegration.

While the ongoing work helps to reduce the probability that IDPs turn away from the sea as an escape to their current situation, much greater contributions are necessary to comprehensively address and tackle this regional migration problem. Understanding the relevant Somali authorities' need to address migration management within its own territory and through regional partnerships, the humanitarian community, including local NGOs, must also reinforce its own protection monitoring and response efforts, ensuring elements are there to address the IDPs' particular protection concerns, within the greater migratory challenge.

## **HUMANITARIAN PARTNERS AND COORDINATION MECHANISMS**

Activities related to this issue are coordinated through the Protection and IDP working group based in Nairobi, co-chaired by UNHCR and OCHA, 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 as well as 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 DRC as well as other international organizations and local NGOs, with the Mixed Migration Task Force in place as of April 2006, in order to develop practical strategies and streamline response.

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