

HUMAN SMUGGLING AND HUMAN TRAFFICKING IN SOMALIA



UNITED NATIONS OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS SOMALIA

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Tens of thousands of people from the Horn of Africa are risking their lives to escape conflict, poverty and recurrent drought conditions by undertaking a dangerous journey across the Gulf of Aden from Somalia to Yemen. Human smugglers in Bossaso (Puntland), according to UNHCR are very well organized business people complete with existing offices in town and staff to recruit potential customers differentiating between Ethiopians and Somalis. The smuggling route has been active for years, but the number of people arriving in the port city of Bossaso expecting to make the journey has grown dramatically since 2005, along with the number of dead bodies being washed up on the shores of Yemen.

The United Nations 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 in the hope 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 Nations 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 for the purpose of exploitation.”

BACKGROUND ON HUMAN SMUGGLING IN SOMALIA

Human smuggling continues unabated from the northeast coast of Puntland, to Yemen, resulting in the death of hundreds, mostly Somalis and Ethiopians. Until recently, the number of Ethiopians crossing to Yemen outnumbered Somalis. Most of these are aged between 15 and 30; end up in the Gulf States, Europe and other destinations in search of work. Yemen is more a transit point than a destination. This trend seems to be shifting as the deteriorating security situation in South Central Somalia since the end of 2006 has provoked a notable increase in the number of Somalis from the south of the country attempting the journey. Many Somalis remain in Yemen, where they are recognized as refugees. While most Somalis from the south travel by car to reach the port of Bossaso, Ethiopians travel for days, often by foot, across the desert from Ethiopia to Puntland.

Smugglers charge around US\$ 500 to cross Ethiopia and reach Bossaso, and then between US\$30-50 per person for each sea voyage. Hundreds of people are crammed into rickety boats, with little food and water for a 30-hour journey. Prices increase to US\$ 60-120 per person during the monsoon, which lasts from June to September, as fewer boats attempt the dangerous crossing.

In September 2006, the Puntland authorities started to crack down on migrants passing through Bossaso. Six smugglers were arrested and four boats seized. In 2007, the Yemeni authorities arrested smugglers and confiscated their boats. The Puntland authorities have also arrested a few smugglers and currently have 7 boats impounded. However, in spite of these achievements, the authorities indicate they lack the means to patrol more remote departure points such as Qaw, Elayo and Marero, which are used as alternative departure points by the smugglers. Thus, the smugglers continue to operate fairly openly, with seeming impunity. There are estimates that in Bossaso alone, there are some 600 people involved in this annual multi-million dollar business.

ALARMING HUMAN SMUGGLING TRENDS

According to UNHCR, tragic incidents involving people crossing the Gulf of Aden have been consistently increasing since 2005. Since the start of 2007 until the end of October, with the smuggling season at its pick in September and October, already an estimated 23,532 people had arrived at the Yemen shores (13,796 Somalis and 9,713 Ethiopians) while at least 838 people have died during the crossing and 524 are known to be missing, with twice as many Ethiopians deaths compared to Somalis. The overall estimated figure for last year was around 26,000 people (about 14,250 Somalis and 11,750 Ethiopians) crossed the Gulf of Aden, with at least 330 deaths and another 300 reported missing (and now believed to be dead).

The main reason of these deaths is smugglers forcing 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. Recovered bodies showed signs of severe mutilation. Upon arrival to the Yemeni shore, some passengers reportedly had their money confiscated by security forces.

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Such casualty rates are not uncommon. Passengers also frequently report that some travellers are being tied up and/or thrown overboard by the smugglers in an attempt to lighten their load and avoid capsizing. Others drift for days at a time with little food or fresh water on board. Both during the journey and en route to Bossaso, women report having been sexually abused, exploited and/or raped by the smugglers, police and the multitude of militias operating illegal checkpoints on the roads to Bossaso. When the boats reach Yemen's coast, passengers – including children – are routinely forced to swim the last kilometres so that the boats are not detected by the Yemen authorities. Some never make it to the coast. Fatality figures are difficult to verify as the trade is secret and many bodies are never found.

Somalis attempting the perilous journey continue to cite the insecurity in the South/Central regions as reason for fleeing while most of the Ethiopians are in search of better livelihood options with some claiming to flee the deteriorating human rights situation back home.

INTERNATIONAL AND NATIONAL RESPONSE TO HUMAN SMUGGLING

The humanitarian community began providing emergency assistance, such as water, sanitation and health services, to the most vulnerable among the growing number of desperate stranded migrants in Bossaso in November 2005. In June 2006, IOM and DRC helped 777 Ethiopians to voluntarily return to their homeland. Such activities have since been undertaken on an *ad hoc* basis, when large groups of migrants stranded in Bossaso show urgent needs of humanitarian assistance. In all cases, this assistance is seen as a temporary measure since the abusive nature of people smuggling requires a regional approach with longer term investments.

In mid-2006, in order to ensure that Ethiopians potentially facing a well-founded fear of being persecuted were granted the right to seek asylum, UNHCR supported the Puntland's Ministry of Interior Refugee Affairs Committee (RAC) in developing procedures to ensure that Refugee Status Determination (RSD) services could be initiated. In November 2006, Puntland's RAC began registering and referring asylum seekers to UNHCR for RSD services. Since then, more than 710 Ethiopians have claimed asylum. Ninety-six of them have been recognised as refugees, while 102 saw their claim rejected. Decisions for the other cases are still pending.

While efforts continue to curb smuggling, challenges persist. 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 vulnerable unprotected in Somalia, within this larger, migratory phenomenon.

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

Instability and armed conflict in the Horn of Africa coupled with the authorities' weak capacity to control or monitor movements across borders has created grounds for the emergence of irregular migration flows. 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 and during the perilous journey.

Given the magnitude of smuggled migrants transiting through the Puntland State of Somalia, there is an urgent need to develop responses to prevent human trafficking as well as to protect smuggled people and potential victims of trafficking, which include asylum seekers, refugees and IDPs. The active and committed Mixed Migration Task Force and 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 provide guidance and support to the Puntland authorities for IDPs in Bossaso and Garowe, looking also at the implementation of longer term regional responses which focus on IDP reintegration and economic opportunities for Ethiopian migrants.

While the ongoing work may help to reduce the probability that IDPs turn to the sea to escape 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 their own territory and through regional partnerships, the humanitarian community, including local NGOs, must also reinforce its own protection monitoring and response efforts, ensuring that protection concerns are being addressed within the greater migratory challenge.

HUMANITARIAN PARTNERS AND COORDINATION MECHANISMS

Activities related to this issue are coordinated through the Mixed Migration Task Force and the Protection Cluster, both in Nairobi and in Puntland. The working groups in Somalia jointly address protection and assistance needs by involving a range of UN agencies and other humanitarian actors as well as local authorities. Key partners part of the Mixed Migration Task Force and working to develop practical strategies and streamline responses UNHCR, IOM, OCHA, UNICEF, WHO, WFP, the Danish Refugee Council and the Norwegian Refugee Council, as well as other international organizations and local NGOs.