

## **EXAMINING THE RELATIONSHIP BETWEEN HUMAN TRAFFICKING AND URBAN REFUGEES IN NAIROBI**

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**International Academic Journal of Arts and Humanities (IAJAH) | ISSN 2520-4688**

**Received:** 10<sup>th</sup> October 2021

**Published:** 21<sup>st</sup> October 2021

Full Length Research

**Available Online at:** [http://iajournals.org/articles/iajah\\_v1\\_i2\\_347\\_359.pdf](http://iajournals.org/articles/iajah_v1_i2_347_359.pdf)

**Citation:** Korji, C. A., Sunhwa, G., Wansamo, K. (2021). Examining the relationship between human trafficking and urban refugees in Nairobi. *International Academic Journal of Arts and Humanities*, 1(2), 347-359

## **ABSTRACT**

This study aims to study the nature and depth of human trafficking among urban refugees in Nairobi - Kenya with a view of finding the probable sustainable solution to the effective protection of urban refugees. The specific objectives were to examine the relationship between human trafficking and urban refugees in Nairobi, to determine the conditions under which urban refugees opt for human trafficking, to examine the attitudes of urban refugees towards human trafficking, to find out the challenges faced by urban refugees brought by human trafficking, and to propose possible policy guidelines that will better address urban refugee's protection. The proposed research was a descriptive exploratory study that employed survey research design combining quantitative and qualitative methods of data collection and analysis. The population of study was the urban refugees living in Nairobi County and governmental and nongovernmental organizations dealing with refugees and/or human trafficking. 100 questionnaires are administered and 12 interview guides. Official figures of refugees in Nairobi were around 502194 refugees. The data collected was keyed in and analyzed with

the aid of SPSS software. The study found that the respondents moved to Nairobi to get employment. The study found that most of the respondents obtained their income from own/family business and as well as casual labour. The study found that refugees choose to access employment in Mombasa. The reason was that there are many foreigners and flow of tourist visitors which create the platform to gain jobs in hotels, pubs, furnished apartments, restaurants, tourist sights and other recreational services. The study recommended that there is need for counter-trafficking actors to go beyond returning survivors to their homes or alternative safe places to empowering them or their families to be economically independent, to preparing them to take leadership role in the fight against refugee trafficking and other forms of oppression in the society.

Key Words: **Human trafficking, Urban Refugees.**

## **INTRODUCTION**

Human trafficking is the third largest black-market industry in the world and quickly expanding with an estimated annual profit of US\$150 billion. It ranks second largest source of income for organized crime generating roughly \$150.2 billion annually (UNHCR, 2018). Worldwide, the number of victims of trafficking stands at over 30 million with 80% being women and girls. The 2010 UN Global Plan of Action to Combat Trafficking in Persons called for global, regional and sub-regional efforts and cooperation to prevent human trafficking, with the intention to help protect victims and to prosecute trafficking crimes. There are sub-regional efforts to combat human trafficking such as the ECOWAS (Economic

Organization of West African States) Initial Plan of Action against Trafficking in Persons (2002-2003), the joint ECOWAS/ECCAS Regional Plan of Action to Combat Trafficking in Persons, especially Women and Children (2006-2009) and the SADC (Southern African Development Community) Regional Plan of Action on Trafficking in Persons (2009-2019). At the country level, Nigeria takes the front row to be the number one country that fights against human trafficking. South Africa is also prone to trafficking due to its wealth and endowment status has established measures to curtail human trafficking. However, despite international, regional and national measures to combat human trafficking, the levels of human trafficking remain high in many African countries (UN Global Plan of Action to combat Trafficking in Persons, 2014).

In Kenya, the number of illegal aliens who are relocating to major towns is increasing, with some using Kenya as a transit point to enter other African countries or other countries in other continents. The study assumes that urban refugees in Nairobi face threats which are related to human trafficking. Refugees are at particular risk to human trafficking – a consequence of their vulnerable status, the devastating losses they have experienced, and their precarious life situations until durable solutions become available. According to the United Nations High Commissioner for Refugees, trafficking risks for refugees are at ever-increasing levels worldwide (UNHCR, 2018).

Refugee refers to someone who is living outside their country of origin and is unable or unwilling to return home because of this fear (UN, 1951). Becoming a refugee is due a well-founded fear of being persecuted for reasons founded in race, religion, nationality, membership of a particular social group or political opinion. This definition only scratches the surface of exactly whom a refugee is in our current political climate. Other definitions have complimented the initial definition of refugees which would include other conditions that results to refugee situations. These definitions include instruments such as the OAU 1969 convention, the Cartergenena declaration and other declarations.

UNHCR's unique mandate globally has required situations to be monitored since the 1950's that could result in people fleeing and take appropriate action when refugees' rights are threatened. Action includes both operational and other types of responses, such as intervening with relevant authorities on behalf of refugees as well as proposing appropriate remedial action. UNHCR works in close co-operation with governments, who bear the responsibility of protecting all human rights of the people that are within their territory (UNHCR, 2015). The refugee phenomenon around the world has rendered thousands to continuous fleeing to different parts of the world in seeking safer zones and better economic opportunities.

Each year they flee to safer areas, and most of these refugees have in a way, become the perfect human trafficking victims. This is because of the devastating losses they undergo during conflict and their precarious state of life puts them at risk of being targeted for trafficking. According to Wilson and Dalton (2008), some of the factors that increase the risk of refugees becoming trafficked include their physical insecurity; political, economic, and

social marginalization. Most of the refugees face sexual violence experiences as they flee, negative consequences, including social isolation due to sexual violence. In addition, other reasons include the external pressure on refugees to engage in sexual acts for survival, the severe disruptions they experience to their family structure and inadequate legal protection.

Human trafficking is an ancient crime, but only rose to international attention few decades ago. The unprecedented increase in human trafficking witnessed in modern history is partly contributed by the growing wealth disparity between nations of the world. The global South continues to sink deeper into poverty due to poor governance, armed conflict, and human calamities like famines and typhoons. On the other hand, the global North is experiencing economic vibrancy and on track to recovery from 2008 economic meltdown. With ever increasing technological advancement worlds miles apart are brought together on the palm of our hands.

Consequently, the persecuted nations and the poverty stricken know where to escape to safety and build prosperous lives. It is Europe, North America, and Australia, and in Sub-Saharan and Africa South Africa are the economic powerhouse (Wilson & Dalton, 2008). Trafficking in human is not always transnational. It also occurs within national borders; from poverty stricken rural areas to better-off urban towns where access to social amenities like schools, hospitals, and electricity are better provided. However, whether national or transnational, human trafficking inflicts the same heartache. It mostly ends up in bondage for provision of cheap labor, sexual gratification, debt repayment, and in war, soldiers.

## **RESEARCH PROBLEM**

This study aims at establishing the nature and depth of human trafficking problem among urban refugees in Nairobi Kenya with a view of finding why and probable sustainable solution to the effective protection of urban refugees. The desire to combat human trafficking along state borders through the closure of borders and continued patrols by law enforcement orders has in the process pushed refugees and asylum seekers directly into the hands of smugglers who promise refugees safe passages and end up taking advantage of their vulnerability by exploiting them. The response by many states to human trafficking has provided limited or no solution to the phenomenon but rather in some cases like the plight of many African migrants trying to enter Europe through the backdoor channels have exacerbated human trafficking as witnessed in Libya (Lee, 2007). Lack of progress in combating and disrupting the trade is attributed to its secretiveness and the existing statistical vacuum.

Most refugees in Nairobi find themselves in very difficult conditions and face numerous challenges from poverty, economic disparities, to physical insecurity as well as political persecution. These conditions create the perfect avenues for human traffickers to exploit refugees. However, there is little data available and there is a lack of programming targeting trafficking in Nairobi. Despite the presence of anti-trafficking non-governmental

organizations combined with Government efforts in combating trafficking yet the problem remain untacked. This underworld activity is still known to be existing even among the vulnerable group including the refugee population living in the Nairobi County. So far, very little efforts has been put towards refugees monitoring the trafficking of refugees in Kenya at large and urban refugees in specific. It is against this background that this assessment has been conducted to establish the refugee vulnerability to human trafficking among urban refugees in Nairobi.

## **THEORETICAL LITERATURE REVIEW**

This study focused mainly on the nature and depth of human trafficking among urban refugees in Nairobi Kenya with a view of establishing why and probable sustainable solution to the effective protection of urban refugees. The findings of this research study would contribute towards the understanding of the plight of urban refugees in Nairobi, their vulnerabilities and the extent to which trafficking is happening among them and help propose possible alternatives to policymaking in addressing human trafficking and the trafficking of refugees. It may also add important knowledge into the existing one with regard to the issues of refugees, and human trafficking.

The study may be of importance to the policy makers of relevant government ministries and UNHCR. The findings of the study may form a basis for policy making on urban refugees and human trafficking in Kenya. This would guide security management in Kenya and ensure that the human trafficking issues relating to urban refugees are contained for improved security in Kenya. The study may form a basis for further research. The researcher builds on the available literature on the phenomenon on refugees. This would enable other researchers to explore the area of human security and refugees based on the study. The study builds on other literature relating to human trafficking management and refugees. Scholars may find this useful as it may provide literature for their assignments and academic

## **Research Methodology**

Qualitative and quantitative research methods cannot fully in themselves address all the issues, which this researcher sorts to address, therefore both methods are employed to complement one another. Quantitative data was collected using questionnaires and qualitative with an interview guide and open-ended questions was incorporated in the questionnaires. Closed-ended questions enabled the researcher to collect the appropriate data for statistical analysis (Orodho, 2002). Quantitative data on independent and dependent variables helped determined the relationship between variables (Bryman, 2012). The information was collected at one point in time.

## **Population of Study and sampling technique**

The population of study was the urban refugees living in Nairobi County and governmental and nongovernmental organizations dealing with refugees and/or human trafficking. Nairobi

hosts about 502194 refugees. Despite Kenya's encampment policy which prohibits refugees from leaving camps, Nairobi has been a home for refugees for many years. By moving to the city, refugees largely give up their access to humanitarian assistance. Four organizations were selected for their relevance in refugee affairs and/or human trafficking. UNHCR, the mandated agency for refugees globally; Jesuit Refugee Services (JRS an INGO working with refugees in Kenya), International Rescue Committee (IRC) and the Department of Refugee Affairs (a government body dealing with refugee affairs). 100 refugees, and 12 mid-level and senior level staff (they provided official information on refugees plight) of targeted organizations were sampled and participated in the study. The 100 refugees were appropriate for the study as they offered appropriate information in relation to refugee trafficking. Additionally, 100 was appropriate as the researcher chose the refugees who had a high level of intelligence and who could articulate refugee trafficking appropriately.

After selecting the study site purposively, snowball sampling technique was employed to select the refugees because urban refugees are not easily identifiable. Snow ball sampling is a nonprobability sampling method where a participant gives lead to the next until the required sample size is achieved. More importantly, the researcher used own judgment to choose participants from the suggested list. This method proved useful bearing in mind the fact that location of the urban refugees in the study area is very haphazard due to the poor planning of residential areas and a high concentration of population and dwelling units. About 510 urban refugees were identified and visited. It was important to first identify refugees in Nairobi County prior to identifying units of observation, since the respondents urban refugees were drawn here. This sampling technique was ideal because the researcher did not precisely know the location of the urban refugees and had to be gradually introduced to them. Thus, the population size was 510 (UNHCR, 2018). Yamane sample calculation was used to determine the sample size for the study. It is the most ideal method to use when the only thing you know about the underlying population you are sampling from is its size (Saunders & Bezzina, 2015). Therefore, the Yamane approach is given by:

$$n = \frac{N}{1 + Ne^2}$$

Where N = population size

e = alpha level, i.e. e = 0.09 if the confidence interval is 90%.

In substitution,

$$n = \frac{N}{1 + Ne^2}$$
$$n = \frac{510}{1 + 510 \times 0.09^2}$$

$$n = 100$$

From the above equation the researcher obtained a sample size of 100 respondents.

## **Data Analysis**

In this research, the researcher used descriptive exploratory data analysis, which deals largely with the distribution of variables (Kothari, 2004). The descriptive exploratory data analysis afforded the researcher with profiles of organizations working with refugees. In the context of this research, the researcher worked out various measures that show the size and shape of distribution along with the study of measuring relationships between the two variables (refugees and human trafficking). The data collected was keyed in and analyzed with the aid of SPSS software. The Quantitative data generated was subjected to the descriptive statistics feature in SPSS to generate mean, and standard deviation which were presented using tables, frequencies and percentages. In addition, the study utilized chi square to test the relationship between years lived as a refugee in Kenya and consideration for trafficking, and the relationship between the source of income and consideration for trafficking. Additionally, the Qualitative data consist of words and observations, not numbers (Bryman, 2012).

## **Results**

Out of the sampled population, all questionnaires were returned duly filled making a response rate of 100%. According to Mugenda (2003) a response rate above 50% is adequate for analysis and reporting; a rate of 60% is good and a response rate of 70% and over is excellent and thus the response rate of 100% was great for the study.

**Table 1. Chi-square test of Years Lived as a Refugee in Kenya and Consideration for Trafficking**

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	1.681 <sup>a</sup>	3	.041
Likelihood Ratio	2.124	3	.047
Linear-by-Linear Association	.211	1	.046
N of Valid Cases	101		

In the many years they have lived as refugees in Kenya most have been unable to get formal education and good employment. As a result, they would not hesitate at an opportunity to be trafficked to a destination promising better living standards. Therefore, it can be argued that years lived as a refugee in Kenya influence consideration for trafficking to towns in Kenya or abroad.

**Table 2. Likelihood of Trafficking of Various Persons**

<b>Groups of people</b>	<b>Mean</b>	<b>Std. Dev</b>
Women	3.89	0.790
Widows	3.40	0.846
Single women	3.29	0.961
Girls	4.18	1.000
Separated children	3.60	0.961
Orphan children	3.78	1.053
Men	3.57	1.045
Boys	4.14	1.023
Youths	4.04	0.902

From the findings the respondents indicated that it was likely that girls would be trafficked (mean=4.18), followed by boys (mean=4.14), youths (mean=4.04), women (mean=3.89), orphan children (mean=3.78), separated children (mean=3.6), men (mean=3.57), widows (mean=3.4), and single women (mean=3.29). This depicts that that there was likely that girls would be trafficked given their gender vulnerability.

### **Challenges faced by urban refugees brought by human trafficking**

Typically urban refugees encounter wide an array of challenges. According to the respondents the challenges they mostly face include police harassment for lack of necessary documentation for their stay in Kenya, renewal of documents through UNHCR and its government partner the Refugee Affairs Service (RAS), rent problems as the majority do not have stable employment, food shortage, lack of financial support from relatives abroad, lack of access to medical care, as well as security issues as they are viewed as the country security threat given their status. Security issue is also associated with extortion and robbery of their belongings and the lack and fear of reporting the incident to the police because of their illegal stay in urban areas.

Besides the above challenges trafficked refugees have to deal with limited freedom of movement as most of them do not have the necessary documents as well as the fear of living in a country illegally. The implications include inability to access employment, healthcare, education and other social amenities. Additionally, respondents reported that trafficked refugees have no access to communication with their families as they did not possess the gadgets of communication. Victims of trafficking are also prohibited from communicating



with their families as an attempt by the traffickers to conceal their operations. This causes psychological trauma that worsens their living conditions.

### **Problem of Refugee Trafficking**

The majority (48) 48% of the respondents indicated that refugee trafficking is a serious problem of concern in Nairobi, (27) 27% indicated it is a moderate problem, (20), 20% indicated it is a minor problem, and (5), 5% indicated it is not at all a problem. This depicts that refugee trafficking is a serious problem of concern with refugees living in Nairobi. According to KIIs refugee trafficking is a justice issue because persons who fall victim to trafficking are not random, but rather are part of populations made vulnerable through economic injustice, racial or ethnic oppression, and gender discrimination. Refugees stated the concerns because of some of the family members who are not heard of after departure. The refugee parents also express worries of their youths being taken to other places that they feel are exposed to risk. The bar chart below indicates the level of refugees' concern for friends or relatives trafficking.

### **Dangers of Human Trafficking**

Majority (65) 65% of the respondents indicated that they know dangers of human trafficking, while (35), 35% were of the contrary opinion. This depicts that the respondents knew about the dangers of human trafficking. Some of the dangers included forced labour, slavery, rape by the employer, and that some people died as a result of harassment during trafficking.

## **DISCUSSION**

Refugee trafficking is a serious problem of concern with refugees living in Nairobi. According to KIIs refugee trafficking is a justice issue because persons who fall victim to trafficking are not random, but rather are part of populations made vulnerable through economic injustice, racial or ethnic oppression, and gender discrimination. Refugees stated the concerns because of some of the family members who are not heard of after departure. The study found that the refugees indicated they could opt for trafficking because of the poor life they experience in the host country. The problems they experience on lack of appropriate health, education in the camp, as well as lack of employment. The findings are in accordance to a study by Bradley, (2013) who stated that among the factors that increase trafficking risks for refugees are their physical insecurity; social, economic and political marginalization; victimization by smugglers facilitating refugee movement; experience with sexual violence; social isolation or other negative consequences resulting from sexual violence; pressure to engage in survival sex; severe disruptions to family structure; and lack of legal protection.

The study also found that refugees in Nairobi face numerous challenges including police harassment, difficulty getting necessary documentation for their stay in Kenya, unemployment, food shortage, lack of financial support from relatives abroad, as well as

security issues as they are viewed as the country security threat considering their origin. According to Turek, (2013) without work and with increasing fear as resources diminish, people become desperate and life becomes cheap. The population explosion radically increased the supply of potential slaves and drove down their prices. This explains why human trafficking is very prevalent in areas where refugees are highly concentrated. Human traffickers take advantage of the desire by many refugees to relocate to the developed countries where there are better opportunities for them. This desire for a better life creates a vulnerability, which is then exploited to the advantage of traffickers (Turek, 2013).

Additionally, the KIIs indicated that in relation to policy on protection of refugees, UNHCR offices are implementing the policy at the rate of approximately 85%. Judging from the length of the answers in the survey responses, it is clear that the refugee offices have given substantial thought to how to identifying the main challenges to implementation and strategizing how to overcome these hurdles. The KIIs also indicated that the implementation of the policy is widely embraced as a corporate priority for UNHCR. Additionally, the KIIs indicated that UNHCR officials should encourage host governments to play a primary role and provide capacity building and/or technical assistance to support government in their responsibilities in that regard. The majority of offices report that they have developed working relationships related to urban refugees with national host governments as well as with municipal authorities, police, judiciary, private sector, legal networks and other civil society institutions.

## **CONCLUSION**

The researcher concludes that the protracted refugee situation in Kenya must be addressed speedily for refugees to reclaim their dignity. As things are, most urban refugees cannot access dignified employment, education and health care. This increases their vulnerability to human trafficking despite being well aware of dangers associated with act of human trafficking. Therefore the government of Kenya must reconsider encampment policy, and the international community play a more active role in ensuring killing and persecution of civilians in South Sudan, Somali, and across Eastern and the Horn of Africa is halted.

If peace is achieved, refugees can voluntarily return home to rebuild their nations and live more fulfilling lives. Organizations working with urban refugees should also continue advocating for their rights and be proactive in addressing the challenges they encounter. And from the interviews conducted with one of the organizations mentioned that so far only one consultative conference has ever been held about two years ago to initiate discussion on refugee trafficking in Kenya. This gap in responding to the trafficking of refugees needs immediate attention by the organizations in enhancing protection of refugees in Kenya at large and Nairobi in specific.

In conclusion if the Kenyan government grants the right to integration rather than the encampment of the refugees the vulnerability will end. This is because the refugees will be

granted the necessary documents to access their full right as citizens within the country such as right to education, health and employment and other forms of livelihood which will be a redress to a durable solution to vulnerability. Further the study concluded that the victims preferred living in the urban centers or being trafficked due to the deplorable conditions in the refugee camps.

## **RECOMMENDATIONS**

All NGO actors should work in collaboration with the various governments to establish how well they create policies and donate funds which would ensure that livelihoods are created and that urban refugees get a way they can cater for their needs. To ensure this is possible there is a need for the political will to change the situation by educating people through government and NGOs initiative and providing proper implementation of global refugee policies

The government of Kenya should work together with international community to give human trafficking victims mandate and other assistance thereby enabling them to have their basic necessities to prevent them from being exploited through human trafficking.

Further research is needed on the more hidden victims of trafficking in Nairobi and other major towns of Kenya. For example, media report indicates that there are adult-run brothels where refugees are exploited and abused.

The study focused on refugee vulnerability to human trafficking: the case of urban refugees in Nairobi. The study recommends that further research should be done on refugee vulnerability to human trafficking in other towns in Kenya for benchmarking purposes. From the conclusions and the findings, the study ought to recommend an in-depth study to be carried out on the relationship between economic conditions and refugee vulnerability to human trafficking.

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