



**JIMMA UNIVERSITY**

**COLLAGE OF LAW AND GOVERNANCE**

**SCHOOL OF LAW**

**Prevention and Investigation of Child Trafficking In Duguna Fango Wereda, Wolayta Zone of the Southern Nations, Nationalities and Peoples Region of Ethiopia**

**A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE of LL.M IN HUMAN RIGHTS AND CRIMINAL LAW**

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## **Declaration**

I hereby declare that this thesis titled, “Prevention and Investigation of Child Trafficking In Duguna Fango Wereda, Wolayta Zone of the Southern Nations, Nationalities and Peoples Region of Ethiopia” is my own work, that it has not been submitted before for any degree or examination in any other university, and that all the sources I have used or quoted have been indicated and acknowledged as complete references.

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**BY**

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**APPROVED BY EXAMINATION BOARD**

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## **ABSTRACT**

*Trafficking in children is a global challenge that affects millions of children and exposed them to various forms of exploitation. To this end, trafficking in children gained attention on international, regional and domestic laws. In Ethiopia both the FDRE and S/N/N/P/R/S constitutions prohibit child trafficking and impose obligation on the agents of government to combat child trafficking. Specifically, there is trafficking proclamation which mainly adopted to combat trafficking in persons. Child trafficking is clandestine crime and conducted in organized manners. The physical and mental immaturity of the children aggravates their vulnerability for child trafficking. To this end, international instruments, UN guiding principles and domestic laws requires activities such as raising awareness; addressing poverty and unemployment; rescue of children on trafficking; collaboration between concerned bodies and stakeholders; conducting proactive investigation; conducting joint investigation and supervising the investigation. Domestically, at wereda level there are several institutions with powers and duties to conduct prevention and investigation activities towards child trafficking. DFW is severely affected by child trafficking and it comprises great number of victims of child trafficking in Wolayta zone. To this end, this study analyzes the prevention and investigation of child trafficking in DFW in line with relevant laws. The research is socio-legal. Accordingly primary and secondary data such as key informant interview, FGD, documents, cases were collected and triangulated. Accordingly, the study found that in DFW there is no strong practice of awareness rising on child trafficking to stakeholders; the officials of DFW and focal persons on combating child trafficking have lack of adequate knowledge on ant-human trafficking laws. Beyond this they have no commitment to effectively combat trafficking in children and to address socio-economic causes of child trafficking. Moreover, despite the prevalence of problem there is no collaboration between the concerned bodies themselves and with other relevant bodies; DFW relevant institutions have budget problems to widely address the prevention and investigation activities on trafficking in children. The rescue of children on trafficking is very weak and there is absence of supervision on investigation and the investigation is not effective to bring the perpetrators to the justice system. Therefore, the study urges the DFW to revise and to conduct effective prevention and investigation activities to effectively combat child trafficking.*

**Key Words:** *Child Trafficking; Duguna Fango Wereda; Investigation; Prevention; Specific Obligation*

## **Acronyms and Abbreviations**

ACHPR	African Charter on Human and Peoples Right
ACRWC	African Charter on Rights and Welfare of Children
CATOC	Convention against Transnational Organized Crime
CRC	Convention on the Rights of Child
DFW	Duguna Fango Wereda
FDRE	Federal Democratic Republic of Ethiopia
FGD	Focus Group Discussions
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labor Organization
IOM	International Organization for Migration
MOLSA	Ministry of Labor and Social Affairs
NGOs	Non-Governmental Organizations
OHCHR	Office of the High Commissioner for Human Rights
S/N/N/P/R/S	Southern Nation Nationalities and Peoples Regional States
UN	United Nation
UNGA	United Nations General Assembly
UNICEF	United Nations International Children Emergency Fund
UNODC	United Nations Office on Drugs and Crimes
WHO	World Health Organization

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# CHAPTER ONE

## 1. Introduction

### 1.1 Background of the Study

Child trafficking is a form of modern slavery in which children who need care and protection are sold like materials for exploitation. It is a global challenge that affects the whole world and gained a serious concern both at the national and international levels even if its scope varies from country to country. The magnitude of child trafficking is growing at alarming rate in the developing countries.<sup>1</sup> Particularly, internal child trafficking<sup>2</sup> widely occurs in developing countries for labor exploitation.<sup>3</sup> Ethiopia is not an exception to these evil acts rather affected in a high degree.<sup>4</sup>

Child trafficking extremely infringes the human rights and fundamental freedoms of children including the right to life, the right to be free from inhuman treatment, the right not to be held in slavery, and the right to liberty.<sup>5</sup> It is a serious crime that endangers the whole nations.<sup>6</sup> It subjects children to various forms of exploitations such as child labor, begging, prostitution, criminal activities and etc.<sup>7</sup>

Human trafficking in general and child trafficking in particular is one of the major income-generating activities in the 21 century. As the ILO estimates, a profit more than 150 billion US\$ has been gained from trafficking in persons which includes child trafficking.<sup>8</sup>

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<sup>1</sup> UNICEF, Unite For Children:Child Protection Issue Brief (Child Trafficking), (2012), available at <[https://globalmigrationgroup.org/system/files/uploads/gmg-topics/mig-data/child-trafficking\\_issue-brief.pdf](https://globalmigrationgroup.org/system/files/uploads/gmg-topics/mig-data/child-trafficking_issue-brief.pdf)> accessed on January 3, 2020

<sup>2</sup> According to United States Department of State, trafficking in children involves two forms; - internal trafficking and external trafficking. internal trafficking refers trafficking in children within a country mostly from rural areas to urban centers while external trafficking refers trafficking children from a given country to a foreign country

<sup>3</sup> UNICEF (n 1)

<sup>4</sup> Megento TL and Wolde Yt, Child Trafficking As Profitable Crime In Ethiopia, 6 Social Criminology Open Access Journal, (2018) 4

<sup>5</sup> Arvind P. Bhanu and Rajni Kant Mishra, 'Child Trafficking In India'. 2 J. Int'l Law, (2016) 33

<sup>6</sup> United Nations Office on Drugs and Crime, Countering Trafficking in Persons in Conflict Situation (2018) 4

<sup>7</sup> United States Department of State Trafficking in Persons Report: The National Nature of Human Trafficking: Strengthening Government Responses and Dispelling Misperception, (2019) 192-193

<sup>8</sup> ILO, Trafficking in Persons Report on Profits and Poverty: The Economics of Forced labor(2014)

Efforts to prevent human trafficking started prior to the establishment of the UN.<sup>9</sup> But its condemnation including criminalizing it and devising various prevention methods gained major international attention in the past decade.<sup>10</sup> Despite this international commitment, there was no accurate information about the extent of trafficking and why child trafficking is growing in alarming rate.<sup>11</sup>

The reasons that aggravate child trafficking are diverse and differ across states. However, there are some reasons that identified as usual factors that increase susceptibility of children to be victims of trafficking such are poverty, immaturity, lack of awareness and etc.<sup>12</sup>

Under international and regional human rights instruments, combating human trafficking gained considerable attention through considering trafficking in human beings as a prohibited act and imposing obligation on state parties to take necessary actions to address it.<sup>13</sup> International organizations such as the UN, ILO, IOM, WHO, and different regional organizations as well as NGOs and United States department of state strives to prevent child trafficking.<sup>14</sup> In Africa, several plans of actions including the Ouagadougou plan of action and legal instruments have been adopted to combat trafficking in persons.<sup>15</sup> In 2010 the UNGA adopted global plans of action to combat trafficking in human beings through preventive measures, prosecuting offenders and protecting victims and calls the states to adopt different measures to curtail and prevent trafficking in human beings.

The legal prohibition of trafficking in persons includes trafficking in children was first made under human rights instruments. The CRC and its optional protocol on the sale of children and child pornography, ICCPR, ICESCR, ACRWC, ACHPR and its optional protocol on rights of women in Africa and other international and regional human instruments prohibits trafficking in

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<sup>9</sup> United Nations Human Rights Office of the High Commissioner, Human Rights and Human Trafficking, Factsheet No. 36 (2014) 1

<sup>10</sup> *ibid*

<sup>11</sup> United Nations Human Rights Office of the High Commissioner( n 9) 1

<sup>12</sup> *ibid*

<sup>13</sup> Bahar Jibriel, A Human Rights-Approach To Counteract Trafficking In Women: The Case of Ethiopia, 3 Oromia J. L (2017) 220

<sup>14</sup> Sandy K Wurtele, 'Sex Trafficking and The Commercial Sexual Exploitation' (2017) 123

<sup>15</sup> UNICEF, Child Trafficking in the Nordic Countries: Rethinking Strategies of National Responses (2012)

children and requires the party states to prevent and combat trafficking in children.<sup>16</sup> The protocol to prevent, suppress and punish trafficking in persons especially women and children, supplementing the United Nations Convention against transnational organized crime (hereafter “trafficking protocol”) incorporates various prevention measures to combat trafficking in children and women.<sup>17</sup> Moreover, the protocol requires the state parties to criminalize, to adopt prevention activities to combat child trafficking<sup>18</sup> and to employ special investigative technique to investigate trafficking in persons.<sup>19</sup>

Domestically, the FDRE Constitution prohibits trafficking in children<sup>20</sup> and Ethiopia is state party to the trafficking protocol.<sup>21</sup> Besides, Ethiopia is state party to almost all core international and regional human rights instruments such as CRC, ICCPR, ICESCR, ACHPR and ACRWC. These instruments are part and parcel of law of the land and fundamental to combat human trafficking.<sup>22</sup> Moreover, the government of Ethiopia has adopted laws particularly aimed to combat human trafficking.<sup>23</sup> Most importantly, currently applicable anti- human trafficking law of Ethiopia<sup>24</sup> incorporated the prevention measures that targeted to combat child trafficking.

On top of that, the government of Ethiopia established various institutions which have duties to protect the rights of children. Despite the above measures, child trafficking is highly practiced in different parts of the country and the huge number of victims of trafficking passes their life in the street while the prosecutions of traffickers and prevention of trafficking in persons is too far from the expected.<sup>25</sup>

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<sup>16</sup> See Art. 35 of the CRC; Art 8 and 2(2) of the ICCPR; Art 10(3) of the ICESCR; Art 15, 27, 29 and 1(1) of the ACRWC; Art 1 and 5 of the ACHPR; Art 2(9) of the Protocol the ACHPR on the Rights of Women in Africa .

<sup>17</sup> See Art. 9, 10,11, 12 and 13 of the Trafficking Protocol

<sup>18</sup> *ibid* Art 5 and 9

<sup>19</sup> See Art. 1(2) of the Trafficking Protocol and Art 20(1) of Convention against Transnational Organized Crime

<sup>20</sup> FDRE Constitution, Proclamation No. 1/1995, Art. 18(2)

<sup>21</sup> Ethiopia acceded the Trafficking Protocol in 2012

<sup>22</sup> Zelalem Shiferaw Wolde Michael, ‘Criminalization and Prosecution of Human Trafficking in Ethiopia: Assessing The Legal Framework In Light Of International Standards’, 4 Bricks Law Journal, (2017) 120; Ethiopia-UN Treaty Body Database-OHCHR, Ratification Status for Ethiopia Shows, Ethiopia Ratified CRC in 1991, ICCPR and ICESCR in 1993, ACHPR

<sup>23</sup> Trafficking Proclamation No. 909/2015; Trafficking Proclamation No. 1178/2020

<sup>24</sup> Art. 18 and 24 of the Trafficking Proclamation No. 1178/2020

<sup>25</sup> Jibriel (n 13) 221

Trafficking in children from rural areas to urban centers is a fundamental challenge in S/N/N/P/R. In recent year, particularly the reality of child trafficking in Wolaita zone has taken the concern of local governments of the region, professionals, different NGOs and the concerned government bodies but its extent is increasing at alarming rate.<sup>26</sup>

According to the revised constitution of S/N/N/P/R state proclamation number 35/2001, wereda government is established with legal duties to implement the laws enacted both at the federal and regional levels. To give effect to these duties wereda government required to play crucial roles to combat trafficking in children. It is obvious that child trafficking has multidimensional problems in the country in general. To this end, child trafficking needs urgent measures including addressing socio-economic condition, effective investigation and the collaboration of all of the institutions of government and etc. Accordingly, Duguna Fango Wereda (herein after “DFW”) is required to play crucial roles to combat child trafficking.

## **1.2 Statement of the Problem**

Trafficking in children is a practice that endangers the development of children by separating them from their family in the stage when child needs care and protection from their families or guardians. As a result, the children who are the future productive generation become poor in economy and health.<sup>27</sup> Besides, it has an impact on families and societies since children are today’s flowers and tomorrow’s seeds.

In the most community of Ethiopia particularly in S/N/N/P/R trafficking in children considered as a good opportunity for the children to live better life in cities. To this end, trafficking in children frequently conducted in organized way and one of main income-generating activity in the area.<sup>28</sup> As indicated in back ground, the government of Ethiopia has obligation to prevent and investigate child trafficking. The prevention obligations of the government towards trafficking in children are obligation to raise awareness about child trafficking,<sup>29</sup> to address social and

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<sup>26</sup> Yishak Gecho and Asrat Worku, Child Trafficking in The Case of Wolaita Zone, Southern Nation Nationalities and Peoples Region, Ethiopia, 6 Humanities and Social Sciences, (2018) 40

<sup>27</sup> UNODC, Global Report on Trafficking In Person (2014) 11

<sup>28</sup> United States Department of State, Trafficking in Persons Report-Ethiopia(2018)available at <<https://www.refworld.org/docid/5b3e0b454.html>> accessed on 7 February 2020

<sup>29</sup> See Art. 9(2) of the Trafficking Protocol; Art 38(1) of the Trafficking Proclamation No. 1178/2020

economic conditions which cause human trafficking,<sup>30</sup> to rescue children on trafficking,<sup>31</sup> and to take collaborated actions with concerned bodies.<sup>32</sup> On top of that, the investigation obligations of the government towards trafficking in children are obligation to conduct proactive investigation<sup>33</sup>, to conduct joint investigation<sup>34</sup> and to supervise the investigation.<sup>35</sup>

To discharge these obligations the government of Ethiopia has taken legislative, administrative and other appropriate measures. Most importantly, at wereda level there are institutions such as women, children and youth affairs office, police office, public prosecutor office, food security coordination sector and rural employment creation sector that established with powers and obligations relevant to combat human trafficking. Despite these relevant institutions, child trafficking is regularly conducted in DFW and the number of perpetrators brought before justice system is very few compared to the extent of child trafficking in the area.<sup>36</sup> In DFW numerous numbers of investigations is commence on suspects of child trafficking but almost all of the investigation files are closed.<sup>37</sup>

On top of that, Yisak and Asrat found that most of the victims of child trafficking are below the age of 14 years and the communities of DFW do not combat child trafficking rather they participated in the process of child trafficking by considering trafficking in children benefits both the children and family. In addition, their study revealed that the environment in DFW aggravated the extent of child trafficking and it needs urgent measures to curtail child trafficking.<sup>38</sup>

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<sup>30</sup> See Art. 9(4) of the Trafficking Protocol; Art 24(1)(a) of the Trafficking Proclamation No. 1178/2020

<sup>31</sup> See Art. 11(1) of the Trafficking Protocol; Art 19 of the Trafficking Proclamation No. 1178/2020

<sup>32</sup> See Art. 9(3 and 4) of the Trafficking Protocol; Art 41 of the Trafficking Proclamation No. 1178/2020

<sup>33</sup> See Art. 1(2) of Trafficking Protocol and Art 20 of the CATOC; Art 9(b) and Art 22(1) of Criminal Procedure Code of 1961

<sup>34</sup> See Art. 1(2) of Trafficking Protocol cum Art 19 of the CATOC; Art 49 of Trafficking Protocol No. 1178/2020

<sup>35</sup> See Art. 6(3) of the Federal Attorney General Establishment Proclamation No. 943/2016

<sup>36</sup> DFW Police Office Crime Report of 2019 reveals that in 2019 DFW police office send 1 child trafficking case for Wolayta Zone attorney general

<sup>37</sup> DFW 2019 crime report statistics reveals that from 12 child trafficking cases, 11 child trafficking investigations are closed after the investigations are commenced on crime investigation department of DFW police office.

<sup>38</sup> Yishak and Asrat, (n 26) 38-41

On other hand, most of the studies conducted on human trafficking imply that the root cause for children vulnerability to trafficking is poverty.<sup>39</sup> But the extent of child trafficking in DFW is very high than other wereda in Wolayta Zone that has similar economic status with DFW.<sup>40</sup>

Moreover, among the returnee from several urban centers of the country to Wolayta Zone more than half of the returnees were trafficked from DFW and among them most of the victims belong to three kebele of DFW.<sup>41</sup> On other hand, DFW has low result on combating child trafficking and they condemned for the prevalence of child trafficking in the study area.<sup>42</sup>

Despite, Child trafficking has gained significant attention from the government and NGOs; there is lack of studies on the prevention and investigation of child trafficking. Thus, combating child trafficking needs more has to be done particularly at the wereda level. Therefore, DFW is required to conduct key function and to provide significant attention towards the combat against child trafficking.

### 1.3 Literature Review

The existing studies on child trafficking are mainly concerned with the cause, consequences, child labor and the role of local governments, the extent of child trafficking and national response. Accordingly, Wallelign Gessit<sup>43</sup> in his thesis entitled “The role of local governments in combating human trafficking in Ethiopia: The case of Addis Ketema, Sub-City of Addis Ababa city administration wereda seven” conclude that the prevention of child trafficking entails the local regimes to adopt the form of measures and organize the institutions in an exceedingly way in fact to combat child trafficking and should use its power thereto effect. Moreover, he assessed that, representatives of concerned government institutions not adequately understand human

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<sup>39</sup> Girma GebreSelassie, ‘Child Trafficking and Its Forms of Child Labor: The Case of Traditional Weavers in Shiro Meda Area of Addis Ababa’, (MA Thesis, Indira Gandhi National Open University, 2014), available at <<http://repository.smuc.edu.et/handle/123456789/266?mode=full>> accessed on 27 January 2020; Asayeberhan Kastro, Community-Based Prevention of Child Trafficking in Southern Ethiopia (2018) 1-14

<sup>40</sup> The feedback to DFW women, children and youth affairs office from Wolayta zone women, children and youth affairs department on 2019; Ayele Tesema, livelihood Adaption Risks and Vulnerability in Rural Wolayta, Ethiopia (published PHD thesis, Norwegian University, 2014)

<sup>41</sup> The feedback to DFW women, children and youth affairs office from Wolayta zone women, children and youth affairs department on 2019

<sup>42</sup> The feedback to DFW Police Office from Wolayta zone police department on 2018 and 2019

<sup>43</sup> Wallelign Gessit (2018), The Role of Local Governments in Combating Human Trafficking in Ethiopia: The Case of Addis Ketema Sub City of Addis Ababa City Administration Wereda Seven, LL.M Thesis, AAU available at <<http://etd.aau.edu.et/handle/123456789/12657>> accessed on 3 January 2020

trafficking and accordingly they have not given due considerations and failed to appropriately implement anti-human trafficking laws. However, his study is not particularly devoted to the prevention and investigation of child trafficking and the study area was not the origin of child trafficking. Moreover, Girma GebreSelassie<sup>44</sup> in his thesis entitled “child trafficking and child labor: The case of traditional weavers in Shiro meda area of Addis Ababa” assessed that families of the trafficked child have a misconception on child trafficking and child labor. Besides, he determined that child trafficking and child labor are not given adequate attention by concerned bodies. However, under his study, he was not devoted to the investigation of internal child trafficking and not recommended the investigation methods that can combat child trafficking by bringing the perpetrators before the justice system.

Aden Dejene Tolla<sup>45</sup> in his dissertation entitled “Assessing the extent of child trafficking and national responses in Southern Gondar, Ethiopia” concluded that in Ethiopia the extent of child trafficking is very high and it is one of fundamental challenge. Social and economic factors, as well as low levels of awareness on part of the child are determined as main factors for the vulnerability of children for child trafficking. Moreover, he examined that there is a lack of adequacy in existing laws to effectively combat child trafficking and even the existing laws not properly implemented by concerned bodies. However, under his study, he not recommended how the government should establish effective investigation methods to brought perpetrators of child trafficking before the justice system. Yishak Gecho and Asrat Worku<sup>46</sup> conducted a study entitled “child trafficking in the case of Wolaita zone, Southern Nation Nationalities and Peoples’ region, Ethiopia “ which assessed the cause and consequences of child trafficking, they showed that economic and social factors are the main reasons for children susceptibility to child trafficking. Moreover, they examined that child trafficking has worst consequences on the development of the child but the misconception of society is a great challenge to its prevention. However, under their study, they not devoted to the prevention and investigation of child

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<sup>44</sup> Girma GebreSelassie , ‘Child Trafficking and Its Forms of Child Labor: The Case of Traditional Weavers in Shiro Meda Area of Addis Ababa’, (MA Thesis, Indira Gandhi National Open University, 2014), available at <<http://repository.smuc.edu.et/handle/123456789/266?mode=full>> accessed on 27 January 2020

<sup>45</sup> Aden Dejene Tolla, ‘Assessing the Extent of Child Trafficking and National Responses in Southren Gondar, Ethiopia’, (PhD Thesis, KwaZulu-Natal University 2017) available at <[http://ukzn-dspace.ukzn.ac.za/bitstream/handle/10413/15925/Tolla\\_A\\_D\\_2017.pdf?sequence=1&isAllowed=y](http://ukzn-dspace.ukzn.ac.za/bitstream/handle/10413/15925/Tolla_A_D_2017.pdf?sequence=1&isAllowed=y)> accessed on 27 January 2020

<sup>46</sup> Yishak and Asrat (n 26), 38-53



trafficking and not recommended how to effectively prevent and investigate internal child trafficking.

Zelalem Shiferaw WoldeMichael<sup>47</sup> in his study entitled “prevention of human trafficking in Ethiopia: assessing the legal framework” he investigated that following the ratification of UN trafficking protocol Ethiopia adopted legislative measures to combat trafficking in human beings which includes child trafficking, but the methods of prevention of child trafficking is not clearly incorporated in trafficking proclamation as it provided under UN trafficking protocol. However, his study was not devoted to internal child trafficking and not discussed the practice of concerned government institutions on prevention and investigation of human trafficking in general and internal child trafficking in particular. Asayeberhan Kastro<sup>48</sup> in his study entitled “Community based prevention of child trafficking in Southern Ethiopia” assessed that the role of the community including workers of bus stations has fundamental importance for the prevention of child trafficking. However, his study was not examined the role of concerned government institutions in the prevention and investigation of child trafficking. Even though, there are several research studies on the issues of child trafficking in Ethiopia, the existing literature reveals prevention and investigation of child trafficking remain under-studied.

Thus, the prevention and investigation of child trafficking (specifically the prevention and investigation of child trafficking at the wereda level) and their emphasis on prevention and investigation of child trafficking have represents a gap.

None of the existing studies told about the gaps in the prevention and investigation of child trafficking at the wereda level. Many academicians and researchers in Wolayta Zone hesitate to conduct study on the prevention and investigation of child trafficking while the extent of child trafficking is at a sever stage in Wolayta zone in general and in DFW in particular. This is mainly because of lack of attention from the concerned bodies and perception of the community on child trafficking. Because of the dangerous effects of child trafficking, the understanding we have on the prevention and investigation of child trafficking is very important to tackle the problem. To this end, DFW is required to ensure one of its mandates is prevention and

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<sup>47</sup> Zelalem ‘Prevention of Human Trafficking in Ethiopia: Assessing the Legal Framework’ (n 17) 208-217

<sup>48</sup> Asayeberhan Kastro, Community-Based Prevention of Child Trafficking in Southern Ethiopia (2018) 1-14

investigation of child trafficking. Thus, it is important to discuss the obligation of DFW towards the prevention and investigation of child trafficking and what have been conducted so far in DFW in the prevention and investigation of child trafficking. Accordingly, this research aimed to scrutinize the obligations and activities conducted by DFW in the prevention and investigation of child trafficking. Moreover, the study also aims to fill research gaps with regard to the efforts of local governments in the prevention and investigation of child trafficking.

In general, there is no exhaustive and comprehensive study done that cumulatively explores and examines the prevention and investigation of internal child trafficking in Ethiopia while this study specifically will devote to analyze the prevention and investigation of internal child trafficking and will recommend appropriate preventive and investigative methods that can curtail internal child trafficking. Besides, the study area of this research is the place of origin for child trafficking while most of the existing studies are conducted in place of destination. Therefore, this research will attempt to fill this gap and will provide necessary findings and recommendations to the effective prevention and investigation of internal child trafficking.

## **1.4 Objectives of the Study**

### **1.4.1 General Objective of the study**

The general objective of this study was to analyze the prevention and investigation of child trafficking in Duguna Fango Wereda.

### **1.4.2 Specific Objectives of the Study**

Based on the abovementioned general objective, the specific objectives of the study were:

- i. To explore the legal frameworks and institutional arrangements in Ethiopia for the prevention and investigation of trafficking in children;
- ii. To explore the DFW obligations towards the prevention and investigation of trafficking in children;
- iii. To examine the prevention and investigation activities in DFW towards the prevention and investigation of trafficking in children;
- iv. To examine the challenges of DFW to the prevention and investigation of child trafficking

## **1.5 Research Questions**

Based on the abovementioned objectives, this study answer the following questions:

1. What legal frameworks and institutional arrangements exist in Ethiopia for the prevention and investigation of trafficking in children?
2. What obligations DFW have towards the prevention and investigation of trafficking in children?
3. Does the existing prevention and investigation activities of DFW towards child trafficking conform the laws relevant to combat trafficking in children?
4. What are the challenges of DFW to the prevention and investigation of child trafficking?

## **1.6 Description of the Study Area, Research Design and Research Methodology**

### **1.6.1 Description of the Study Area**

The geographic area of this study is DFW which is one of 20 woreda of Wolaita Zone of S/N/N/P/R/S. DFW is located 40 kilometers east from Soddo city (the capital city of Wolaita Zone), 86 kilometers south west from Hawassa city (the capital city of S/N/N/P/R/S) and 418 kilometers south from Addis Ababa.<sup>49</sup> According to 2017 central statistics agency population projection, total population of DFW is 118,051, of whom 60,086 were women and 57,965 were men. From the total population, only 3.53% were urban dwellers. According to DFW women and children affairs office data, children comprise 51% from the total population of the wereda.

### **1.6.2 Research Design and Research Methodology**

This study is designed to analyze the prevention and investigation of child trafficking in DFW. Therefore due to objectives of the study and complexity of the subject matter this research is a combination of both doctrinal and non-doctrinal research (socio-legal). It is doctrinal as it explores the legal and institutional frameworks on prevention and investigation of child trafficking, and it is non-doctrinal since it aims to thoroughly analyze the practice of DFW on

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<sup>49</sup> Information Acquired from Office of Plan and Development in DFW on 2020

prevention and investigation of child trafficking. This study mainly focuses on the critical analysis and evaluation of the prevention and investigation of child trafficking in DFW towards its conformity to the laws. This specific woreda has been chosen because it is the source of child trafficking and extremely affected by child trafficking. The extent of child trafficking in the area growing in alarming rate and currently it is in the severe stage. Moreover, child trafficking became a source of income and conducted in an organized manner in the area.

Therefore, based on the objectives, research questions and complexity of the issue under investigation the research is qualitative since qualitative method enables the study to gather affluent data on the feelings, understandings, and experiences of the key informants because qualitative method utilize semi-structured or open ended questions that give appropriate freedom for key informants and enables the researcher to gather more data based on the responses of key informants. Accordingly, the study undertaken by the qualitative data gathered from key informant interview, FGD, case studies and document analysis.

### **1.6.2.1 Sources of Data**

Both primary and secondary data was used to this study. The primary data were collected from key informants, FGD discussion and case studies. Subjects of the study are police office, women, children and youth affairs office, prosecutor office, rural employment creation sector and food security coordination sector. Bitena town and Dimitu town bus stations, local communities, families of victims, children and returnee are primary sources of data. Besides, it collected from international, regional and national laws and the documentation of DFW. Secondary data was collected from published and unpublished materials which available in the form of books, journal articles, reports, researches, declarations, plan of actions, guidelines and online internet sources.

### **1.6.2.2 Methods of Data Collection**

This study employed various data collection methods such as in-depth interview, case studies, FGD and document analysis. In-depth interview that provides flexibility both to the interviewer and the interviewee to get more information and to provide detailed information on the subject matter will be conducted with key informants.

Thus, because of the complexity of the issue under investigation, to get more detailed and relevant information on the subject matter this study will employ in-depth interviews guided by open-ended questions with purposive selected key informants. To examine deeply the understanding of key informants those have a high connection with the topic and to obtain more detailed information on the subject matter the researcher will conduct in-depth interview with the key informants who will select on purposive sampling method from the relevant institutions such as wereda council, women, children and youth affairs office, police office, attorney office, rural employment creation sector and food security sector. Besides, purposively selected key informants from Bitena and Dimtu town bus station, the families of victims of trafficking, local communities, the returnee and the children will interviewed. Interviewees are selected according to their deep information on the subject matter. Therefore, it is interview with individuals having first hand affluent information. Hence, key informant interviews were conducted to seek deep insight from a wide range of people.

Case studies are important to understand the existing practice on specific issue in the particular area.<sup>50</sup> To this end, the study employed case study on the investigation file of DFW which conducted on trafficking in children.

FGD that used to collect high-quality data in a shared context and supplement data obtained through in-depth interview was employed in this study.<sup>51</sup> Because of the complexity of issue under investigation, FGD has significant importance to have deep and broad understanding on the issues. One FGD conducted with diversity of the group to have deep and broad insight on the subject. The study gathered affluent data from FGD on the duties of wereda towards the prevention and investigation of child trafficking, on causes of child trafficking and activities conducted by DFW towards the prevention and investigation of child trafficking. To run the FGD effectively and to obtain detail information within a time, the researcher who is a moderator of FGD prepared a check-list and guiding questions. The data gathered through key informant interview and FGD were collected in Wolayta language and later translated into English.

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<sup>50</sup> Anne F Marrelli, 'Collecting data through Case Studies' (2007)

<sup>51</sup> Rana Muhammad Dilshad and Muhammad Ijaz Latif, 'Focus Group Interview As a Tool For Qualitative Research: Analysis', 33 Pakistan J. S S, (2013) 192

Moreover, this study employed document analysis to deeply understand and to thoroughly analyze the issue under investigation. Accordingly, relevant document that are available in the form of proclamations, regulations, directives, conventions, protocols, recommendations, books, journal articles, researches, reports, and online internet sources were analyzed.

### **1.6.2.3 Sampling methods**

Qualitative research entails the study to make deep inquiry into the problem. Therefore, based on nature of subject matter the study employed purposive sampling method which enables the study to quickly reach the targeted sample and to gather affluent data on the subject. The study employed purposive sampling because it allows the study to select informants who represent the population and can provide affluent data on the issues. Hence, purposive sampling is more appropriate to this study because issues under the investigation are complex, sensitive and difficult to obtain ample data. The selection of FGD discussant, and key informants from DFW concerned institution were made mainly based on their responsibilities and on their roles on the issue under the investigation. The selection of FGD discussants from bus stations, local communities and the selection of key informants from local communities, families of victims, children and returnee were made based on the preliminary study conducted on the study area. Accordingly, the selection of FGD discussant, and key informant from bus stations were made mainly based on their responsibilities and on their roles on the issue under the investigation. Particularly, the two bus stations are transit station in the DFW and selected mainly based on its high connection with the issue under investigation. The key informants from the returnees were selected through in snowball technique based on their dwelling in severely affected kebele and familiarity with child trafficking. To understand the perception of children on trafficking in children the key informants from children were selected through snowball technique based on their dwelling in severely affected kebele, and transit kebele for child trafficking in DFW. In addition, the numbers of children in the families were considered in the selection of key informants from the children. The selection of key informants from the families of victims and local communities were based on their dwelling on severely affected kebele. In addition, the number of victim children considered in the selection of families of victims. The selection of key informants from the families of victims and local communities were made based on their dwelling on main place of transit.

In this particular study 34 key informants were interviewed. These key informants are two from women, children and youth affairs office, four from police office, three from public prosecutor office, one from rural employment creation sector, one from food security coordination sector, one from Bitena and Dimtu town bus stations, five from families of trafficked children, five from the local communities, five from children and six from the returnees. The number of interviewee from the institutions determined mainly based on the number of work units on the office that are relevant for issue under investigation while the number of key informants from families of victims, local communities and children are determined mainly based the number of kebele in DFW that are highly affected by child trafficking and based on number of kebele which is the main place of transit for trafficking in children. Six returnees were selected from highly affected kebele to adequately understand the child trafficking in the study area even if the numbers of kebele in DFW that are highly affected by child trafficking are three. Additionally, one FGD employed with purposively selected 10 discussants from the relevant government institutions, such as women, children and youth affairs office, prosecutor office, police office, food security coordination sector and rural employment creation sector. Participant from wereda administrative council, bus stations, families of victim and local communities are included in FGD. Most importantly, this study used three case studies on investigation file of child trafficking. The selection of investigation files to case studies was determined based on the number of victims on closed investigation file, and number of investigation file which sent to Wolayta zone attorney general. Thus, two closed investigation file which have one victim and more than two victims, and one investigation file which sent to Wolayta zone attorney general were used to case studies to understand the practice of investigation of child trafficking in DFW.

#### **1.6.2.4 Methods of Data Analysis**

After completing collection of data, data arranged based on its sources and types. Then, the data gathered through audio recording were transcribed, checked, coded and themed. The data collected through Wolaita language were translated into English. Finally, all data were analyzed in an organized way and in explanatory form whilst keeping its original content to provide conclusion solely based on data gathered from key informants, FGD, case studies and relevant documents.

## **1.7 Scope and Limitation of the Study**

This study has conducted specifically in DFW of Wolayta zone. This specific wereda has been chosen because of it is vulnerable area in which magnitude of child trafficking is at severe stage and it is origin place of trafficking in children. Even if child trafficking is very wide and complex issues, the main focuses of this study is limited to examine the prevention and investigation of child trafficking. In doing so, the study looked into the relevant legal and institutional frameworks towards the prevention and investigation child trafficking and the obligations of wereda towards the prevention and investigation of child trafficking. Besides, the study analyzed the activities conducted by DFW towards the prevention and investigation of child trafficking. Furthermore, the study assessed whether DFW is discharged its obligations towards the prevention and investigation of child trafficking. Trafficking in children can be internal and external; but this study limited to the prevention and investigation of internal child trafficking.

As far as the limitation of this study concerned, issue under investigation is sensitive in the study area and caused difficulty to obtain reliable data from key informants. The data collection period was agricultural season in the study area and it caused challenges to contact key informants. Besides, COVID-19 challenged to contact key informants and to conduct FGD.

Lack of adequate organized data in the concerned government institutions and lack of commitment on part of government officials to cooperate with the researcher to provide relevant information and copy of relevant documents were among the limitation in the conducting of this study. Moreover, the refusal of returnee to provide relevant information and the financial constraints are limitations to this study. The researcher made his best to overcome these limitations by respectfully informing the informants about the aim of the study and maximized his efforts to remedy the problems.

## **1.8 Significance of the Study**

The study conducted to examine the prevention and investigation of child trafficking. In doing so it looked into relevant legal and institutional frameworks towards child trafficking and analyzed the obligations of DFW and activities conducted by DFW towards the prevention and investigation of child trafficking. Then it assessed the activities taken by DFW. Moreover, it identifies the area of challenges in the prevention and investigation of internal child trafficking.



Finally, on completion of the study, the researcher provided how the proposed study addresses the problem in a way that adds value. Such value added through providing a body of knowledge on the subject matter to concerned bodies and to all the readers of this research.

In general, this study has the following significances:

- ✓ It serves relevant information for wereda to review its efforts in the prevention and investigation of child trafficking.
- ✓ It creates awareness for the individuals and to the concerned bodies of wereda about the effective prevention and investigation of child trafficking.
- ✓ It serves relevant information to the concerned federal and regional government and policymakers to consider the prevention and investigation of child trafficking within Ethiopia.
- ✓ It provides important information to the NGOs working on the rights of children to devise effective prevention of child trafficking within Ethiopia.
- ✓ The findings and recommendations of this research will provoke further study in the prevention and investigation of child trafficking in wereda and will be used as reference material for students and researchers.

## **1.9 Ethical Considerations**

In the conducting of this research, the researcher requested the key informants and concerned bodies under the investigation to provide relevant documents and willing to the interview in the course of this study by showing the letters from school of law at Jimma University that appealing the cooperation of relevant bodies. Some of key informants asked anonymity for their identity. Accordingly, the identity of key informants who asked anonymity was not revealed. In general, throughout the course of this study careful cares of the necessary ethics has been taken and all of the participants treated with due respect.

## **1.10 Organization of the Study**

This study has five Chapters. The first chapter is introduction of the whole study. The second chapter dealt with the general overview on child trafficking. To address this topic, the conceptual frameworks related to child, child trafficking, actors involved in child trafficking, concept of the prevention and investigation of child trafficking, prevalence of child trafficking and measures taken at the international and regional level are discussed in this chapter. The third Chapter

discusses the legal and institutional framework of Ethiopia on child trafficking. To address this topic, the extent of problem of child trafficking in Ethiopia, the normative and institutional framework to the prevention and investigation of child trafficking as well as the specific obligations of DFW towards the prevention and investigation of child trafficking were dealt under this chapter. Chapter four of the study is devoted to make analysis on prevention and investigation activities of DFW in light of its obligation towards prevention and investigation of trafficking in children. The fifth and final chapter includes conclusions and recommendations based on the discussion in preceding chapters.

## CHAPTER TWO

### 2. General Overview on Child Trafficking

#### 2.1. Introduction

This chapter dealt with general overview on child trafficking. The major areas of this chapter include concept of child, concept of child trafficking, global situation on child trafficking, actors involved in child trafficking, concept of prevention and investigation of child trafficking, and international and regional efforts to combat child trafficking as well as international and regional instruments ratified by Ethiopia which are relevant towards combating child trafficking. In this chapter the key concept of the study were thoroughly discussed.

#### 2.2. Concept of Child and Child Trafficking

##### 2.2.1. Concept of Child

The definition of child has embodied in several international and regional human rights instruments relevant to the protection of their rights. Besides, the trafficking protocol provides definition for the child. The CRC defines child as “every human being below the age of eighteen years unless in the law applicable to the child majority attained earlier”.<sup>52</sup> This definition is not a concise definition because it allows the domestic laws and other human rights instruments dealing with rights of child to define the lower attainment age of majority of the child other than the lower age limit defined by CRC. But, CRC has provision that impose obligation on party states to give due attention for the best interest of child in all decisions relating to the children.<sup>53</sup> Hence, the consideration of best interest of child in all decisions concerning child reflects states are not absolutely free to define the lower age limit of the child for attainment of majority. The ACRWC defined child as “every human being below the age of 18 years”.<sup>54</sup> The definition provided by ACRWC is a concise definition for children by limiting the lower majority attainment age. This definition of child is adopted by many states including Ethiopia and different international instruments provide similar definition to the term child. Similarly, trafficking protocol defines child as “any person less than eighteen years of age”.<sup>55</sup>

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<sup>52</sup> Art. 1 of the Convention on the Rights of Child

<sup>53</sup> *ibid* Art 3(1)

<sup>54</sup> Art. 2 of the African Charter on Rights and Welfare of Children

<sup>55</sup> Art. 3(d) of the Trafficking Protocol

In Ethiopia, the definition of child has not been included in the supreme law of land. However, numerous subsidiary laws provide definition for child. For instance, civil code of Ethiopia and the revised family code used the term minor to refer child and defined minor as a person of either sex who has not attained the full age of 18 years.<sup>56</sup>

Most importantly, the repealed proclamation on prevention and suppression of trafficking in persons and smuggling of migrants<sup>57</sup> defined child as “a person under age of 18 years”. Likewise, the new law on anti-human trafficking has adopted similar definition for who is the child.<sup>58</sup>

Almost all of the Ethiopian laws adopted a concise definition for concept of child. Further it is similar to the definitions provided under ACRWC and trafficking protocol. Therefore, in this study child refers a person who has not attained the full age of 18 years.

### **2.2.2. Concept of Child Trafficking**

Understanding trafficking in children which comprises wide variety of means and acts were fundamental to adequately understand the mechanism of child trafficking and to adopt anti-child trafficking strategies.<sup>59</sup>

As highlighted in background, concept of child trafficking provided in different instruments such as CRC, ILO worst forms of child labor convention No. 182 of 1999, trafficking protocol and etc. Thus, trafficking in person including child trafficking is widely known concept and condemned by various instruments. However, until the adoption of trafficking protocol there is no international or regional instruments that provide agreed comprehensive definition for the term trafficking in persons.<sup>60</sup>

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<sup>56</sup> Art. 198 of the Civil Code ; Article 215 of the Revised Family Code, Proclamation No. 213/2000

<sup>57</sup> Art. 2(13) of the Trafficking Proclamation No. 909/2015

<sup>58</sup> See Art. 2(10) of the Trafficking Proclamation No. 1178/2020

<sup>59</sup> United States Department of State (n 7) 8

<sup>60</sup> UNODC, the International legal definition of Trafficking in Persons: Consolidation of research findings and reflection on issue raised, (2018) 1

The CRC define child trafficking as illicit transfer and non-return of children.<sup>61</sup> While the ILO worst forms of child labor Convention provides child trafficking as one of the worst forms of child labor.<sup>62</sup> Both CRC and ILO convention on worst forms of child labor define the term trafficking in children from different perspective but both instruments entails the prohibition of child trafficking.

The trafficking protocol which is the first binding comprehensive international instrument in the world in the field of trafficking in persons provides definition for trafficking in persons. It defines human trafficking as the recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, abduction, fraud, deception, the abuse of power or a position of vulnerability or 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.<sup>63</sup> Simply it refers the process of coercing or tempting persons into exploitation. Therefore, child trafficking can takes place in the victims' origin, transit and destination. This definition is the first internationally agreed comprehensive definition of trafficking in persons and it becomes a fundamental base to states to build their laws to criminalize and prevent human trafficking. Besides, this definition of human trafficking also applies to cases of human trafficking within a country and widely adopted in most countries domestic laws towards regulating trafficking in persons. Most importantly, the international organizations and NGOs adopted the definition enshrined in the trafficking protocol.<sup>64</sup>

The definition under trafficking protocol for trafficking in persons has three key elements such are the action elements, the means elements and the purpose elements. The action element comprises recruitment, transportation, transfer, harboring or receipt of persons. These action element stands alone and the existence of one of the action element suffice to the fulfillment action element. Thus, transportation of person from one place to another place is not necessary to

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<sup>61</sup> Art. 11(1) of the Convention on the Rights of Child

<sup>62</sup> Art. 3(a) of the ILO, Worst Forms of Child Labor Convention No. 182 of 1999

<sup>63</sup> Art. 4 of the Trafficking Protocol

<sup>64</sup> Johannes Koettl, 'Human Trafficking, Modern Slavery, and Economic Exploitation'(2009)5-6

constitute trafficking in person in the existence of either harboring or receipt of a person. The means element comprises threat or use of force or other forms of coercion, abduction, fraud, deception, the abuse of power or a position of vulnerability of the giving or receiving of payments of benefits to achieve the consent of a person having control over another person. The act that constitutes the means elements stands alone not required cumulatively. Moreover, the existence of any of the means element nullifies the existence of consent on part of trafficked persons and the consent of trafficked persons cannot be raised as defense by the perpetrators of trafficking in persons. While the purpose element refers exploitations which at minimum include sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs. The purpose element of trafficking in person is one of the major features that differentiate trafficking in persons from other forms of movement including smuggling of migrants.<sup>65</sup>

The trafficking protocol is focused on the prevention of child and women's trafficking but it does not provide a particular definition for child trafficking specifically rather adopted general definition for trafficking in persons that includes child trafficking. However, it gives emphasis for trafficking in children by excluding some of elements on definition of trafficking in persons to establish child trafficking. Hence, according to trafficking protocol<sup>66</sup> the means elements such are threat or use of force or other forms of coercion, or abduction, or fraud, or deception, or the abuse of power or a position of vulnerability or the giving or receiving of payments of benefits to achieve the consent of a person having control over another person is not required to establish child trafficking. That means the existence of action and purpose elements suffice to child trafficking. Therefore, according to trafficking protocol child trafficking defined as the recruitment, transportation, transfer, harboring or receipt of children for purpose of exploitation. Hence, the consent of child or parents of child at recruitment or harboring or transportation or at any later stages is irrelevant and does not claim as defense on crime of child trafficking.

In Ethiopia, the definition of trafficking in children has been embodied in various subsidiary laws. The revised criminal code of the FDRE defined child trafficking as recruitment, receipt, hide, transporting, exporting or importing child by means of violence, threat, deceit, fraud,

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<sup>65</sup> United Nations Human Rights Office of The High Commissioner, Recommended Principles and Guidelines on Human Trafficking(2010) 35

<sup>66</sup> Art. 4 ( c) of the Trafficking Protocol

kidnapping or by the giving of money or other advantage to the persons having control over a child for the purpose of forced labor.<sup>67</sup> This definition was too narrow by limiting the purpose of trafficking only to forced labor in the existence of many other forms of exploitation on trafficked children. Moreover, the means element such as violence, threat, deceit, fraud, kidnapping or by the giving of money or other advantage to the persons having control over a child are provided as elements of crime of child trafficking. This definition and other provisions of FDRE criminal code regulating human trafficking is repealed on ground of its inadequacy to combat trafficking in persons.<sup>68</sup> As a result it replaced by particular law devoted to combat child trafficking.

Nationally, the comprehensive definition for child trafficking is provided under the proclamation on prevention and suppression of trafficking in persons and smuggling of migrants. It defines child trafficking as recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation. On top of that, it does not provide the means element as requirement to establish child trafficking. Moreover, the proclamation defined various forms of exploitations such as sexual exploitation, labor exploitation, forced labor or servitude, slavery or similar practice to slavery, sexual servitude and enslavement, debt bondage or surrender as pledge for another; removal or taking of organs of human body, forcefully engaging in begging and engaging in military service.<sup>69</sup> The recent law on prevention of trafficking in persons and smuggling of persons<sup>70</sup> which repealed trafficking proclamation number 909/2015 define child trafficking in a similar approach as the repealed anti-human trafficking law. This definition conform the definition provided in trafficking protocol and it is reflection of Ethiopia government's commitment to combat child trafficking.

The element of trafficking in persons who attained majority is wider than the element of trafficking in children. Thus, in the former there are three elements such as the means element, acts element and purpose element while in the latter there is only two elements that are acts element and purpose element. This reflects that both the trafficking protocol and anti-human trafficking laws of Ethiopia particularly proclamation number 909/2015 and 1178/2020 had given particular attention to combat child trafficking.

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<sup>67</sup> See Art. 597(1) of the FDRE Revised Criminal Code, Proclamation No. 414/2004

<sup>68</sup> See Para 3 of the Trafficking Proclamation No. 909/2015

<sup>69</sup> *ibid* Art 3(3) of the Trafficking Proclamation No. 909/ 2015

<sup>70</sup> Art. 3(3) of the Trafficking Proclamation No. 1178/2020 provides: "The recruitment, transportation, transferring, harboring, hiding or receipt of a child for the purpose of exploitation shall be considered as Trafficking in Persons".

### 2.3 Global Situation on Child Trafficking

Trafficking in children leaves virtually no country untouched across the world. Child trafficking can be the result of a variety of reasons that put the children in the vulnerability for trafficking. It is a hidden and complex crime which is the result of variety of economic, social, cultural and other related factors including legal factors.<sup>71</sup> The root causes of child trafficking are various and differ across the states and within a state. The causes mainly, classified as push and pull factors.<sup>72</sup> A country may serve as origin, transit or destination of victims of child trafficking. Globally, the extent of trafficking in children and the number of its victims are increasing at alarmingly. According to UNICEF, in recent years people aware that trafficking in children conducted for various forms of exploitations and most of the trafficked children end up in activities that affects their health and development.<sup>73</sup> According to ILO estimation in each year 1.2 million children are trafficked worldwide. Based on this prevalence the Special Rapporteur on trafficking in persons, especially women and children concluded that trafficking in children is a pressing problem that can affect all state across the world.<sup>74</sup>

Trafficking in children is among one of the three huge income generating and alarming rate growing activity in the world but its clandestine nature resulted difficulty to place and prosecute it.<sup>75</sup> The United States department of state asserted that globally the prevalence of human trafficking victims comprises 1.8 per 1000 inhabitants. Besides, they noted that human trafficking affects all individuals irrespective of age, sex and race while child victims comprised great share from victims of human trafficking and large number of children faced sexual exploitation in every year.<sup>76</sup> According to ILO the extent of child trafficking in some parts of Africa comprised more than 90% of human trafficking and majority of victims involved in forced labor.<sup>77</sup>

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<sup>71</sup>Bhanu and Mishra (n 5)33

<sup>72</sup> Aden (n 45) 37 Push factors are causes that exist in place of origin of trafficking and become main reasons for the vulnerability of persons to trafficking while pull factors refers the opportunity in place of destination that causes individuals to be willing to take the danger of trafficking to gain the opportunities in other places.

<sup>73</sup> UNICEF (n 1)

<sup>74</sup> Report of the Special Rapporteur on Trafficking in Persons, especially women and children (2015), A/HRC/29/38

<sup>75</sup> De Stefano, 'The War on Human Trafficking' (2007)

<sup>76</sup> United States Department of State Trafficking in Persons Report (2010)

<sup>77</sup> ILO Report on Human trafficking: Global Estimates of Modern Slavery (2018)



Besides, ILO estimated that there are more than 20 million victims of trafficking in persons exist globally and among them the majority of the victims are children.<sup>78</sup> Thus, the prevalence of child trafficking is difficult to measure; however, according to some international organizations such as ILO and UNODC majority of victims of child trafficking exploited within their country. Moreover, they noted that the extent of victims of child trafficking is not same across the regions and states. In developing countries the prevalence of trafficking in children is very high compared to its prevalence in developed countries.<sup>79</sup>

According to UNODC, globally child victims comprised 30 percent of the victims of human trafficking and among them Sub-Saharan countries comprised more than 60 percent of the victims. Moreover, they concluded that currently child trafficking is emerging as a global issue and its extent is highly increasing globally with girls comprises more share on being victims of child trafficking.<sup>80</sup>

#### **2.4.2. Actors involved in Child Trafficking**

Human trafficking in general including child trafficking as organized crime involves several individuals who are called traffickers or brokers. According to ILO, in the act of trafficking in children several individuals including parents, friends, police officers, derivers and organized group of individuals are involved in the process of recruitment, harboring, transportation and reception. These actors highly take part in the various process of trafficking mostly in the process of recruitment and movement of children from their localities to other places.<sup>81</sup>

The traffickers employ several individuals as brokers to facilitate the process of trafficking especially in the process recruitment and by doing so the traffickers easily enhances the trafficking and makes the process of child trafficking clandestine and very difficult for combat.<sup>82</sup> Therefore, the prevention and investigation against child trafficking requires adequate attention that targeted all the process of child trafficking and the actors in the process.

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<sup>78</sup> ILO Report on Forced Labor, Modern Slavery and Human Trafficking (2020)

<sup>79</sup> Department of United States of America, Trafficking in persons report (2019) 3

<sup>80</sup> United Nations Office of Drug and Crime, Global Report on Trafficking In Persons (2016)

<sup>81</sup> ILO, Child Trafficking-The Involved (2005)

<sup>82</sup> Yishak and Asrat (n 26) 47

## **2.5. Concept of Prevention and Investigation of Child Trafficking**

### **2.5.1. Concept of Prevention of Child Trafficking**

As highlighted in background, trafficking in children exceedingly affects the human rights and fundamental freedoms of the children and it has multidimensional problems. It becomes human rights issue, crime control issue and moral issue. Because of its adverse impact on the children, the society and the countries in general there is international consensus and attempt to the prevention of child trafficking. The prevention of child trafficking is one of a key approach to combat trafficking in children both at international and domestic level.<sup>83</sup> In this respect, the UN General Assembly resolution urges and encourages the governments to further enhance their efforts towards prevention of women and child trafficking.<sup>84</sup>

Despite the providing of some prevention measures, the definition of prevention of child trafficking has not been specifically embodied in international, regional and national laws which are relevant for prevention of child trafficking. However, many provisions that imply the concept of prevention of child trafficking are there. According to trafficking protocol<sup>85</sup> we can define prevention of child trafficking as interventions against trafficking in children. Besides, the specific measures listed as prevention measure implies that prevention of child trafficking refers taking specific proactive measures that can address the cause of children vulnerability into the trafficking and measures to against the acts of child trafficking and prevent the occurrence of child trafficking.<sup>86</sup> Likewise, the Vienna forum report<sup>87</sup> and the UNHCHR<sup>88</sup> defined the prevention of child trafficking as taking measures that against child trafficking.

Prevention of child trafficking has the effect of preventing and limiting the occurrence of trafficking in children. Most importantly, prevention approach has crucial significance chiefly with regard to child trafficking because children are in their mental and physical immaturity

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<sup>83</sup> See Art. 9-13 of the Trafficking Protocol; See Art 19 of Trafficking Proclamation No. 1178/2020

<sup>84</sup> UN General Assembly Resolution (2016) on Trafficking in Women and Girls (A/Res/71/167)

<sup>85</sup> See Para 1 of the Preamble of Trafficking Protocol

<sup>86</sup> For instance See Art 9 of the Trafficking Protocol

<sup>87</sup>The Vienna Forum Report: A way forward to combat human trafficking (2018) defines prevention of human trafficking as measures to address the cause of trafficking.

<sup>88</sup>United Nation Office of High Commissioner for Human Rights in 2010 on its recommended principles and guidelines on human rights and human trafficking commentary defines prevention of human trafficking as positive measures to prevent acts of trafficking from occurring. So, prevention of child trafficking refers various forms of measures or activities those targeted to the causes of child trafficking.

highly vulnerable to trafficking and exposed to grave forms of exploitation including sexual exploitation and etc. Hence, prevention of child trafficking has overriding significance to safeguard the rights of child by curtailing and avoiding trafficking in children. To this end, the international binding instruments relevant to trafficking in persons provide various forms of measures to the prevention of trafficking in persons that targeted the cause and acts of trafficking in persons.<sup>89</sup> Furthermore, the protocol requires party state to adopt various prevention measures to effectively combat trafficking in persons.<sup>90</sup>

In Ethiopia the previous anti-human trafficking law provides prevention of human trafficking<sup>91</sup> but unlike the trafficking protocol, it does not specifically provide the prevention activities. However, the national committee established in accordance with article 39 of trafficking proclamation number 909/2015 adopted various prevention measures to combat trafficking in persons. Awareness creation, providing job opportunities, facilitating lawful opportunity to work on abroad and enabling individuals to benefit from the development activity of the country are among the measures adopted by national committee to combat trafficking in persons. That means in context of national committee prevention of child trafficking refers adopting various measures that can address the causes of children vulnerability for trafficking. In this respect, the new anti-human trafficking law<sup>92</sup> includes various prevention activities aimed to prevent human trafficking including internal trafficking. Among the prevention measures the key activities targeted to prevent internal child trafficking includes protection of the child vulnerable to the danger by searching the house, location, transport and premises<sup>93</sup>, creating job opportunities,<sup>94</sup> ensuring food security,<sup>95</sup> raising awareness on child trafficking<sup>96</sup>, building capacity of law enforcement organs<sup>97</sup> and collaboration with concerned bodies to the effective prevention.<sup>98</sup> This

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<sup>89</sup> Trafficking Protocol article 9-12 provides various prevention measures to combat trafficking in human beings such are awareness creation on child trafficking, Addressing push and pull factors that increase vulnerability of children for trafficking, protecting victims of trafficking from re-victimization, discouraging demand that fosters for exploitation, coordination with concerned organizations, strengthening border measures and control and properly regulating travel or identity.

<sup>90</sup> Art. 9(1)(a) of the Trafficking Protocol

<sup>91</sup> See the Heading of Part three of Trafficking Proclamation No. 909/2015

<sup>92</sup> Trafficking Proclamation No. 1178/2020

<sup>93</sup> *ibid* Art 10 (1) (a)

<sup>94</sup> *ibid* Art 24(5)

<sup>95</sup> *ibid*

<sup>96</sup> *ibid* Art 38(1)

<sup>97</sup> *ibid* Art 38(2)

<sup>98</sup> *ibid* Art 41

implies that the new anti-human trafficking law has given outstanding concern to the internal trafficking and it highly aimed to prevent trafficking in persons since the law clearly provides prevention measures that targeted the vulnerable and requires the provision of adequate measures by concerned institutions.<sup>99</sup>

In general, prevention of child trafficking is a key mechanism to avoid and minimize child trafficking since it is proactive combating mechanism. By doing so, prevention mechanism is fundamental and more important among the measures opted to combat child trafficking since it protects the rights of children by preventing child trafficking and avoiding the future risks children suffered after being trafficked.

### **2.5.2 Concept of Investigation of Child Trafficking**

The definition of investigation of child trafficking has not been specifically embodied in laws relevant to combat child trafficking but the general definition provided for investigation implies the concept of investigation of child trafficking. In this regard the American law library defined the term investigation as a method of gathering information or evidence to determine the commission of crime, to identify and to detain the perpetrator of the crime.<sup>100</sup> Thus, the aim of investigation is to provide evidence to prosecution and to the conviction of the offenders. Therefore, we can assume investigation of child trafficking as a process of collecting information or evidence to determine the commission of child trafficking and to provide evidence for prosecution and conviction of the perpetrators of child trafficking.

Both the international legal instrument<sup>101</sup> and domestic law of Ethiopia<sup>102</sup> criminalize the act of trafficking in children. Accordingly, criminalization of the acts of child trafficking implies commission of the act of child trafficking is punishable. To this end, investigation on child trafficking is a foundation and primary task of the law enforcement organ to commence justice in motion to bring the perpetrators of child trafficking before justice system.

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<sup>99</sup> ibid Art 24(1)(a),( 4)and (5)

<sup>100</sup>Law library American Law and Legal Information, Police: Criminal Investigations, available at<<https://law.jrank.org/pages/1654/Police-Criminal-Investigations-Criminal-investigation-defined.html>> accessed on March 12, 2020

<sup>101</sup> See Art. 5 of the Trafficking Protocol

<sup>102</sup> See Art. 3 and 4 of the Trafficking Proclamation No. 1178/2020

The effective investigation is fundamental element of successful prosecution. Hence, the manner of investigation is fundamental and had great significance to effectively combat trafficking in person in general and child trafficking in particular. Despite its importance for the prosecution and conviction of traffickers, the involvement of many number of peoples in the process of trafficking resulted difficulty in the investigation of child trafficking. Besides, the victims of child trafficking are not willing to report the occurrence of trafficking to the law enforcement organs. This situation in turn entails the investigators should be active, have adequate knowledge on tactics of trafficker and work together with the society and other concerned bodies.<sup>103</sup>

UNODC discusses three major approaches of investigation against human trafficking such are proactive investigation, reactive investigation and disruptive investigation.<sup>104</sup>

The proactive investigation refers investigation led by active involvement of the police to collect evidence rather than waiting the accusation of victims and relying on the evidence and cooperation of the victims.<sup>105</sup> While the reactive investigation refers a victim led investigation that means investigation commenced up on the accusation of victims.<sup>106</sup> The third approach is disruptive investigation which refers police led investigations based on victims complaint that come to operation where the other alternatives are not suitable.<sup>107</sup>

Particularly, UNODC recommend that proactive investigation is fundamental and very successful method to combat crimes like child trafficking which is very complex in their nature.<sup>108</sup> This implies that to achieve the purpose of criminalization of child trafficking and to deter the activities of child trafficking, the manner of investigation requires consideration of various elements including the extent, the means and acts of child trafficking, and etc.

## **2.6 International and Regional Efforts to Combat Child Trafficking**

The combat against child trafficking has gained international consensus and various measures adopted internationally and regionally to combat child trafficking. International and regional

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<sup>103</sup> United Nations Office on Drugs and Crime, Toolkit to Combat Trafficking in Persons: Global Programme against Trafficking in Human Beings, (2006) 66-67

<sup>104</sup> ibid 67

<sup>105</sup> ibid 70

<sup>106</sup> ibid 69

<sup>107</sup> ibid 74

<sup>108</sup> ibid 71

instruments are among the most important measures for combating trafficking in children both at international and regional level.

Currently there are various instruments at international and regional level that are directly and indirectly relevant for the prevention and investigation of child trafficking. These instruments provide the respect of human rights and fundamental freedoms of children as well as the prohibition of child trafficking and entail state parties to prohibit and prevent child trafficking. International and regional instruments which are relevant towards trafficking in children not only prohibits child trafficking, rather it requires states parties to take necessary measures to combat child trafficking. However, seeing the relevant international and regional legislative frameworks to the prevention and investigation of child trafficking has paramount importance.

It is obvious that national laws constitute the primary legal framework for prevention and investigation of child trafficking. In addition to national laws, existence of international instruments which are relevant for prevention and investigation of child trafficking is also essential to understand the obligations on states towards prevention and investigation of child trafficking as well as when working within domestic legal systems.

To strengthen the combating on child trafficking both at the international and regional level global pan of actions and regional action plans that targeted child trafficking are adopted in the involvement of organizations striving to combating of child trafficking. Moreover guiding principles to the prevention, investigation, rehabilitation and etc are adopted. Most importantly, UN assigned OHCHR to work on the combating of child trafficking. In this regard, OHCHR adopted framework action to support states in the effective implementation of anti-child trafficking laws and in its prevention. UNODC, ILO, and UNICEF work on combating child trafficking and strive to its prevention both at the international and regional level.

There are a number of relevant instruments at international and regional level towards the prevention and investigation of child trafficking. However, for this study the discussion was limited to instruments which ratified by Ethiopia such as trafficking protocol, CRC, ICCPR, CEDAW, Worst Forms of Child Labor Convention, and Optional Protocol to the Convention on

rights of the child on the sale of children, child prostitution and child pornography, ACHPR and ACRWC. These instruments directly or indirectly impose obligations on government of Ethiopia to prevent and investigate child trafficking.

The obligation to prevent is a central for the combat against child trafficking and requires measures that can address the causes of children vulnerability to child trafficking while the obligation to investigate is fundamental obligation which derived from the obligation to criminalize, to prosecute and to prevent child trafficking. In context of child trafficking, this obligation implies the duties of states to take actions to ensure rule of law and to punish the traffickers.

Therefore, here under relevant international and regional instruments were discussed from the legal basis of prevention and investigation of child trafficking point of view and the obligation of government towards the prevention and investigation of child trafficking was discussed.

## **2.6.1 International Instruments Ratified by Ethiopia Relevant towards Child Trafficking**

### **A. Trafficking Protocol**

United Nations trafficking protocol is the major international instrument which regulates child trafficking.<sup>109</sup> The trafficking protocol as the first comprehensive international instruments adopted by the UN it provides comprehensive definition for child trafficking and appropriate measures to combat child trafficking. By doing so, it serves as a guideline to define and to combat child trafficking. The trafficking protocol imposes obligation on party states to combat child trafficking.<sup>110</sup>

It is vital that, child trafficking is explicitly provided as criminal act in the protocol.<sup>111</sup> The trafficking protocol<sup>112</sup> entails criminalization of the acts of trafficking in persons in general and

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<sup>109</sup> Art. 2(a) of the Trafficking Protocol

<sup>110</sup> *ibid* Art 9, 10 and 11

<sup>111</sup> *ibid* Art 5

<sup>112</sup> *ibid* Art 5(1 and 2) Provides that “Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in article 3 of this Protocol, when committed intentionally.”

child trafficking in particular. Criminalizing child trafficking is the reflection of the commitment of trafficking protocol to combat trafficking in children. As a result, it becomes main basis for criminalization, investigation and prosecution of child trafficking. Most importantly, the protocol specifically provides various prevention measures and entails the state parties to adopt such measures to prevent child trafficking.<sup>113</sup>

On top of that, the trafficking protocol provides the application of provision of Convention against Transnational Organized Crime (hereafter “CATOC”) to the case of human trafficking.<sup>114</sup> That means, the provision of CATOC which entails the states to adopt particular method of investigation for crimes stipulated in CATOC applies for the investigation of crime of child trafficking.

Therefore, trafficking protocol provides an appropriate and constructive framework to effectively combat and address the issue of child trafficking. Ethiopia is party state to trafficking protocol.<sup>115</sup> Thus, the government of Ethiopia has obligations to take appropriate prevention and investigation measures to combat child trafficking.

## **B. Convention on the Rights of Child**

CRC is one of fundamental international human rights instruments which specifically adopted to ensure and protect the rights of children. Accordingly, the convention provides basic guiding principles for the protection of human rights of children.<sup>116</sup> As the CRC solely devoted to the protection of the rights of child, it has specific provision that prohibit trafficking in children.<sup>117</sup> This specific provision imposes obligation on state parties to take all appropriate national, bilateral and multilateral measures to prevent the abduction, the sale or traffic in

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“Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offences”

<sup>113</sup> *ibid* Art 9-13

<sup>114</sup> Art. 1(2) of the Trafficking Protocol

<sup>115</sup> Ethiopia acceded Trafficking Protocol on 2012

<sup>116</sup> Convention on the Rights of Child under article 2, 3, 6 and 9 provides basic principle for the protection of the right of child; the principles are principle of non-discrimination, principle of best interest of child, principle of right to survival and development, and the principle of right to participation or views of child. These four basic principles aimed to contribute to the protection of rights of children.

<sup>117</sup> *ibid* Art 35



children for any purpose or in any form. Thus, it urges the need of various coordinated measures to effectively combat child trafficking.

Most importantly, CRC prohibits any forms of economic exploitation<sup>118</sup> and sexual exploitation of children.<sup>119</sup> These prohibitions have fundamental importance to the protection of rights of children and curtailing the trafficking since addressing the demand of trafficking reduces the occurrence of trafficking.

Therefore, as party states to CRC<sup>120</sup> the government of Ethiopia and its agents has duties to combat child trafficking through coordinated approach by adopting measures that targeted to address child trafficking. To this end, the government of Ethiopia required to adopt various measures including prevention and investigation measure to prevent and curtail child trafficking.

### **C. International Covenant on Civil and Political Rights**

ICCPR is not solely adopted as international measures to combat child trafficking, it is one of international human rights instrument which contains provisions that directly and indirectly relevant for the prevention and investigation of child trafficking. ICCPR provides that “no one shall be held in slavery or servitude and required to perform forced or compulsory labor”.<sup>121</sup> By providing so, ICCPR combats trafficking in persons including child trafficking since addressing the demand for human trafficking curtails the trafficking.

Besides, to ensure the respect and enforcement of its provision ICCPR impose obligation on state parties to give effect for its provision by adopting legislative or other measures that can give effect for the provision of ICCPR.<sup>122</sup>

Therefore, as state party to ICCPR the government of Ethiopia has obligation to adopt various measures that can combat child trafficking including prevention and investigation measures since the prevention and investigation of child trafficking ensures the respect of rights of children and

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<sup>118</sup> ibid Art 32

<sup>119</sup> ibid Art 34

<sup>120</sup> UN Human Rights Treaties bodies ratification status for Ethiopia shows Ethiopia ratified CRC on 1991

<sup>121</sup> Art. 8 of the ICCPR

<sup>122</sup> ibid Art 2(2)

avoids and limits the possibilities that children being exposed to various forms of exploitation including child labor.

#### **D. Convention on the Elimination of All Forms of Discrimination against Women**

CEDAW is other general international instrument which specifically against trafficking in girl. It is United Nations instrument which developed mainly to protect rights of women in general. Accordingly, it specifically impose obligation on state parties to adopt various measures including legislative measures to curtail all forms of trafficking and sexual exploitation against girl.<sup>123</sup> Thus, CEDAW provides appropriate legal basis for state parties to adopt measures they think appropriate to combat trafficking in girl. Therefore, as state parties to CEDAW<sup>124</sup> the governments of Ethiopia has obligations and legal basis to adopt measures such as prevention and investigation measures to combat trafficking in girl.

#### **E. Optional Protocol to the Convention on Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography**

This protocol is other specific international instrument which directly relevant to combat child trafficking through prevention and investigation. Article 3 of the protocol imposes obligation on state parties to criminalize the acts of offering, delivering or accepting child for the purpose of sexual or labor exploitations that conducted either internationally or domestically as well as committed individually or in group. Most importantly, the protocol has expressly requires the conducting of collaborated investigation on acts of child trafficking.<sup>125</sup> In this respect, as state parties to the protocol<sup>126</sup> the government of Ethiopia is required to conduct joint investigation against child trafficking.

Therefore, optional protocol to the convention on rights of the child on the sale of children, child prostitution and child pornography is one of the international efforts to combat child trafficking and the main bases to the government of Ethiopia to prevent and investigate child trafficking.

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<sup>123</sup> Article 6 of the CEDAW

<sup>124</sup> UN Human Rights Treaties bodies ratification status for Ethiopia shows Ethiopia ratified CEDAW on 1981

<sup>125</sup> Art. 10(1) of the Optional Protocol to the Convention on Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

<sup>126</sup> UN Human Rights Treaties bodies ratification status for Ethiopia shows Ethiopia ratified optional protocol to the convention on rights of the child on the sale of children, child prostitution and child pornography on 2014

## **F. ILO Convention on the Worst Forms of Child Labor, Number 182**

Convention concerning the prohibition and immediate action for the elimination of the worst form of child labor is one of international efforts which is ratified by Ethiopia and directly addressed the issue of child trafficking. In the first place, the convention provides child trafficking as one forms of slavery and the worst forms of child labor.<sup>127</sup> On the other hand, it imposes obligation on state parties<sup>128</sup> to take immediate and effective measures to combat the worst forms of child labor. This provision of the convention is important to prevent and investigate the acts of child trafficking since according to the convention child trafficking considered as worst forms of child labor.

Therefore, since the government of Ethiopia is state parties to the Convention<sup>129</sup> it has obligation to take various prevention and investigation measures to combat child trafficking which considered as the worst forms of child labor.

In general, all of the above discussed international instruments includes international efforts towards child trafficking and it have fundamental importance in the protection of the rights of child since they prohibits child trafficking and imposes obligation on state parties to combat child trafficking as well as to adopt various measures to address child trafficking.

### **2.6.2. Regional Instruments Ratified by Ethiopia Relevant towards Child Trafficking**

In Africa, we have laws which prohibit trafficking in children and impose obligation on state parties to combat child trafficking. The ACHPR is one of most important law in Africa towards the measures to prevent and investigate child trafficking. It protects the rights of child and prohibits any forms of exploitation which is the usual purpose of trafficking. Particularly, article 5 of the charter prohibits all forms of exploitation and degradation of man. By declaring so, ACHPR indirectly addresses trafficking in persons which includes child trafficking.

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<sup>127</sup> See the Heading of Art. 3 and Art 3(a) of ILO Worst Forms of Child Labor Convention No. 182

<sup>128</sup> *ibid* Art 1

<sup>129</sup> Ethiopia Ratified ILO Convention on the Worst Forms of Child Labor 1982 on 2003

Moreover, the charter imposes obligation on state parties to adopt legislative and other measures to ensure the implementation of provisions of the charter.<sup>130</sup> Therefore, as state parties to ACHPR<sup>131</sup> the government of Ethiopia has a basic duty to combat child trafficking to avoid any forms of exploitations against children. Therefore, the government of Ethiopia has duties to adopt various measures that can address the issue of child trafficking.

Most importantly, Ethiopia is state parties to ACRWC.<sup>132</sup> This charter specifically prohibits trafficking in children as well as child labor and any forms of sexual exploitation.<sup>133</sup> On the other hand, it imposes duties on the state parties to combat child trafficking and to avoid any forms of sexual exploitation or child labor as well as to take appropriate legal and other measures to address the matter provided in charter which includes child trafficking.<sup>134</sup>

Thus, the ACHPR and ACRWC have significant value in combating trafficking in children as well as imposing duties on government of Ethiopia to combat child trafficking and to take appropriate measures that can address the issue of child trafficking. Therefore, the ACHPR and ACRWC includes the regional efforts to combat child trafficking and one of the legal bases for the government of Ethiopia to develop the measures including prevention and investigation measures that particularly aims to combat child trafficking.

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<sup>130</sup> See Art. 1 of the African Charter on Human and Peoples Rights

<sup>131</sup> Ethiopia Ratified ACHPR on 1998

<sup>132</sup> Ethiopia Ratified ACRWC on 2002

<sup>133</sup> See Art. 29, 15 and 27 of the African Charter on the Rights and Welfare of Children

<sup>134</sup> *ibid* Art 1(1)

## **Chapter Three**

### **Legal and Institutional Frameworks of Child Trafficking in Ethiopia**

#### **3.1. Introduction**

The domestic legal and institutional frameworks have fundamental importance despite the existence of international and regional instruments. The domestic legal frameworks define the acts of child trafficking, measures towards child trafficking and responsibilities of the government towards combating child trafficking in the national context. Similarly, the institutional frameworks define the responsibilities and roles of the respective institutions towards child trafficking. By doing so, domestic legal and institutional frameworks serve as a foundation for effective combating of child trafficking. Thus, the effective prevention and investigation of trafficking in children at wereda level entail the existence of domestic legal and institutional frameworks.

Therefore, this sub section analyses the prevalence of child trafficking in Ethiopia, the domestic legal and institutional frameworks relevant for prevention and investigation of child trafficking and the specific obligations of DFW towards the prevention and investigation of child trafficking.

#### **3.2. Child Trafficking in Ethiopia**

Trafficking in children challenges all countries while some countries are highly vulnerable to child trafficking. Ethiopia is among the countries that face great challenges from child trafficking. Many children in Ethiopia are victims of internal child trafficking and faced worst forms of exploitation that approximated to slavery.<sup>135</sup>

Hagos Zeray and Glen Schmidt asserted that in Ethiopia the economic problems of parents of the child created a fertile environment for the traffickers and brokers to trafficking and exploiting vulnerable children.<sup>136</sup> They further noted that, currently the extent of child trafficking either internal or external are prevalent in Ethiopia. Particularly, trafficking in children within a country

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<sup>135</sup> United States department of State, Trafficking in Persons Report (2014)

<sup>136</sup> Hagos Zeray Kebede and Glen Schmidt, Organizational Response to Child Trafficking in the Tigray Region of Ethiopia (2018)

mainly conducted on children under the age of 16 year. These children face various forms of exploitation which endangers their well-being.

The United States department of state reported child trafficking increasing at alarming rate but the government of Ethiopia has not given due attention to combat child trafficking. Further they noted that most of the Ethiopia urban centers serve as the destination place for children trafficked from different parts of the country. In some regions trafficking in children conducted regularly as even tolerated by the society. Especially the trafficking in children from rural parts of the country to Oromia and S/N/N/P/R urban center is widespread.<sup>137</sup>

On top of that, in 2008 the forum on street children in Ethiopia noted that child trafficking conducted in an organized way and most of the rural parts of Ethiopia become source of trafficking in children and its extent is at sever stage. Similarly, Haile Michael Nigusu in his study revealed that despite the attention from the government, the clandestine nature and daily occurrences of child trafficking resulted difficulty to estimate its exact extent and highly challenged the government effort towards the combating of child trafficking.<sup>138</sup> Thus, the extent of child trafficking in Ethiopia is one of great problem to the country towards the protection of rights of children. Therefore, it needs urgent measures and strong commitment from the government and other stake holders including NGOs and societies.

### **3.3. Legal Frameworks in Ethiopia towards Child Trafficking**

In addition to international and regional instruments to combat child trafficking, a comprehensive domestic legal framework is always needed to combat child trafficking effectively. They also define what prevention and investigation activities are conducted to combat child trafficking.

On top of that, the government of Ethiopia has obligation to take domestic measures to ensure its compliance with human rights obligations and other international obligations towards trafficking in children. Among the duties, the duty to prevent and investigate child trafficking is

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<sup>137</sup> United States department of State, Trafficking in Persons Report (2017)

<sup>138</sup> Haile Michael Nigusu, Causes and Consequences of Human Trafficking: A Case Study in Metema Town (AAU, MA Thesis, 2014)

fundamental one in the area of safeguarding rights of children and combating child trafficking. To this end, the government of Ethiopia has taken legislative measures to the prevention and investigation of trafficking in children. This section discusses the domestic legal frameworks relevant for prevention and investigation of child trafficking within Ethiopia.

### **3.3.1. The 1995 Constitution of Federal Democratic Republic of Ethiopia**

The 1995 constitution of FDRE is the supreme law of the country. This, supreme law devoted to protect the rights of children and to combat child trafficking by specifically prohibiting trafficking in human beings in general. Particularly, article 18(2) of the constitution address the issue of trafficking in persons by declaring “trafficking in human beings for whatever purpose is prohibited”. Besides, to avoid trafficking in children the constitution specifically prohibits the exploitation of children which is one of the elements of trafficking in children.<sup>139</sup>

Moreover, article 36(2) of the FDRE constitution address the issue of trafficking in children by declaring “children has right not to be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to his or her education, health or well-being”. The wording of this article is clear that trafficking in children is strictly prohibited and exploitation of child which is the constituent element of child trafficking is strictly prohibited even with the consent of children.

Most importantly, to ensure the observance of its provision the FDRE constitution impose obligation on the organs of government to respect and enforce rights provided under the constitution.<sup>140</sup> Moreover, according to article 9(4) of the FDRE constitution the international instruments ratified by Ethiopia are part and parcel of domestic laws.

Thus, the FDRE constitution provides protection to rights of the children and strictly prohibits trafficking in children as well as its purpose. Therefore, to discharge its constitutional duties to combat child trafficking the government of Ethiopia and it agents has duties to prevent and investigate child trafficking.

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<sup>139</sup> FDRE Constitution (n 20), Art 18(2) provides “no one shall be held in slavery or servitude”.

<sup>140</sup> *ibid* Art 13(1)

### **3.3.1.2. The Revised Constitution of S/N/N/P/R**

At the regional level, the S/N/N/P/R constitution<sup>141</sup> prohibits trafficking in children in similar manner and adopted same terminologies with the FDRE constitution. Thus, article 18 of the S/N/N/P/R state constitution under the heading of prohibition against inhuman treatment, it provides that “no one shall be held in slavery or servitude; trafficking in human beings for whatever purpose is prohibited”. Furthermore, under article 36 under the heading of rights of children it provides “every child has the right not to be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to his or her education, health or well-being”.

Besides, similar to the FDRE constitution the revised constitution of S/N/N/P/R imposes obligation on the pillar branches of the regional government to observe and to enforce the third chapter provisions of S/N/N/P/R state constitution which includes the provisions against trafficking in human children.<sup>142</sup> Thus, as the FDRE constitution strives, the constitution of S/N/N/P/R against trafficking in children by specifically prohibiting the constituent element of trafficking in children which is the purpose of trafficking.

### **3.3.2 Subsidiary Laws**

Under Ethiopian legal system, we have also other laws which are relevant for the prevention and investigation of child trafficking. In Ethiopia the issue of child trafficking is addressed by several laws. The children as a human being entitled to the protection provided in the FDRE constitution and crimes against children is investigated according to the provision of criminal procedure code.

On top of that, there are special laws that adopted to combat trafficking in persons. Among the laws, in this study the relevant laws to the prevention and investigation of internal child trafficking were discussed. Accordingly, the revised FDRE criminal code, proclamation on the prevention and suppression of trafficking in persons and smuggling of migrants (proclamation number 909/2015), proclamation on the prevention and suppression of trafficking in persons and smuggling of persons (proclamation number 1178/2020) were discussed.

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<sup>141</sup> Revised constitution, 2001 of the Southern Nations, Nationalities and Peoples Regional State Proclamation No. 35/2001

<sup>142</sup> *ibid* Art 13(1)



### **3.3.2.1. The Criminal Code of Federal Democratic Republic of Ethiopia**

The FDRE criminal code (herein after “criminal code”) is enacted with the aim of prevention of the crime.<sup>143</sup> As far as trafficking in children concerned, the revised criminal code of FDRE has relevant provision specifically aimed to address the issue of trafficking in children. After the adoption of FDRE constitution the criminal code has specifically taken an important step to combat child trafficking including internal child trafficking. Thus, it defines the acts constituting child trafficking<sup>144</sup> including internal child trafficking<sup>144</sup> and provides child trafficking either internal or external trafficking for the purpose of forced labor as a crime.

Moreover, the criminal code specifically prohibits child trafficking for the purpose of prostitution.<sup>145</sup> By providing so, it has taken important step to carrying out the obligation to prevent the commission of child trafficking.

However, the provision of criminal code which regulates trafficking in persons was replaced by anti-human trafficking proclamation. The anti-human trafficking proclamation defines the acts of child trafficking as criminal act and has taken the provisions of criminal code as important step.

### **3.3.2.2. Prevention and Suppression of Trafficking In Persons and Smuggling of Migrants Proclamation No. 909/2015**

Trafficking in person and smuggling of migrants proclamation is one of the laws specifically adopted to combat trafficking in persons. As its preamble shows this legislation strives to adequately combat trafficking in persons.<sup>146</sup> It defines the acts that constitute child trafficking

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<sup>143</sup> Para 2 of the Revised Criminal Code of FDRE provides “criminal code aims at the prevention of crimes by giving due notice of the crime and penalties prescribed by law and should this be ineffective by providing for the punishment of criminals in order to deter them from committing another crime and make them lesson to others, or by providing for their reform measures to prevent the commission of further crimes.”

<sup>144</sup> Art. 597 of The revised criminal code of FDRE states “Whoever by violence, threat, deceit, fraud, kidnapping or by the giving of money or other advantage to the person having control over a woman or a child, recruits, receives, hides, transports, exports or imports a woman or a minor for the purpose of forced labour as constituting trafficking in women and children...”

<sup>145</sup> *ibid* 635

<sup>146</sup> proclamation No. 909/2015 Preamble states “it has become necessary to introduce a preventive strategy by designing the legal system as a viable alternative besides to economic and social efforts undertaken to alleviate the problems related to human trafficking especially, women and children’s trafficking; the Criminal Code and the provisions stipulated in other laws are not adequately tuned with the depth of the problem, and it has become necessary to promulgate law containing grave punishment which enables to pass proportional sentence against criminals...”

and its punishments.<sup>147</sup> Most importantly, the legislation particularly provides special investigative techniques including proactive and joint investigation to bring the traffickers before the justice system.<sup>148</sup>

Besides, the legislation provides the establishment of national committee and task force<sup>149</sup> to address trafficking in persons, and requires the coordinated response to address the issue of trafficking. Recently this law replaced by new anti-human trafficking law because of the legislation is not adequately addressed the problem and achieved its underlying purpose. However, it had taken an important step in showing the need of some prevention measures and investigative techniques to adequately combat trafficking in persons.

### **3.3.2.3. Prevention and Suppression of Trafficking In Persons and Smuggling of Persons Proclamation No. 1178/2020**

As the preamble of this proclamation implies, it adopted to replace the proclamation number 909/2015 and aims to adequately address the issue of trafficking in persons.<sup>150</sup> Accordingly, to address the issue effectively the legislation defined the persons who are vulnerable or exposed to trafficking as victims of trafficking even they not suffered from the acts of trafficking.<sup>151</sup> This implies that children who are vulnerable or exposed to trafficking either internal or external are considered as victims of trafficking and entitled to measures of protection and rehabilitation. Because of the definition of provided for victims, the prevention measures does not specifically provided rather it provided as protection measures. Thus, the prevention measures that targeted to combat trafficking in persons provided as the protection and rehabilitation measures because of the definition given for victims. Most importantly, this proclamation expressly provides

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<sup>147</sup> Art. 3(2 and 3) of the Trafficking Proclamation No. 909/2015

<sup>148</sup> *ibid* Art 18

<sup>149</sup> *ibid* Art 39 and 40

<sup>150</sup> Proclamation No. 1178/2020 Preamble states “Proclamation promulgated for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants No. 909/2015 lacks clarity, inconsistent with other laws and does not provide adequate responses to the problem; thereby necessitated for replacement with a new and comprehensive legal framework; the duty of the government to respect and protect rights and benefits persons conferred by nature and law; necessitated enacting legal framework and creating a system that enable crime prevention, holding perpetrator accountable, protecting and rehabilitating victims specially to undertake activities that reaches section of the society vulnerable to the crimes and in taking into consideration the age, sex and special needs of the victims and facilitating international cooperation...”

<sup>151</sup> *ibid* Art 2(7)

various measures and activities to be conducted to address socio-economic causes of trafficking in persons.

The legislation provides several prevention measures<sup>152</sup> and investigative ways<sup>153</sup> to adequately combat trafficking in persons. This legislation specifically impose obligation<sup>154</sup> on various organs of government to take prevention measures against trafficking in persons. Furthermore, the legislation provides and encourages the collaboration<sup>155</sup> among the concerned bodies in general and law enforcement organs in particular to effectively combat trafficking in persons. Similar to the former legislation, it provides establishment of bodies with the purpose prevention of human trafficking such as national council<sup>156</sup> and national partnership coalition<sup>157</sup> to the prevention of human trafficking at national level.

Besides, this legislation requires the establishment of regional partnership coalition which led by general attorney for the prevention of trafficking.<sup>158</sup> Therefore, it is obvious that, the newly adopted legislation has fundamental importance to combat internal child trafficking in general and to the effective prevention and investigation of internal child trafficking in particular. Most importantly, the legislation provides important protection for the rights of children starting from the definition of victims.

### **3.4. Institutional Frameworks in Ethiopia towards Child Trafficking**

Child trafficking is a complex and hidden act, thus the combat against child trafficking entails the involvement of government sectors. It is obvious that the existence of institution on particular subject matter has paramount importance to effectively address the issue. That means the role of particular institution is vital to the prevention and investigation of child trafficking. In Ethiopia there are various institutions such as attorney general, ministry of labor and social affairs, ministry of women, children and youth affairs, the commission of job creation, the federal police

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<sup>152</sup> ibid For instance Art 19, 24(5)

<sup>153</sup> ibid For instance Art 41 provides joint investigation towards trafficking in persons

<sup>154</sup> ibid For instance, article 19 imposes obligation on police to protect the person vulnerable to the danger; article 24(5) of the proclamation imposes obligation on the rural employment creation and food security agency to provide necessary support to victims residing in the rural areas.

<sup>155</sup> ibid Art 41

<sup>156</sup> ibid Art 34

<sup>157</sup> ibid Art 35

<sup>158</sup> ibid Art 35(5)

commission and etc which mandated with the power to combat trafficking in children and usually strives to combat human trafficking in general and child trafficking in particular. These institutions are member of national council which particularly established to combat trafficking in persons.<sup>159</sup> National council is established with the purpose to promote the coordinated efforts of trafficking in persons and to effectively address the issue of trafficking in persons.<sup>160</sup> The role of civil society's agency and religious institutions towards combating trafficking in persons was well recognized by anti-human trafficking laws by including civil society's agency and religious institutions in the member of national council on trafficking in persons.<sup>161</sup>

On top of that, civil society organizations and NGOs plays significant role in Ethiopia towards the protection of the rights of children. These organizations work with government bodies and other relevant stake holders to address the causes that make children vulnerable for violation of human rights.<sup>162</sup> Thus, civil society organizations directly and indirectly make great contribution for the efforts to combat trafficking in children.

Child trafficking is a violation of human rights of children hence according to article 13(1) of the FDRE constitution all organ of government operate in different layers has responsibility and duty to combat child trafficking. Furthermore, there are several institutions that has specific mandate to the prevention and investigation of child trafficking. Among the institutions mandated to combat trafficking in persons in general and child trafficking in particular, this study discussions addressed the relevant institutions to prevent and investigate internal child trafficking. In this respect, in Ethiopia the following institutions can be taken as institutions relevant to the prevention and investigation of child trafficking with in Ethiopia.

### **3.4.1. Ministry of Women, Children and Youth Affairs**

This ministry is one of central institution and serves as the institutional focal point for combating trafficking in children. It has given important powers and duties for the protection of rights of

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<sup>159</sup> Art 33 of the Trafficking Proclamation No. 1178/2020

<sup>160</sup> *ibid*

<sup>161</sup> *ibid*

<sup>162</sup> Ethiopia's 4<sup>th</sup> and 5<sup>th</sup> Periodic report to the United Nations Committee on the Rights of the Children(2011) 20

children.<sup>163</sup> To look into the powers and duties of the ministry of women, children and youth affairs reading of the provision of proclamation number 1097/2018 is important. According to this proclamation, it has obligations to direct and support activities of awareness creation and movement on the rights of women and children.<sup>164</sup> Furthermore, it has obligation to organize actions of relevant stakeholders to protect the rights and development of children.<sup>165</sup> To effectively carryout these duties, the ministry has powers and duties to design the strategies to follow up and regulate the legislative and policy frameworks as well as the programs of federal government organ has given adequate attention to the issue of children.<sup>166</sup> The same proclamation empowers and imposes duties on the ministry to conclude treaties concerning children and follow up its implementation.<sup>167</sup> Most importantly, the proclamation imposes duties to collect, compile and distribute the information concerning the well-being of the children to the relevant stakeholders.

To discharge these duties ministry of women, children and youth affairs established national and regional task forces on vulnerable children with the purpose to promote children rights.<sup>168</sup> This institution operates at the regional level and mandated with broad power and legal duties relevant towards combating child trafficking.<sup>169</sup> At the regional level it named as bureau of women, children and youth affairs and serve as institutional focal point at wereda level which particularly concerned with issues related to the rights of children, women and youth.<sup>170</sup> To this end, the legislation defining the power and duties of the executive organs of S/N/N/P/R impose obligations to raise awareness to ensure the rights of children<sup>171</sup>; to conduct research to identify and prevent harmful practices and crimes against children<sup>172</sup>; to hold document which shows the

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<sup>163</sup> Art. 28 of the Proclamation on Definition of Powers and Duties of the Executive organs of the Federal Democratic Republic Ethiopia, Proclamation No. 1097/2018

<sup>164</sup> *ibid* Art 28(1)(b)

<sup>165</sup> *ibid* Art 28(1)(m)

<sup>166</sup> *ibid* Art 28(1) (r)

<sup>167</sup> *ibid* Art 28(1) (s)

<sup>168</sup> Bureau of international labor affairs, findings on the worst forms of child labor (2019)

<sup>169</sup> Art. 2(6), Art 3 and 10 of the Proclamation to Determine the Powers and Duties of the Executive Organs of Southern Nations Nationalities and Peoples Regional Government, Proclamation No. 178/2018

<sup>170</sup> *ibid* Art 23

<sup>171</sup> *ibid* Art 23(1)

<sup>172</sup> *ibid* Art 23(6)

conditions of children and to report it to the concerned bodies<sup>173</sup> and to formulate actions to ensure the children are beneficiary from the development of the region.<sup>174</sup>

Moreover, it has legal duties to ensure the implementation of international instruments ratified by Ethiopia which are relevant to rights of children and report its implementation to concerned bodies.<sup>175</sup> To this end, women, children and youth affairs bureau strives to combat child trafficking for protection of the rights of children through establishing committee on combating child trafficking. Most importantly, this institution established in zonal and wereda level with purpose to exercises the function of women, children and youth affairs bureau.

### **3.4.2. Police Commission**

In addition to women, children and youth affairs ministry, police commission is one of the government institutions which established with legal obligation to prevent and investigate acts of crime against human rights.<sup>176</sup> Particularly, this commission is mainly entrusted with the prevention and investigation of crime and it has duties to prevent and investigate crime.<sup>177</sup>

Similarly, the criminal procedure code provides that the police have duties to prevent and discover the commission of crime.<sup>178</sup> Besides, the criminal procedure code impose obligation on police to investigate the crime.<sup>179</sup> Likewise, the former ant-human trafficking proclamation<sup>180</sup> impose obligation on police to prevent and investigate trafficking in persons which include child trafficking.

The recent legislation on the prevention and suppression of trafficking in persons and smuggling of persons<sup>181</sup> impose obligation on police to prevent and investigate the commission of trafficking in persons including child trafficking. Furthermore, the proclamation requires the

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<sup>173</sup> ibid Art 23(2)

<sup>174</sup> ibid Art 23(9)

<sup>175</sup> ibid Art 23(12)

<sup>176</sup> Art 6 of the Ethiopian Federal Police Commission Establishment Proclamation No. 720/2011; Art 5 and Art 9(1) of the S/N/N/P/R State Revised police Commission Establishment Proclamation No. 151/2014

<sup>177</sup> ibid Art 10(1)

<sup>178</sup> Art. 9(a and b) of the 1961 Criminal Procedure Code of Ethiopia

<sup>179</sup> ibid Art 22(1)

<sup>180</sup> Art. 18 of the Trafficking Proclamation No. 909/2015

<sup>181</sup> Art. 41 of the Trafficking Proclamation No. 1178/2020

police to collaborate with the concerned bodies to the prevention and investigation of trafficking in persons.<sup>182</sup> To effectively discharge its obligation towards the investigation of child trafficking the federal police commission established special child protection units in Addis Ababa and other affluent urban centers to combat child trafficking and to assist the children vulnerable for child trafficking.<sup>183</sup> Most importantly, police commission has its agents in wereda level which named police office and established with legal obligation to prevent and investigate acts of crime against human rights.<sup>184</sup>

### **3.4.3. Attorney General Office**

The office of attorney general is one of the institutions which serve as the institutional focal point for the prevention and investigation of child trafficking.<sup>185</sup> To carry out these functions, the office of attorney general has powers and duties to lead, to supervise and to organize the criminal investigation function of federal police.<sup>186</sup> To discharge these duties attorney general office established a directorate to combat trafficking in children and to ensure the respect of rights of children.<sup>187</sup> Moreover, the attorney general office established special prosecution unit for women and children.<sup>188</sup>

Most importantly, the office of attorney general is one of the institutions which operate in regional, zonal and wereda level.<sup>189</sup> The duties of office of attorney general at regional level are not specifically provided in the S/N/N/P/R state attorney general establishment proclamation while the reading of article 5 (2 and 3) the S/N/N/P/R state attorney general establishment proclamation implies their duties and public prosecutor office is part of regional attorney general and at wereda level the functions of attorney general exercised by public prosecutor office. Accordingly, public prosecutor office has duties to order the commencing of investigation and to supervise the investigation of crime at every stage of investigation and to direct the manner of

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<sup>182</sup> *ibid*

<sup>183</sup> Bureau of international labor affairs (n 168)

<sup>184</sup> Art. 5 and Art 9(1) of the S/N/N/P/R State Revised police Commission Establishment Proclamation No. 151/2014

<sup>185</sup> Art. 17 of the Proclamation on Definition of Powers and Duties of the Executive organs of the Federal Democratic Republic Ethiopia, Proclamation No. 1097/2018

<sup>186</sup> *ibid* Art 17(1)

<sup>187</sup> United States Department of State, Trafficking in Persons Report (2020)

<sup>188</sup> Bureau of international labor affairs (n 168)

<sup>189</sup> Art. 5(2 and 3) of the S/N/N/P/R government attorney general office establishment proclamation No. 177/2018

investigation.<sup>190</sup> To discharge this duties the attorney general office at federal and regional level led the task force on combating trafficking in persons at federal and regional level respectively. Besides, the proclamation provides the legal responsibilities of public prosecutor office to build legal awareness training.<sup>191</sup>

In this respect, the proclamation on the prevention and suppression of trafficking in persons and smuggling of persons specifically impose obligation on attorney general to raise awareness to the concerned bodies and to the public on the responsibilities of concerned bodies, on the laws enacted to combat trafficking in human beings, on the means of trafficking or recruiting and on the various forms of exploitation.<sup>192</sup> Most importantly, the proclamation impose obligation on attorney general to build the capacity of police and prosecutors on actions concerning the prevention and investigation of human trafficking.<sup>193</sup>

#### **3.4.4. Food Security Coordination Office and Job Creation Commission**

The government of Ethiopia has taken various measures to ensure the dignified existence of individuals. Among the measures, the government established food security coordination office with legal obligation on executive organ to ensure food security of the society.<sup>194</sup> Likewise, the S/N/N/P/R state established food security coordination office under the proclamation number 33/2001. This proclamation established food security coordination office with the duties to ensure food security in the region by conducting integrated and coordinated activities with the concerned bodies.<sup>195</sup> In this respect, the newly adopted trafficking proclamation specifically provides that the rural employment creation commission in cooperation with concerned governmental and NGOs to furnish necessary support to the individuals affected in trafficking and vulnerable to trafficking.<sup>196</sup> The close reading of article 8(1) of the Southern Nations Nationalities and Peoples Regional State food security and pastoral development coordination office establishment proclamation number 33/2001 and article 24(5) of trafficking proclamation

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<sup>190</sup>ibid Art 6(5) (c)

<sup>191</sup> ibid Art 7 (d and e)

<sup>192</sup> Art. 38(1) of the Trafficking Proclamation No. 1178/2020

<sup>193</sup> ibid Art 38(2)

<sup>194</sup> Art. 24(5) of the Trafficking Proclamation No. 1178/2020

<sup>195</sup> Art. 8(1) of the Southern Nations Nationalities and Peoples Regional State Food Security and Pastoral Development Coordination Office Establishment Proclamation No. 33/2001

<sup>196</sup> Art. 24(5) of the Trafficking Proclamation No. 1178/2020



number 1178/2020 which provides ensuring food security as means to address vulnerability to trafficking implies that the establishment of food security office with objective to ensure food security and imposing obligation on the government to take measures to ensure food security has fundamental importance to combat child trafficking since as discussed above most of the studies on child trafficking shows poverty is one of major cause for children vulnerability for trafficking and ensuring food security address poverty related causes of child trafficking.

Providing job opportunity is fundamental to combat trafficking in children. To this end, Job creation commission<sup>197</sup> is established as part of executive organ of government at the federal level.<sup>198</sup> At the federal level the obligation to coordinate job creation is the duties of ministry of agriculture.<sup>199</sup> In this respect, the new law on human trafficking<sup>200</sup> specifically impose obligation on job opportunity creation commission to provide necessary support to individuals affected by trafficking and vulnerable to trafficking. Thus, providing appropriate employ opportunity is the obligation of job creation commission. This commission has its organs in wereda level that aimed to address the employment opportunity both at urban and rural areas.<sup>201</sup>

### **3.4.5. Ministry of Labour and Social Affairs**

MOLSA is one of the institution which serves as the institutional focal point for addressing social and economic problems to vulnerable groups.<sup>202</sup> Most importantly, MOLSA empowered to ensure the respect of labor laws.<sup>203</sup> In this respect, when we see labor laws it strives to combat trafficking in children. For instance, labor proclamation prohibits employ of the children who have not attained 15 years of age.<sup>204</sup> Further, this proclamation prohibits assigning of children who has not attained the age of 18 years on the work which in its nature affects the wellbeing

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<sup>197</sup> Art. 32(13) of the proclamation on Definition of Powers and Duties of the Executive organs of the Federal Democratic Republic Ethiopia, Proclamation No. 1097/2018

<sup>198</sup> *ibid* Art 33(3)(d)

<sup>199</sup> Art. 8(1)(a) of the proclamation on Definition of Powers and Duties of the Executive organs of the Federal Democratic Republic Ethiopia, Proclamation No. 1097/2018

<sup>200</sup> Art. 24(5) of the Trafficking Proclamation No. 1178/2020

<sup>201</sup> The Reports of DFW Enterprise and Industrial development Sector (2019)

<sup>202</sup> Art 29(11)( c) of the proclamation on Definition of Powers and Duties of the Executive organs of the Federal Democratic Republic Ethiopia, Proclamation No. 1097/2018

<sup>203</sup> *ibid* Art 29(1)

<sup>204</sup> Art. 89(2) of Labor Proclamation No. 1156/2019

and development of the children.<sup>205</sup> Hence, the close reading of article 89 of proclamation number 1156/2019 and article 29(1) of the proclamation number 1097/2018 shows that MOLSA is one of focal institution for directly and indirectly combat child trafficking through preventing the purpose of child trafficking which is the exploitation of children by assigning the children on the works that endangers their well-being and development. To this end, ministry of labor and social affairs established women affairs department and led task force on combating trafficking in persons. Most importantly, the agents of this ministry established at regional level and operate in zonal and wereda level with relevant power to combat child labor.

### **3.5. Specific Obligations on DFW towards the prevention and investigation of child trafficking.**

Under international instruments it is well recognized and emphasized that states have responsibility to ensure the respect of rights of individuals in their territory or under their jurisdiction.<sup>206</sup> This obligation extends to all layers of government such as federal, regional or local government.<sup>207</sup> As a result, DFW have obligations to combat the acts that violate the rights of children. In addition to international instrument, national legal regime specifically imposes obligations on all agents of state to combat child trafficking as well as defines various prevention and investigation interventions required from the agents of government towards combating child trafficking.

As part of the government of Ethiopia DFW have various specific obligations towards the prevention and investigation of child trafficking. Particularly, to discharge its prevention obligation DFW have required to conduct various specific activities such as awareness creation about child trafficking, addressing poverty and unemployment, rescuing the children on trafficking and collaboration between concerned bodies. Similarly, to discharge its investigation obligation DFW have required to conduct various specific activities such as, conducting proactive investigation, conducting joint investigation, and supervising the investigation.

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<sup>205</sup> *ibid* 89(3)

<sup>206</sup> See Para 2 of General Comment No. 31 on the nature of the general legal obligation imposed on states parties to the covenant

<sup>207</sup> *ibid* Para 4

### 3.5.1. Awareness Rising on Child Trafficking

Awareness creation on human trafficking is well affirmed and always emphasized that it is a fundamental activities for the prevention of human trafficking.<sup>208</sup> To this end, international and national legal frameworks impose obligation on the states and on its agents to create awareness rising to effectively combat trafficking in persons. For instance, trafficking protocol<sup>209</sup> requires state parties to take measures of research, information and mass media campaign to the prevention of human trafficking.

Most importantly, the trafficking proclamation specifically imposes duties on ministry of justice which is currently replaced by attorney general to raise the awareness of the public on the role of concerned bodies on anti-human trafficking activities, on the means and forms of exploitation and towards best practice on prevention of human trafficking.<sup>210</sup> Likewise, the recently adopted trafficking proclamation<sup>211</sup> affirms awareness creation as central prevention measures and provides the public rising campaign should address the duties of law enforcement organs, the anti-human trafficking laws, the means of recruitment and the forms exploitation. The legislation defining the power and duties of the executive organs of S/N/N/P/R<sup>212</sup> impose obligation on women, children and youth affairs office to raise awareness to ensure the rights of children.

### 3.5.2. Addressing Poverty and Unemployment

Both internationally and nationally, it is well noted that efforts towards the prevention of child trafficking should include activities which address factors like poverty and unemployment.<sup>213</sup>

In this regard, the trafficking protocol expressly impose obligation on the state parties to address socio-economic factors which cause the individuals vulnerability to trafficking.<sup>214</sup> Similarly, the

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<sup>208</sup> United Nations Office on Drugs and Crime, A Hand Book for Parliamentarians, Combating Trafficking in Persons, No. 16(2009) 70; Ouagadougou Action Plan to Combat Trafficking in Human beings, Especially Women and Children (2006) P. 3; United Nations Office on Drug Crime, Toolkit to Combat Trafficking in Persons, (2008) P. 417; National Council of the FDRE on the prevention of Human trafficking, Strategic Plan (2015-2019);

<sup>209</sup> Art. 9(2) of the Trafficking Protocol

<sup>210</sup> See Art. 41(1) of the Trafficking Proclamation No. 909/2015

<sup>211</sup> See Art. 38 (1) of the Trafficking Proclamation No. 1178/2020

<sup>212</sup> Art. 23(1) of the Proclamation to Determine the Powers and Duties of the Executive Organs of Southern Nations Nationalities and Peoples Regional Government, Proclamation No. 178/2018

<sup>213</sup> Ouagadougou Action Plan (n 208) 3; National Council of the FDRE, Strategic Plan (n 190)

<sup>214</sup> Art. 9(4) of the trafficking protocol

national committee on prevention of human trafficking<sup>215</sup> designed addressing poverty and unemployment as the main ways to the prevention of human trafficking. Besides, the national committee specifically provides creation of job opportunities for individuals as measure to prevent trafficking in persons.

Most importantly, the recently adopted anti-human trafficking domestic law imposes obligations on food security coordination commission to ensure food security<sup>216</sup> and on job creation commission to create employ opportunity to the individuals who are vulnerable to trafficking.<sup>217</sup> Thus according to trafficking proclamation<sup>218</sup> addressing employment is vital to combat trafficking in persons.

Therefore, addressing poverty and unemployment are among the major measures to the prevention of child trafficking and one of main obligations of the government of Ethiopia and its agents towards the prevention of child trafficking.

### **3.5.3. Rescue of the Children on Trafficking**

Child trafficking extremely affects the human rights of children. To this end, the relevant instruments impose duties on government of Ethiopia and its agents to take necessary measures to prevent trafficking in children. For instance, the trafficking protocol imposes obligations on state parties to control the borders to prevent trafficking in persons and to rescue persons vulnerable for trafficking.<sup>219</sup>

On top of that, the trafficking proclamation impose obligation on the police to take actions to rescue children from danger where the police aware or reasonably should have been aware that crime of child trafficking has been, is being or likely to be committed.<sup>220</sup> Likewise, the 1961

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<sup>215</sup> National Council of the FDRE, Strategic Plan (n 208)

<sup>216</sup> Art. 24(1) (a) of the Trafficking Proclamation No. 1178/2020

<sup>217</sup> *ibid* Art 24(5)

<sup>218</sup> *ibid* Art 24(5)

<sup>219</sup> Art. 11(1) of the Trafficking Protocol

<sup>220</sup> Art. 17 of the Trafficking Proclamation No. 909/2015

criminal procedure code<sup>221</sup> and the federal police establishment proclamation<sup>222</sup> impose duties on police to prevent crime in general which includes crime of child trafficking.

The obligation of police to take various measures to rescue children on trafficking is well recognized in recently adopted anti-human trafficking law.<sup>223</sup> Therefore, the obligation to rescue children on trafficking entails the agents of state including the police to take all necessary measures to rescue the children exposed to trafficking.

#### **3.5.4. Collaboration of the Concerned Bodies**

Child trafficking is clandestine crime and difficult to prevent and the victims are not willing to report the trafficking to law enforcement organs and other concerned bodies. To address these problems and effectively prevent and investigate child trafficking, collaboration between concerned bodies is essential.<sup>224</sup> Specifically, the trafficking protocol impose obligation on concerned government institutions to take collaborated responses for prevention of trafficking in persons including child trafficking.<sup>225</sup> Similarly, national laws on anti-human trafficking expressly impose obligation on government bodies to work together towards the measures to prevent trafficking in persons.<sup>226</sup>

Most importantly, the second national human rights action plan of Ethiopia underlined the importance of collaboration to effectively prevent trafficking in persons. The action plan entails

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<sup>221</sup> Art. 9(1) of the 1961 Criminal Procedure Code of Ethiopia

<sup>222</sup> Art. 6(1) of the Federal Police Establishment Proclamation No. 720/2011

<sup>223</sup> Article 19 of the Trafficking Proclamation No. 1178/2020 Provides that: Protection of Persons Vulnerable to Danger

1. Where police reasonably suspect that a crime of trafficking in persons or smuggling of persons has been, is being or likely to be committed:-

a). Search any of transport, house, location or premises to rescue persons subjected to or harmed by the act;  
b). Stop and investigate persons crossing or in the process of crossing a border; however, have the duty to conduct the investigation forthwith and release persons who are not victims or suspects.

The police shall conduct search of house or premises under the provisions of sub-article (1) (a) of this article with a court order. Nevertheless, the police may, in urgent situation, conduct a search without a court order, provided that the results of such search shall be presented to the court within seventy-two hours.

<sup>224</sup> United Nations Institute for Training and Research, Human Trafficking and the Role of Local Governments(2019); ILO, Training Manual to Fight Trafficking in Child for Labor, Sexual and Other Forms of Exploitation: Text Book 1, Understanding Child Trafficking (2009) 48

<sup>225</sup> See Art. 9(3 and 4) of Trafficking Protocol

<sup>226</sup>See Art. 41, 42 and 43 of the Trafficking Proclamation No. 909/2015; See Art 40, 41 and 43 of the Trafficking Proclamation No. 1178/2020

the government to play great role towards conducting the activities towards combating trafficking in persons. Moreover, the action plan entails the collaboration between concerned bodies of the government with relevant stakeholders and to provide due attention to the area which highly affected by trafficking in persons including child trafficking.<sup>227</sup> Therefore, as the agents of state DFW is required to take actions in collaboration with each other and relevant stake-holder to the prevention of child trafficking.

### **3.5.5. Conducting Proactive Investigation**

Proactive investigation refers investigation on the issue by the initiation of law enforcement organs rather than waiting the accusation of the victims and being dependent on testimony of the victims.<sup>228</sup> Mostly, victims of trafficking are not able or willing to report for law enforcement organs against the traffickers and exploiters.<sup>229</sup> Proactive investigation assists the investigator to identify the participants of crime and reduce the dependency on victim's witness.<sup>230</sup> The CATOC<sup>231</sup> which is applicable for case of human trafficking impose obligation on state parties to conduct proactive investigation against organized crimes such as child trafficking.

Similarly, the former ant-human trafficking law requires the police to conduct proactive investigation where there is reasonable suspicion that crime of human trafficking has been, is being or is likely to be committed.<sup>232</sup>

Besides, according to criminal procedure code the police have duty to discover the commission of crime and required to conduct proactive investigation where the police know or suspect the commission of crime.<sup>233</sup>

Most importantly, under FDRE criminal code the crime of child trafficking do not categorized as crimes punishable only upon complaint. Thus, conducting proactive investigation is one of obligations for DFW towards investigating child trafficking.

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<sup>227</sup> FDRE Second National Human Rights Action Plan (2017)

<sup>228</sup> United Nations Office on Drug and Crime, (n 103) 182

<sup>229</sup> *ibid*

<sup>230</sup> Inter-Agency Coordination Group against Trafficking in Person, A Toolkit for Guidance in Designing and Evaluating Counter Trafficking Programme (2016) 43

<sup>231</sup> Art. 20(1) of the Convention against Transnational Organized Crime and Art 1(2) of the Trafficking Protocol

<sup>232</sup> Art. 18 of the Trafficking Proclamation No. 909/2015

<sup>233</sup> Art. 9(b) and Art 22(1) of the 1961 Criminal Procedure Code of Ethiopia

### 3.5.6. Conducting Joint Investigation

Joint investigation is coordinated investigation with relevant bodies to conduct a proper investigation on issue.<sup>234</sup> The victims of child trafficking are not willing to report the commission of child trafficking for the commencement of investigation against the traffickers. To this end, the inter-agency coordination group against trafficking in person<sup>235</sup> affirmed that most of the commencements of investigations against the perpetrators of human trafficking in general are reliant on report of victims who are highly reluctant to report the commission of human trafficking to law enforcement organs.

Besides, human trafficking in general and child trafficking in particular conducted in organized way on participation of several individuals starting from time of recruitment to the time of exploitation. As a result, child trafficking is very complex crime which is difficult to investigate. Thus, the conduct of effective investigation and bringing of all the perpetrators of crimes like child trafficking requires joint investigation.

Similarly, the CATOC provides joint investigation for crimes committed in organized way.<sup>236</sup> To address the issue of investigation of trafficking in persons the trafficking protocol<sup>237</sup> provides the application of the provision of CATOC to the case of human trafficking. Thus, according to trafficking protocol to ensure liability of the perpetrators of child trafficking the government required to employ joint investigations.

Similarly, the previous anti-human trafficking law requires the police to conduct joint investigation with concerned bodies against the perpetrators of human trafficking in general including child trafficking.<sup>238</sup> On similar approach, recently adopted anti-human trafficking law requires the police to conduct joint investigation against human trafficking.<sup>239</sup> Therefore, as agents of state conducting joint investigation against perpetrators of child trafficking is the

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<sup>234</sup> United Nations Office on Drug and Crime, (n 103) 195

<sup>235</sup> Inter- Agency Coordination Group against Trafficking in Person, (n 225) 44

<sup>236</sup> Art. 19 of the Convention against Transnational Organized Crime

<sup>237</sup> Art. 1(2) of the Trafficking Protocol

<sup>238</sup> Art. 43(1) of Trafficking Proclamation No. 909/2015

<sup>239</sup> Art. 41 of Trafficking Proclamation No. 1178/2020

obligation of DFW towards the investigation of child trafficking. Specifically, it is the obligation of the office of police which is the government agent assigned to conduct investigation.

### **3.5.7. Supervising the Investigation**

Strong criminal justice responses operate by strong law enforcement organ ensures protection of rights and creates environment in which crime is rarely committed.<sup>240</sup> Thus, strong criminal justice responses led by strong law enforcement organ is fundamental to bring the perpetrators of child trafficking to the justice system. By doing so it reduces the extent of child trafficking.

The clandestine character of child trafficking, participation of several persons on crime of child trafficking and unwillingness of the victims to report for law enforcement organs to set justice in motion as well as the different tactics employed by traffickers' necessary requires the investigators should have adequate investigative skills and supervision by relevant organ to ensure effectiveness of the investigation. Besides, the impact of child trafficking is grave and it affects the society and the country in general, thus the law enforcement organs required to establish strong investigation to bring the perpetrators before justice system.<sup>241</sup>

In Ethiopia including in the S/N/N/P/R the function of investigation and prosecution is conducted by two different bodies, the former by investigative police who is not required to be graduate of law and the latter by prosecutors who is strictly required to be graduate of the law. However, the function of investigation is conducted by a person not trained by law. Thus, to ensure the conformity of investigation with the law and its effectiveness the office of public prosecutor<sup>242</sup> legally empowered to lead the investigation and has legal duty to supervise the investigation conducted by investigative police to ensure its compliance with the law. Therefore, the office of attorney general established with the duty to supervise crime investigation is strictly required to supervise the investigation function of the police to bring the offenders of crime of child trafficking before the justice system since crime of child trafficking extremely violates the human rights of children, the wellbeing of society and endangers the country in general.

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<sup>240</sup> Inter- Agency Coordination Group against Trafficking in Person, (n 230) 43

<sup>241</sup> United Nations Office on Drugs and Crime, Toolkit to Combat Trafficking in Persons: Global Programme against Trafficking in Human Beings(2008) 176-178

<sup>242</sup> Art. 6(3) (a - b) of the Federal Attorney General Establishment Proclamation No. 943/2016; Art. 6(5) (c) of the S/N/N/P/R government Attorney General Office Establishment Proclamation 177/2018



## **CHAPTER FOUR**

### **Prevention and Investigation of Child Trafficking In Duguna Fango Wereda**

#### **4.1 Introduction**

DFW is one of the government lower administrative layers which exist in Wolayta Zone of the S/N/N/P/R. The wereda in general and DFW in particular empowered with broad power to ensure the respect and enforcement of laws within the wereda. Domestic legal frameworks are clear in this regard by establishing the wereda institutions with the legal obligations to ensure and enforce the laws enacted in the regional and at the national level. To this end, DFW concerned government bodies to the prevention and investigation of child trafficking has obligation to conduct the activities needed to the prevention and investigation of child trafficking.

In this chapter, the data collected from both the primary and secondary sources are thoroughly analyzed in line with the objectives of the study on the base of laws relevant to combat human trafficking in general and child trafficking in particular. To understand and capture clear picture of the prevention and investigation of child trafficking in the study area, the study examined the activities done and measures taken by the concerned bodies in DFW as well as the manner of prevention and investigation of child trafficking. In doing so, the fundamental prevention and investigation activities towards child trafficking such as awareness creation about child trafficking, addressing poverty and unemployment, rescuing the children on trafficking, collaboration of concerned bodies, conducting proactive investigation, conducting joint investigation and supervising the investigation were employed to analyze the practice in DFW.

#### **4.2 Duguna Fango Wereda Prevention Activities towards Trafficking in Children**

Prevention activities towards child trafficking includes various actions that targeted and aimed to reduce the causes for child trafficking such are poverty, lack of employment opportunity, lack of awareness and etc. It has a major effect on the conduct of child trafficking in the area and finally it have capacity to reduce the children vulnerability to trafficking and enable the public including

the law enforcement organs to effectively combat child trafficking.<sup>243</sup> To this end, the following parts of the study deeply analyzed the prevention activities of child trafficking in DFW and examined whether DFW is discharging its specific obligations towards the prevention of child trafficking.

#### **4.2.1. Awareness Creation**

Awareness creation on the prevention of human trafficking is clearly provided under various laws. Particularly, domestic anti-human trafficking laws clearly impose duties on some institutions to perform the function of raising awareness including the awareness of public and law enforcement organs on risks and responses of human trafficking.<sup>244</sup> The recently adopted anti-human trafficking law imposes duties on attorney general to raise awareness of the public and concerned bodies on combating trafficking in persons and to build the capacity of the police regarding the investigation, evidence inquiry and related issues.<sup>245</sup> Besides, this proclamation impose obligation on the police to work with other relevant institutions in the capacity building on the investigation of human trafficking which includes child trafficking.<sup>246</sup>

According to domestic legal and institutional framework, several government institution established and operate in wereda level have responsibilities to create awareness on child trafficking. Particularly, women, children and youth affairs office, public prosecutor office, police office and others required to play crucial role in raising awareness to the prevention of child trafficking.

Therefore, in accordance with the relevant legal and institutional framework, DFW required to raise awareness to the public and concerned bodies' about child trafficking including on the responsibilities of law enforcement organs, on the anti-human trafficking laws, on the means of recruit and on the forms of exploitation<sup>247</sup> by developing brochures, modules dramatic scenes, through conducting research, information, mass-media campaign, providing training and by using other essential forms of awareness creation.<sup>248</sup>

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<sup>243</sup> Walleign (n 43) 6 4

<sup>244</sup> Art. 41 of the Trafficking Proclamation No. 909/2015; Art 38(1) of the Trafficking Proclamation No. 1178/2020

<sup>245</sup> Art. 38(1 and 2) of the Trafficking Proclamation No. 1178/2020

<sup>246</sup> *ibid* Art 41

<sup>247</sup> See Art. 38(1) of the Trafficking Proclamation No. 1178/2020

<sup>248</sup> See Art. 41(1) and 41(1)(d) of the Trafficking Proclamation No. 909/2015

The officials of DFW revealed that lack of awareness of the community on the child trafficking is one of the fundamental causes to the prevalence of child trafficking in the study area. They claimed that the communities of DFW have misconception on child trafficking and consider trafficking of children to urban center benefits both the children and the parents.<sup>249</sup> According to officials, in the most of child trafficking case the parents of children involved in recruiting their children because they deceived by the traffickers and brokers as the children assigned in good work and can help the families. Moreover, the child whose friend was trafficked always wants to migrate to urban centers and easily fall on the hands of brokers and traffickers. Moreover, they indicated that communities and the children in the study area see the materials that the trafficked children brought to their parents. As a result, both the parents and children easily consented to child trafficking. At the same time the traffickers and brokers deceive the parents and children to be willing for child trafficking.<sup>250</sup>

On the other the study hold that DFW concerned bodies have no commitment to raise the awareness of the public to effectively combat child trafficking.

Moreover, according to one of the official of the study area the parents of children not only consent child trafficking but they oppose the rescue of the children on trafficking. He asserted that the parents feeling on child trafficking encouraged individuals to become brokers of child trafficking to generate income from the traffickers.<sup>251</sup> Correspondingly, the FGD discussants demonstrated that the communities of the study area encourages child trafficking because of they have misconception on the effects of child trafficking.<sup>252</sup> Thus, the data gathered from officials and FGD demonstrated that the prevalence of child trafficking in DFW related with misconception of the society on child trafficking due to lack of awareness creation towards child trafficking.

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<sup>249</sup> Interview with the head of DFW Prosecutor Office (Bitena, 7 May 2020) ; interview with the head of DFW Women, Children and Youth Affairs Office (Bitena, 11 May 2020)

<sup>250</sup> *ibid*

<sup>251</sup> Interview with the head of DFW Police Office (Bitena, 6 May 2020)

<sup>252</sup> FGD held in DFW on 09 October, 2020

The awareness raising practice in DFW indicates that the functions of awareness creation are mostly led by public prosecutor office and women, children and youth affairs office.<sup>253</sup> According to the legal drafting and awareness creation core process coordinator of DFW public prosecutor office their office has given awareness creation on child trafficking. In this respect, the data gathered from him reveals that awareness rising on child trafficking had given for wereda officials and kebele chairmen who are the justice week forum participant. He also added that, the office has aim to provide awareness creation education and training to the large part of society and relevant stake holders but lack of budget hindered the awareness creation department from performing the activities of awareness creation.<sup>254</sup> This implies that, lack of adequate budget to concerned bodies hindered the DFW specific department mainly established to raise the awareness of community on the crime continuously committed in the area and it revealed even in the existing resource the DFW specific department towards awareness creation does not create the awareness of relevant stakeholders.

Moreover, according to head of public prosecutor office, one of main duty to their office is raising awareness of the society on risks, on prevention and legal responses on crimes regularly committed in the area, but their office is in difficulty to discharge this basic obligation due to lack of budget and in the absence of due attention from wereda officials.<sup>255</sup> Similarly, the head of women, children and youth affairs office revealed that their office provide awareness creation to the society of DFW while due to budget problem they do not addressed to relevant stakeholders.<sup>256</sup> This clearly implies that problems related with budget and lack of commitment to raise the awareness of public and other relevant stakeholders needs urgent solution to effectively combat child trafficking and reduce its extent.

The key informants from workers of bus station who are coordinators of Bitena and Dimtu town bus station for more than the last four years informed that, for the last four years neither any training nor awareness raising education is provided to the workers of their bus stations and in

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<sup>253</sup> Interview with the head of DFW Prosecutor Office (Bitena, 7 May 2020) ; interview with the head of DFW Women, Children and Youth Affairs Office (Bitena, 11 May 2020)

<sup>254</sup> Interview with the legal drafting and awareness core process coordinator in Prosecutor office of DFW (Bitena, 5 May, 2020)

<sup>255</sup> Interview with the head of DFW Prosecutor Office (Bitena, 7 May 2020)

<sup>256</sup> Interview with the head of DFW women, children and youth affairs office (Bitena, 11 May 2020)

their bus stations in general towards the combating child trafficking.<sup>257</sup> This affirmed that DFW do not create awareness rising to the relevant stakeholders in combating child trafficking. Likewise, key informants from local communities revealed that in their area child trafficking is fundamental problem but they have not taken any awareness raising education and they have no adequate knowledge on legal responses and how to report the case of child trafficking.<sup>258</sup> Besides this, according to the families of victims' in DFW trafficking in children is fundamental problem but they have not taken any awareness raising training or education about child trafficking.<sup>259</sup> Similarly, the children residing in highly affected kebele and transit kebele asserted that in their area awareness on child trafficking is not given by anybody.<sup>260</sup> This clearly implies that lack of awareness rising on child trafficking aggravated the prevalence of child trafficking in DFW.

On top of that, all of the returnee who trafficked more than three times in different year revealed that the false promise of traffickers like offering a good life, huge wage and to educate them is among the major cause to their vulnerability for trafficking. They also added that, in spite of this problem they have not provided any awareness raising education prior to being the victims of child trafficking.<sup>261</sup> This implies that lack of adequate knowledge on risks of child trafficking is among the major reason for their vulnerability to trafficking.

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<sup>257</sup> Interview with Silas Mola, the Coordinator of bus station, Bitena town (Bitena, 22 September 2020) and interview with Matewos Makango, the Coordinator of bus station, Dimitu town (Dimitu, 25 September 2020)

<sup>258</sup> Interview with local community, Milisha in Fango Boloso Kebele of DFW( Fango Boloso, 3 August 2020); interview with local community, the Society Coordinator in the Damot Shinka Kebele school of DFW ( Damot Shinka, 5 August 2020); interview with local community, Kebele Communication in Anka Damot Kebele of DFW (Anka Damot, 7 August 2020); interview with local community, Coordinator of Milisha in Bitena Town of DFW( Bitena, 10 August 2020) and interview with local community, coordinator of women association in DFW Town of DFW (Dimitu, 14 August 2020)

<sup>259</sup> Interview with Demisse Mana, the resident of Fango Boloso Kebele in DFW( Fango Boloso, 3 August 2020); interview with Burunjo Baza, the resident of Dimitu town in DFW (Dimitu, 14 August 2020); interview with Eyasu Pola, the resident of Anka Damot in DFW (Anka Damot, 7 August 2020); interview with Aynate Mulatu, the resident of Bitena town in DFW( Bitena, 10 August 2020) and interview with Abebech Bassa, the resident of Damot Shinka in DFW ( Damot Shinka, 5 August 2020)

<sup>260</sup> Interview with Yohanis Zinabu, the resident of Fango Boloso Kebele in DFW ( Fango Boloso, 3 August 2020); interview with Mesifin Banta the resident of Damot Shinka in DFW ( Damot Shinka, 5 August 2020); interview with Bunaje Turo, the the resident of Dimitu town in DFW (Dimitu, 14 August 2020); interview with Birknesh Simon, the resident of Anka Damot in DFW(Anka Damot, 7 August 2020) and interview with Biruk Adisu, the the resident of Bitena town in DFW( Bitena, 10 August 2020)

<sup>261</sup> Interview with Temesgen Demisse, victim of trafficking in children who recruited from Fango Boloso Kebele (returnee) ( Fango Boloso, 24 September 2020); Interview with Asirat Abebe, victim of trafficking in children who recruited from Anka Damot Kebele ( returnee) (Anka Damot, 24 September 2020); interview with Asirat Amanuel, victim of trafficking in children who recruited from Damot Shinka (returnee) (Damot Shinka, 24 September 2020); interview with Betelem Bergene, victim of trafficking in children who recruited from Damot Shinka (returnee) (Damot Shinka, 23 September 2020); interview with Abebech Ayza, victim of trafficking in children who recruited

Moreover, according to the returnee the life after trafficking is very bad and they pass most of their life in street.<sup>262</sup> They revealed that the traffickers as well as individuals who taken them controls their movement and it is very difficult to return back to home and as a result most of their friends who are victims of child trafficking passes their life in various urban centers on works that highly endangers their health and development. They also added that, they have not taken any awareness raising education in the study area when they returned to the home (the study area).<sup>263</sup> Most importantly, the key informants asserted that they will start the combating of child trafficking with the concerned bodies if they have given awareness rising on the child trafficking.<sup>264</sup> This reveals that prevalence of child trafficking in DFW is highly related with DFW communities' misconception on child trafficking.

According to the data gathered from police and prosecutor, public prosecutor office do not given any awareness training to police officers towards the prevention and investigation of child trafficking<sup>265</sup> while according to the anti-human trafficking law public prosecutor office have obligations to conduct capacity building training to police officers to establish effective prevention and investigation of child trafficking.<sup>266</sup>

The researcher asked the legal drafting and awareness creation core process coordinator of DFW public prosecutor office and the coordinator of protection of child rights and well-being of children in women, children and youths office of DFW about the existence of any document which adopted towards awareness rising on child trafficking. Both key informants answered affirmative and given a brochures which developed to provide awareness creation on child trafficking. Brochure is one of the means to create awareness rising on child trafficking.<sup>267</sup> The anti-human trafficking laws provide that the content of awareness raising should contain at least

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from Anka Damot (returnee) (Anka Damot, 26 September 2020) and interview with Astire Bassa, victim of trafficking in children who recruited from Fango Boloso(returnee) (Fango Boloso, 26 September 2020)

<sup>262</sup> ibid

<sup>263</sup> ibid

<sup>264</sup> Interview with local communities, families of victims, coordinator of bus stations

<sup>265</sup> Interview with the head of DFW Police Office (Bitena, 6 May 2020) ; Interview with the head of DFW prosecutor office (Bitena, 7 May 2020)

<sup>266</sup> Art. 38(2) of the Trafficking Proclamation No. 1178/2020

<sup>267</sup> Art. 41(1)(a) of the Trafficking Proclamation No. 909/2015; Art 38(1) of the Trafficking Proclamation No. 1178/2020

the responsibilities and role of law enforcement organs, the anti-human trafficking laws, the means of recruit and the forms of exploitation<sup>268</sup> In this regard, the broacher developed by DFW public prosecutor office includes various relevant elements for child trafficking such as causes of vulnerability of individuals for trafficking, legal responses for trafficking in persons and the role of society in the prevention of trafficking in persons and definition of trafficking in persons.<sup>269</sup> Whereas, it does not focus on the context of DFW, does not include the definition of trafficking in children and the roles of law enforcement organs on trafficking in children. Particularly it does not focus on trafficking in children while trafficking in children is at severing stage in DFW. Regarding to the broacher developed by DFW women, children and youth affairs office, it includes definition of human trafficking, character of trafficking in children, the causes, actors involved and prevalence of trafficking in children.<sup>270</sup> However, the broacher lacks relevant elements towards trafficking in children such as the definition of trafficking in children, legal responses and role of law enforcement organs on trafficking in children. According to the key informants from public prosecutor office, and women, children and youth affairs office<sup>271</sup> the brochures were given in Bitena town primary school and Bitena town trade while according to them the result of awareness creation through brochures on their combating effort was not evaluated by their office. Furthermore, according to the key informants the awareness raising activities were very limited and do not addressed even the severely affected kebele and the relevant stake holders in combating child trafficking such as bus station workers while anti-human trafficking laws<sup>272</sup> urges the awareness creation on child trafficking should provided to the public at large and to the concerned bodies. FGD<sup>273</sup> demonstrated that awareness rising on trafficking in children are very limited in its scope and do not given due attention from the concerned institution in DFW. They reached consensus that awareness rising on trafficking in children requires serious concern from all institutions of DFW and its officials.

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<sup>268</sup> *ibid*

<sup>269</sup> The broacher developed by DFW public prosecutor office to combat trafficking in persons

<sup>270</sup> The broacher developed by DFW women, children and youth affairs office to combat trafficking in children

<sup>271</sup> Interview with the legal drafting and awareness core process coordinator in Prosecutor Office of DFW (Bitena, 5 May, 2020) ; interview with the head of Women, Children and Youth Affairs Office of DFW (Bitena, 11 May, 2020)

<sup>272</sup> Art. 41(1)(a) of the Trafficking Proclamation No. 909/2015; Art 38(1) of the Trafficking Proclamation No. 1178/2020

<sup>273</sup> FGD (n 252)

Sources and the trafficking proclamation indicated that awareness raising education and training about child trafficking is fundamental to develop the understanding of the individuals for organized prevention of child trafficking.<sup>274</sup> Further, the returnee underlined that having awareness on the risks and responses of child trafficking has paramount importance to the prevention of child trafficking.

Despite the fundamental importance of awareness rising towards the efforts of combating child trafficking, this study holds that there are awareness creation programs conducted by some institutions but its scope is very limited compared to extent of child trafficking in DFW. This is because of DFW does not provide adequate budget and due attention to the awareness creation activities to combat child trafficking. In addition, this study revealed that in DFW few attempts were made to develop the understanding on child trafficking but the attempts were not enough to change the misconception of the community of DFW on child trafficking because of awareness creations do not given to the relevant stake-holders even to the extent of available resources and content of awareness raising does not in line with anti- human trafficking laws.

In sum, this study hold that awareness creation about child trafficking in DFW is not adequate to effectively combat child trafficking and does not conform the law and needs reconsiderations as there is lack of awareness creation education or training about child trafficking.

#### **4.2.2. Addressing Poverty and Unemployment**

According to the international and national legal frameworks as well as guidelines to combat human trafficking in general and child trafficking in particular<sup>275</sup> addressing poverty and unemployment were affirmed as fundamental measures to prevent trafficking in persons. On top of that, the studies conducted in Wolayta Zone<sup>276</sup> indicated that poverty and unemployment are the major causes for children vulnerability for child trafficking in the area. Therefore, addressing

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<sup>274</sup> Inter- Agency Coordination Group against Trafficking in Person (n 230) 21; United Nations Office on Drugs and Crime (n 103) 70; Art. 10(2) of the Trafficking Protocol; Art 38(1) of the Trafficking Proclamation No. 1178/2020

<sup>275</sup> Art. 9(4) of the Trafficking Protocol; Ouagadougou Action plan (n 204) 3; National Council strategic plan (n 204); principles and Guidelines on Human Rights and Human Trafficking Commentary, P. 98; Art 24(1) (a) and Art 24(5) of the Trafficking Proclamation No. 1178/2020;

<sup>276</sup> Yishak and Asrat (n 26) 38-53; Asayeberhan (n 39) 1-14



poverty and unemployment is fundamental measure and vital to the prevention of child trafficking.

Most importantly, the trafficking protocol<sup>277</sup> impose obligation on state parties to take and support activities that can address the causes of vulnerability of children to trafficking such as poverty and unemployment.

In this regard, at the wereda level there are some institutions those specifically required to address the socio-economic causes of human trafficking in general which includes child trafficking. For instance, the food security office establishment proclamation and the proclamation defining the powers of the executive organ of the FDRE<sup>278</sup> impose obligation on the food security coordination office and rural employment creation sector to address the economic factors of individuals. Particularly, the recent anti-human trafficking law<sup>279</sup> impose obligation on the food security coordination office and job creation sector to address the economic factors that expose children to the trafficking. Therefore, as the agents of government the concerned bodies of DFW has duties to understand and address the factors of child trafficking. To this end, this study emphasized to consider the responsibilities and activities conducted by the concerned bodies in DFW towards addressing poverty and unemployment to combat child trafficking.

According to the officials of the study area the basic reasons behind frequent child trafficking in DFW were related with poverty and lack of employment opportunities in the area.<sup>280</sup> They revealed that parents with economic problems forces their children for child trafficking and the children see other better opportunities in other areas to live better life in affluent cities. In addition they indicated that because of economic problems three kebele of DFW were highly

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Art. 9(4) of the Trafficking Protocol

<sup>278</sup> Southern Nations, Nationalities and Peoples Regional State Food Security and Pastoral Development Coordination Office Establishment Proclamation No. 33/2001; Art 8(1)(a) and(1)(e) of the Proclamation Defining the Powers of the Executive Organ of the FDRE, Proclamation No. 1097/2018

<sup>279</sup> Art. 24(5) of the Trafficking Proclamation No. 1178/2020

<sup>280</sup> Interview with the head of DFW Women, Children and Youth affairs office (Bitena, 11 May 2020); Interview with the head of DFW police office DFW (Bitena, 6 May 2020); Interview with the Coordinator of Food Security Sector on Agricultural and Natural Resources Office of DFW (Bitena, 8 May 2020); Interview with the coordinator of DFW Rural Employment Creation Sector on DFW enterprise and industry office, DFW (Bitena, 6 May 2020)

affected by child trafficking. Similarly, the key informants from families of the victims, local communities, and returnee affirmed that poverty and lack of employment opportunities are among the major factors in DFW for children vulnerability for child trafficking.<sup>281</sup> FGD share this and agreed on the urgent need of measures targeted to address poverty and lack of employment opportunities.<sup>282</sup>

On top of that, according to one of the returnee who lived in Addis Ababa, Methatara town (Oromia region), Dilla town and Yirgachafe town (S/N/N/P/R) most of victims of child trafficking from DFW who are his friends in the above specified towns are children who belong to families with economic problems.<sup>283</sup>

In sum, the key informants revealed that poverty and unemployment are the main factors for the vulnerability of children for trafficking. Therefore, number of activities and measures that specifically targeted the poverty and unemployment are required from the concerned bodies of DFW to effectively prevent child trafficking.

Moving to the activities conducted in DFW towards addressing poverty and unemployment, key informants from the concerned government institutions in DFW and the representatives of families of victims and local communities indicated that in DFW there are some activities and measures that have been conducted to address poverty and unemployment. For instance, food security coordination sector has performed some activities such are safety net program to families of children with disability. The DFW food security coordination sector coordinator added that special focus has been given for children who have no bread winner and for the children of displaced parents who reside in DFW.<sup>284</sup> The officials of DFW argued that the activities conducted by food security coordination sector minimized the effects of poverty but the budget problem and problems related with identification of beneficiaries hinder their efforts on

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<sup>281</sup> Interview with Demisse ( n 259); interview with Burunjo (n 259); interview with Eyasu (n 259); interview with Aynate (n 259) and interview with Abebech (n 259); Interview with local communities ( n 258); Interview with Temesgen (n 261); Interview with Asirat (n 261); interview with Asirat (n 261); interview with Betelem (n 261); interview with Abebech (n 261) and interview with Astire (n 261)

<sup>282</sup> FGD (n 542)

<sup>283</sup> Interview with Asrat Amanuel (n 261)

<sup>284</sup> Interview with the Coordinator of Food Security Sector on Agricultural and Natural Resources Office in DFW (Bitena, 8 May 2020)

ensuring food security to address poverty. In this regard, documenting the parents and number of children beneficiary of food security program intended to prevent child trafficking is essential to follow the conditions of vulnerable children and it can be used as an evidence to examine the effectiveness of measures and to take improvement on activities and to avoid corrupt practices in identifying the beneficiary whereas according to the coordinator of food security there was no documentation on the number families and vulnerable children who are beneficiary of food security program in the prevention of child trafficking.

On top of that, the FGD discussants explained that ensuring food security has vital importance in combating child trafficking but the problem of budget and lack of due attention from both the Wolayta zone and DFW to ensure the food security of individuals hindered the efforts of DFW to ensure the food security of its dwellers.<sup>285</sup> The families of victims revealed that there are some aids given for them to ensure their food security, but the aid was not targeted to prevent child trafficking and the officials are corrupt and half of the aids given to the individuals those have relations with the officials.<sup>286</sup> While the trafficking protocol<sup>287</sup> and the recent trafficking proclamation<sup>288</sup> impose obligation to address poverty towards combating trafficking in persons. In sum, the evaluation of addressing poverty to combat child trafficking indicated that DFW conducted few efforts to ensure food security of its dwellers but their efforts were not directly intended to combat child trafficking even to the extent of available resources and it was full of problems that challenge the ensuring of food security.

Regarding to creating employment opportunity, the officials of DFW who is the head of DFW employment creation sector indicated that creation of employment opportunity is among the major activities to address the economic problems of individuals in DFW. According to him, all of the employment opportunity was provided for the individuals who attained majority which refers individuals above the age of 18 years. Furthermore, individuals required to save 10% of the total capital given to individuals from the government. He also added that, the office of enterprise and industry which arranges rural employment opportunity has been given special

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<sup>285</sup> FGD (n 252)

<sup>286</sup> Interview with Demisse ( n 259); interview with Burunjo (n 259); interview with Eyasu (n 259); interview with Aynate (n 259) and interview with Abebech (n 259)

<sup>287</sup> Art. 9(4) of the Trafficking Protocol

<sup>288</sup> Art. 24(5) of the Trafficking Proclamation No. 1178/2020

focus to help the families those are economically poor through giving priority to give the debit.<sup>289</sup> However, the head of DFW employment creation sector does not revealed that their office provides employment opportunities solely to combat trafficking in children. This implies that DFW do not address lack of employment of the communities of DFW for the purpose of combating child trafficking.

The local communities and families of victims revealed that DFW rural employment creation sector do not create employment opportunity for vulnerable children who can work and for their families mainly for the purpose of preventing child trafficking. They added that to benefit from the rural employment opportunity it is mandatory to attain the age of 18 years and save 10% of the total capital prior to receiving the capital.<sup>290</sup> Likewise, the head of women, children and youth affairs office acknowledged that in DFW the vulnerable children and their families are not provided with the opportunity to engage in work to generating income with the purpose solely related to prevent child trafficking.<sup>291</sup> In this respect, the FGD discussants<sup>292</sup> affirmed that job creation in DFW was not targeted to combat child trafficking while the national committee which established in accordance with article 39 of proclamation number 909/2015 adopted creating job opportunities as strategic plan to the prevention of trafficking in persons. Moreover, the recent anti-human trafficking proclamation<sup>293</sup> provides job creation as one of measures to combat trafficking in persons.

This study concluded that job creation in DFW was not targeted to combat child trafficking and even the poor families' opportunity to benefit from job creation is very limited due to the requirement of 10% prior saving to receive the capital to engage in the employment opportunity. Thus, the DFW employment opportunity creation sector has not provide employment opportunities for the vulnerable children who can work and for their families to save the children from trafficking by addressing their vulnerability related with lack of adequate income to realize

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<sup>289</sup> Interview with the Head of Rural Employment Creation Sector on DFW enterprise and industry office, DFW (Bitena, 6 May 2020)

<sup>290</sup> Interview with local communities ( n 258); Interview with Demisse ( n 258); interview with Burunjo (n 258); interview with Eyasu (n 258); interview with Aynate (n 258) and interview with Abebech (n 258)

<sup>291</sup> Interview with the head of Women, Children and Youth Affairs Office of DFW (Bitena, 11 May, 2020)

<sup>292</sup> FGD (n 252)

<sup>293</sup> Art. 24(5) of the Trafficking Proclamation

their basic needs. In sum, the activities of DFW on creation of job opportunity were not targeted to combat child trafficking and does not conform the anti-human trafficking laws.

### **4.2.3. Rescue of children on trafficking**

The children physical and mental immaturity as well as various reasons including deception and coercion highly exposes them for child trafficking. Besides, the commentary on human trafficking determined that, existence of an environment which is free to the traffickers is one of major causes for frequent occurrence of child trafficking.<sup>294</sup>

The prevention of child trafficking always requires building protective environment that can avoid or reduce trafficking in children.<sup>295</sup> Thus, the protective environment encourages the protection of rights of children from different forms of exploitations. Accordingly, protective environment creates difficulty for the traffickers, brokers and other accomplices in the process of recruitment, harboring and transporting the children. The establishment of protective environment requires the interest and commitment of the government. In this respect, the trafficking protocol provides that<sup>296</sup> “state parties shall strengthen, to the extent possible, such border control as may be necessary to prevent and detect trafficking in persons”.

Domestically, the anti-human trafficking laws specifically provide the police to rescue the children on trafficking.<sup>297</sup> To discharge this legal obligation, the state and its agents required to fund adequate budget, participate the communities and take other specific measures like controlling the exit door.

Coming to the practices in study area, the head of police office<sup>298</sup> and the coordinator of crime prevention unit<sup>299</sup> indicated that geographically DFW is near to different cities including Hawassa, Shashamane, Dilla and bordered with Sidama regional state, Hadiya Zone and Siraro wereda (Oromia Region). This geographic location increased the susceptibility of DFW children

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<sup>294</sup> United Nation Office of High Commissioner for Human Rights ( 2010 ), Recommended Principles and Guidelines on Human Rights and Human Trafficking Commentary, P. 98

<sup>295</sup> UNICEF, Handbook for parliamentarians No. 9, Combating Child trafficking(2005) P. 26

<sup>296</sup> Art. 11(1) of the Trafficking Protocol

<sup>297</sup> Art. 17 of the Trafficking Proclamation No. 909/2015; Art 19 of the Trafficking Proclamation No. 1178/2020

<sup>298</sup> Interview with the head of DFW Police Office (Bitena, 6 May 2020)

<sup>299</sup> Interview with the coordinator of crime prevention department in DFW (Bitena, 6 May 2020)

to trafficking and provided high opportunity for traffickers to easily traffic the children. They also added that, the DFW police office performs different activities and has taken various measures to save the children on trafficking. For instance, to discharge its legal obligation to prevent crime of child trafficking<sup>300</sup> the crime prevention unit police including the traffic police control main exit doors in DFW and search cars to rescue the children on trafficking. During holidays especially during finding of the true cross (Meskel holiday) the police office has taken coordinated control of several exit doors and checks the identity of all children on voyage.

Contrary to the key informants from police office, according to bus station coordinators the traffickers and brokers come to the bus station with several children to go Hawassa, Morocho, Bodit, Balela and soddoo town which are mostly the place of transits for trafficked children.<sup>301</sup> They added that, in this situation they denies the children who are not with their parents from using bus to go other places with buses in their stations and inform the case to the law enforcement organs but the children enter into the car in out of the bus station.

The official of DFW revealed that DFW has various exit doors and in two exit doors such as Hawassa and Soddoo exit doors there is control station during finding of the true cross holiday but currently the traffickers and brokers uses motor vehicle to transport the children and this created difficulties to combat child trafficking. The official added that, some of traffickers are relatives of children and they have supports from the families of children when they prevented from transporting children to urban centers.<sup>302</sup> In this regard, the anti-human trafficking laws<sup>303</sup> clearly provide that the police should control the exit and rescue the children. The key informants from police office revealed that it is obvious that according to the national anti-human trafficking laws the police has broad power to control the voyage and rescue the children while the geographic location of the study area created difficulties on their efforts to rescue the children.<sup>304</sup>

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<sup>300</sup> See Art. 17 of the Trafficking Proclamation No. 909/2015; See Art 19 of the Trafficking Proclamation 1178/2020

<sup>301</sup> Interview with Silas Mola and Matewos Makango (n 257)

<sup>302</sup> Interview with the head of DFW Women, Children and Youth affairs office (Bitena, 11 May 2020)

<sup>303</sup> See Art. 17 of the Trafficking Proclamation No. 909/2015; See Art 19 of the Trafficking Proclamation No. 1178/2020

<sup>304</sup> Interview with the head of DFW Police Office; Interview with the coordinator of crime prevention department in DFW (Bitena, 6 May 2020)

The trafficking proclamations empower and impose duties on police officer to control any voyage in the border to rescue the children on trafficking.<sup>305</sup> Whereas, the returnee who trafficked three times to different places revealed that there is some control on cars in exit doors while after passing the boundary of DFW particularly after passing Hawassa exit doors by foot there is no control and the voyage is safe.<sup>306</sup> This implies that rescuing of children on trafficking is very weak due to lack of stringent control in exit doors, lack of understanding on techniques conducted by traffickers and brokers, and lack of working together with adjacent wereda to rescue the children on trafficking.

Most importantly, the coordinator of Dimitu town bus station explained that their bus station workers always actively follow the children who come to the bus station but the concerned government institutions in DFW towards combating child trafficking have not taken any measures to rescue children on trafficking in their bus station.<sup>307</sup> He further added that, the law enforcement organs have not taken any activity to rescue the children who come to bus station even during finding of the true cross holiday. Likewise, the FGDs<sup>308</sup> and key informants from the local communities who reside near to Hawassa exit door and Soddo exit door affirmed that several children with traffickers and brokers pass the outdoors by foot, motor bicycles and using the bus after passing the exit doors.<sup>309</sup> They indicated that only during finding of the true cross holiday the crime prevention department police and focal persons of women, children and youth affairs office control the exit doors while the traffickers traffic the children throughout the year. Moreover, they revealed that the children who rescued from child trafficking again become the victims of child trafficking because of absence of temporary shelter the children immediately given to their families. While the anti-human trafficking proclamations imposed obligation on police to rescue the children on trafficking at any time and at any place.<sup>310</sup>

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<sup>305</sup> See Art. 17 of the Trafficking Proclamation No. 909/2015; See Art 19 of the Trafficking Proclamation 1178/2020

<sup>306</sup> Interview with Asirat Amanuel (n 261)

<sup>307</sup> Interview with Matewos Makango (n 257)

<sup>308</sup> FGD (n 252)

<sup>309</sup> Interview with two local communities of DFW (n 258)

<sup>310</sup> Art. 17 of the Trafficking Proclamation No. 909/2015; Art 19 of the Trafficking Proclamation No. 1178/2020

This study hold that DFW activities to rescue the children on trafficking limited to the border area and holidays. Even the border control to prevent child trafficking does not achieved its aim and have not given adequate attention from the concerned bodies to work with adjacent wereda.

Besides, the activities intended to save the children on trafficking is not considered the tactics of the traffickers and brokers as well as the geographical location of DFW and does not conform the anti-human trafficking law.

#### **4.2.4. Collaboration of the Concerned Bodies**

Several anti-human trafficking instruments, guiding principles and other relevant guidelines on anti-human trafficking specifically requires collaboration of the concerned bodies including NGOs and other relevant stake-holders to the prevention of human trafficking. In recent years at internationally, regionally and nationally the importance of collaboration between concerned bodies to the prevention of human trafficking is well articulated. For instance, the trafficking protocol<sup>311</sup> requires the state parties to work together with NGOs and other relevant organizations. This requirement clearly reflects the necessity and importance of collaborated actions of stakeholders to combat human trafficking including child trafficking. Accordingly, both the former and recently adopted domestic anti-human trafficking law requires the concerned institution to coordinate each other to the prevention of child trafficking.<sup>312</sup> Similarly, the OHCHR clearly emphasized the importance of collaboration to effectively combat human trafficking.<sup>313</sup>

Furthermore, the IOM on its guiding principles<sup>314</sup> specifically noted that the anti-human trafficking measures that targeted to against a serious and complex crime requires active and long term collaborated actions. Thus, failing to work each other and to take collaborated actions

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<sup>311</sup> Art. 9(3) of the Trafficking Protocol

<sup>312</sup> For instance, Art 41 of the trafficking proclamation number 1178/2020 and Art. 43(1) of the trafficking proclamation number 909/2015 provided that, duties of police to cooperate with other concerned institutions to the prevention of child trafficking. This implies that the police office has required cooperating with other institutions in their own initiations in the prevention of child trafficking.

<sup>313</sup> OHCHR, Recommended Principles and Guidelines on Human Rights and Human Trafficking (2012)

<sup>314</sup> IOM, (2009), Global Initiative to Fight Human Trafficking: Guiding Principles on Memorandum of Understanding between Key Stakeholders and Law Enforcement Agencies on Counter-Trafficking Cooperation of Human Trafficking. P. 6



against child trafficking indicates that the measures and actions towards the prevention of child trafficking in the area are inadequate.

Coming to the practice in DFW, the coordinator of women and children rights protection unit coordinator in women, children and youth affairs office in DFW explained that the concerned institutions in DFW have collaboration with each other to the prevention of child trafficking.<sup>315</sup> Besides this, according to according head of women, children and youth affairs office the office of women, children and youth affairs work with various concerned institutions such as prosecutor office, police office, food security sector, rural employment creation sector and education office to combat child trafficking.<sup>316</sup> She revealed that however there are various collaborated activities the wereda top officials are do not always collaborate with the concerned institutions to the prevention of child trafficking. She also added that the wereda core committee has not given due attention to the prevention of child trafficking. Besides this, during the allocation of annual budget the wereda core committee is not willing to provide some additional budget to concerned institutions to the prevention of child trafficking. This implies that DFW core officials do not given commitment to combat trafficking in children since as they have main responsibilities to ensure respect of laws in the wereda they required to facilitate the collaboration between concerned bodies but the wereda core officials do not collaborates the concerned bodies to effectively prevent child trafficking.

Contrary to the views of head of women, children and youth affairs office, the head of police office revealed that unless there is question of support from either of the concerned institutions, there is no practice of collaboration between the concerned institutions.<sup>317</sup> In this respect, the Bitena town and Dimtu town bus station coordinator indicated that they are not asked by any concerned institutions for collaboration to the prevention of child trafficking.<sup>318</sup> They also added that, mostly the workers of bus stations provide information of child trafficking to law enforcement organ but the law enforcement organ is not willing to come to the bus stations and to apprehend the perpetrator.

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<sup>315</sup> Interview with the Coordinator of Women and Children rights and well-being protection in Women, Children and Youth Affairs Office of DFW ( Bitena, 11 May 2020)

<sup>316</sup> interview with head of DFW Women, Children and Youth Affairs Office ( Bitena, 11 May 2020)

<sup>317</sup> Interview with the head of DFW Police Office (Bitena, 6 May 2020)

<sup>318</sup> Interview with Silas Mola and Matewos Makango (n 257)

On the other hand, according to head of public prosecutor office only a few concerned institutions, for instance police office, attorney general office and women, children and youth affairs office are collaborate between each other towards the prevention of child trafficking.<sup>319</sup> He also added that, even these concerned institutions are not always collaborated with each other to the prevention of child trafficking rather mostly the collaboration has made during there is child trafficking case in which the victim is orphan. Whereas, anti-human trafficking laws<sup>320</sup> clearly stipulated that the relevant government organizations collaborate each other to combat trafficking in persons in general. Particular, the anti-human trafficking laws<sup>321</sup> impose obligation on the police office and public prosecutor office to take collaborated actions with relevant government institutions and other relevant stake holders on the combat against trafficking in persons. Besides, the women, children and youth affairs office has obligation<sup>322</sup> to take collaborated actions with concerned government institutions and relevant stake holders towards ensuring the respect of rights of children.

Besides, the key informant who is the residence of Bitena town and Dimitu town which is the main place of harboring, transporting and transit of children indicated that the local communities of Bitena and Dimitu town are not asked by any of the above discussed concerned bodies for collaboration towards the combat against child trafficking.<sup>323</sup> Whereas, the collaboration of concerned bodies with the local communities and other relevant stake holders is a guarantee to effective prevention of child trafficking and the ant-human trafficking laws<sup>324</sup> impose obligation on concerned bodies to collaborate with relevant stake holders to combat child trafficking.

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<sup>319</sup> Interview with head of DFW Prosecutor Office (Bitena, 7 May 2020)

<sup>320</sup> See Art 41(1) and 43(1) of the Trafficking Proclamation No. 909/2015; Art 41 of the Trafficking Proclamation No. 1178/2020

<sup>321</sup> *ibid*

<sup>322</sup> Art. 23(6) of the Proclamation to Determine the Powers and Duties of the Executive Organs of Southern Nations, Nationalities and Peoples Regional Government, Proclamation No. 178/2011

<sup>323</sup> Interview with one of Local Communities in DFW (n 258 )

<sup>324</sup> See Art. 41 and 42 of Trafficking Proclamation No. 909/2015; See Art 41, 42 and 43 of the Trafficking Proclamation No. 1178/2020

Besides, the head of women, children and youth affairs office revealed that despite the collaboration which is limited between some concerned institutions, the officials of some kebele hinders the function of prevention of child trafficking by providing false support documents such as identity card and a document which shows the existence of affinity relationship between children and traffickers.<sup>325</sup> This implies that in DFW there is lack of collaboration with concerned bodies and kebele officials while their collaboration has fundamental importance to prevent child trafficking.

Moreover, FGD explained that the officials of DFW relevant institutions has taken training on how to combat child trafficking and they have understanding on the obligation to take collaborated actions towards child trafficking but they affirmed that collaboration among the relevant bodies in DFW towards trafficking in children is very weak due to absence of adequate resources, lack of commitment on officials and absence of accountability of officials on their activities towards combating trafficking in children.<sup>326</sup> This implies that in DFW there is lack of the practice of collaborated actions towards child trafficking.

The researcher asked the head of all concerned institutions who are key informants about whether there is a document which shows the existence of any meeting by concerned institutions as well as any documented team works in the prevention of child trafficking, but all the key informants respond that there is no such document that reveals the performance of collaborated actions.

In sum, this research concluded that in DFW there were a few efforts of collaboration between the concerned institutions while the collaboration is very weak for the prevention of child trafficking. Besides, this study holds that in DFW there is lack of collaboration between the concerned institutions and the local communities, kebele officials as well as the workers of bus stations towards the prevention of child trafficking.

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<sup>325</sup> Interview with One of Local Communities in DFW (n 258)

<sup>326</sup> FGD (n 252)

### **4.3 Duguna Fango Wereda investigation activities towards child trafficking**

Investigation is base for effective prosecution. Lack of adequate investigation can provide possibility for traffickers to regularly conduct the activities of child trafficking. Besides, lack of adequate knowledge on part of the investigative police on the techniques of traffickers and the methods of investigation as well as lack of team investigation has great impact on the attempt to reduce the crime of child trafficking through bringing the perpetrators of child trafficking before justice system. That is why investigation techniques which establish effective investigation are fundamental to bring the traffickers before the justice system and to reduce the crime. DFW has various specific obligations towards the investigation of child trafficking. To this end, the following parts of the study deeply analyzes whether DFW is discharging its specific obligations towards investigation of child trafficking.

#### **4.3.1 Conducting Proactive Investigation**

One of the responses against child trafficking in the DFW is criminal investigation on the perpetrators of child trafficking. In this regard, proactive investigation enables and increases the possibility for law enforcement organs particularly for the police to ensure successful investigation.<sup>327</sup> By conducting proactive investigation, the law enforcement organs actively react to the crime and bring the perpetrators of the crime to the justice system and in turn it reduces the criminality. To this end, the international instrument relevant to combat organized crime provide that<sup>328</sup> proactive investigation is much more than a tool to bring the offenders of human trafficking and to reduce the crime of human trafficking which includes child trafficking. Similar to the objectives of criminal law, anti-human trafficking law aimed to deter the crime of human trafficking. To this end, domestic legal framework<sup>329</sup> requires the investigative police officer to conduct proactive investigation to ensure successful investigation against the crime of human trafficking.

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<sup>327</sup> Inter- Agency Coordination Group against Trafficking in Person (n 230)43

<sup>328</sup> Art. 20(1) of the Convention Against Transnational Organized Crime

<sup>329</sup> See Art. 18 and 20 of the Trafficking Proclamation No. 909/2015; See Art 19 of the Trafficking Proclamation No. 1178/2020

On top of that, inter-agency coordination group against trafficking in person noted that<sup>330</sup> proactive investigation is fundamental to counter human trafficking. Thus, failing to conduct proactive investigation as well as solely reliance on complaint of victims to commence the investigation against the perpetrators of child trafficking indicates that such investigation is inadequate to successfully combat the complex crime like child trafficking.

Coming to the practice in DFW, the head of investigation department revealed that conducting investigation on crime of child trafficking in DFW is performed by the investigation department of the police office.<sup>331</sup> He also added that the function of investigation on all crimes including investigation on crime of child trafficking is commenced in two ways such are up on receiving complaint or on accusation. He also added that they have no any special investigative techniques to the crime of child trafficking rather than the general procedure on criminal investigation. Regarding to the existence of proactive investigation, the coordinator of investigation department and other investigative police revealed that the investigative police do not commence the investigation on crime of child trafficking on their own initiation rather they wait the complaint even there is flagrant case of child trafficking.<sup>332</sup> This implies that, investigation on child trafficking in DFW is very weak and do not take into account the essence of investigation on trafficking in persons.

The manner of investigation is essential to determine the effectiveness of prosecution. In this respect, the toolkit of UNODC concludes that an investigation is a base for prosecution and to provide adequate evidence. Particularly, investigation by the initiation of investigative police or other police and other concerned bodies is crucial to combat child trafficking since the victims as well as their parents are not willing to report for the commencement of investigation. Furthermore, it is difficult to gather adequate evidence on child trafficking because of its clandestine nature. Thus, to ensure effective prosecution and to provide adequate evidence the active involvement of investigative police and other stake-holders were required to punish and deter the perpetrators of child trafficking while the practice in DFW revealed contrary and the

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<sup>330</sup> Inter- Agency Coordination Group against Trafficking in Person (n 230) 43

<sup>331</sup> Interview with the head of investigation department in DFW ( Bitena, 5 May 2020)

<sup>332</sup> Interview with the head of investigation department in DFW ( Bitena, 5 May 2020) ; interview with one of investigator in DFW( Bitena, 5 May 2020)

manner of investigation on child trafficking is not adequate to bring the perpetrators of child trafficking to the justice system.

On top of that, investigator in DFW asserted that they face great challenges from the parents of children during investigation.<sup>333</sup> He further noted that, lack of temporary or permanent shelter and lack of commitment on the professional who deal with victims and the witness unwillingness to cooperate with law enforcement organs are the challenges for conducting effective investigation. These challenges in turn hinder the investigators from collecting sufficient evidence that prove the guilty of perpetrators. The data from investigator clearly implies the communities of DFW have misconception on child trafficking and their misconception influenced the investigators effort in conducting investigation on child trafficking. Besides, it revealed that the investigator in DFW failed to enforce the law due to the pressure from the families of victims.

Despite the importance of proactive investigation, the practice in DFW shows the contrary to proactive investigation since the investigative police do not conduct the investigation on their own initiation even in the flagrant case rather than waiting complaint. This in turn reveals that, the manner of evidence collection on crime of child trafficking is very weak.

On top of that, the investigative police affirmed that they are not trying to conduct proactive investigation to ensure the punishing of those who committed the crime of child trafficking.<sup>334</sup> Thus, the investigation conducted by DFW on child trafficking is contrary to the law and there is weak law enforcement in DFW towards the investigation of child trafficking.

Likewise, the case studies conducted on investigation files<sup>335</sup> indicated that crime of child trafficking considered as crimes punishable upon complaint because both of the investigation

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<sup>333</sup> Interview with one of investigator in DFW on May 5, 2020 revealed that, the parents of children are not bring the complaint or accusation against the perpetrators, rather even in flagrant cases the families of children claims that, the person who is arrested as perpetrators of child trafficking is their parents and take the children to educate and as they consented to the children migration to other areas. Further he added that, the families of children take their child and refuse to provide evidence and cooperate with investigative police, accordingly, most of the perpetrators are released and the investigation is cease.

<sup>334</sup> *ibid*

<sup>335</sup> Case studies on investigation files of DFW on Child Trafficking in 2019

files on which the case studies were conducted were commenced based on the accusation of coordinator of crime prevention police department while the investigation files were closed on the opposition of the families by claiming the suspects are relatives of children and they given consent for the children to go with the suspects. While, both anti-human trafficking domestic laws<sup>336</sup> does not categorized crime of child trafficking as crimes punishable upon complaint rather it defined crime of child trafficking as crimes punishable upon accusation. Thus, the case studies clearly demonstrated lack of due attention in DFW police of office and other concerned institution, weak law enforcement and lack of adequate knowledge on investigators towards the investigation of child trafficking. Furthermore, the case study on the investigation file which sent to Wolayta zone public prosecutor department<sup>337</sup> demonstrated that the case was flagrant and the investigation on the file commenced upon the complaint of focal person of women, children and youth affairs office due to the victims are orphan. The case studies affirmed the data gathered from investigators and it revealed that in DFW investigators play passive role on the investigation of child trafficking and do not discharge their duties towards the investigation of child trafficking.

In sum, this research concluded that the investigative police do not control the investigation rather than the families of victim's control the investigation, thus the manner of investigation in DFW towards crime of child trafficking do not comply with the essence of proactive investigation which is fundamental to collect evidence on clandestine crime like child trafficking on which most of time there is no compliant as well as accusation from the victims or parents. In general, the practice of investigation on child trafficking is dependent on the consent of families of victims and do not conform the law.

#### **4.3.2 Conducting Joint Investigation**

Crime of child trafficking is complex and its counter measures needs coordinated actions.<sup>338</sup>

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<sup>336</sup> See Art. 3 of the Trafficking Proclamation No. 909/2015; See Art 3 of the Trafficking Proclamation No. 1178/2020

<sup>337</sup> *ibid*

<sup>338</sup> United Nations Institute for Training and Research, Human Trafficking and the Role of Local Governments

In this regard, it is well noted and always emphasized that conducting joint investigation is fundamental to effectively combat human trafficking.<sup>339</sup> The trafficking protocol indirectly provides and requires conducting joint investigation to effectively combat child trafficking.<sup>340</sup>

Thus, failing to conduct joint investigation towards child trafficking indicates the investigation is inadequate to effectively bring the traffickers to justice system and to reduce a crime. The practice in DFW demonstrated that unless the case was homicide case, investigations on all crimes are solely conducted by investigative police of DFW. The coordinator of crime investigation department of DFW<sup>341</sup> also added that all of the investigative police are not the graduates of law rather they assigned the function of investigation only after taking six month investigation training and except him the two investigative police have less than three years experiences on function of investigation.

Therefore, to ensure effective investigation the DFW investigative department required to conduct joint investigation.

The coordinator of crime investigation department and investigator revealed that the investigative police do not conduct joint investigation even within their investigative unit.<sup>342</sup> The coordinator of public prosecutor and head of police office share this and affirmed that joint investigation between investigative police as well as investigative police and prosecutors is not well known and practiced except in the case of homicide investigation.<sup>343</sup>

Moreover, the coordinator of public prosecutor added that the prosecution of child trafficking is conducted by higher prosecutor of Wolayta zone and there is prosecution unit solely established to follow the case of child trafficking but the DFW investigative police have no positive attitude towards conducting joint investigation with prosecutors to ensure effective investigation on child trafficking.<sup>344</sup> He also argued that the investigative police do not given adequate weight to the

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<sup>339</sup> UNODC, (n 103) P. 195; Art 19 of Convention against Transnational Organized Crime; Inter- Agency Coordination Group against Trafficking in Person, (n 230) 45

<sup>340</sup> Art. 1(2) of the Trafficking Protocol provides the application of CATOC provisions including Provision defining joint investigation on the crimes defined in Trafficking Protocol

<sup>341</sup> Interview with the head of investigative department in DFW (Bitena, 5 May 2020)

<sup>342</sup> *ibid*; Interview with one of investigator in DFW (Bitena, 5 May 2020)

<sup>343</sup> Interview with the coordinator of prosecution department in prosecutor office of DFW (Bitena, 7 May 2020); Interview with the head of DFW Police Office (Bitena, 6 May 2020)

<sup>344</sup> Interview with the coordinator of prosecution department of Prosecutor Office in DFW (Bitena, 7 May 2020)



crime of child trafficking which is very complex in its nature and severely affects the rights of child. While both the repealed and the recent anti-human trafficking national legislations require the investigative police to carry-out joint investigation with public prosecutor and other concerned bodies.<sup>345</sup> Thus, lack of joint investigation in DFW towards child trafficking increased the prevalence of child trafficking in DFW and it is the reflection of absence of due attention to curtail the prevalence of child trafficking in DFW through bringing the perpetrators to the justice system.

In sum, this study concluded that in DFW there is absence of joint investigation on crime of child trafficking and the relationship between investigative police themselves and with the prosecutors as well as other police towards the investigation on crime of child trafficking does not conform the law and it needs serious improvements as there is no willingness to conduct joint investigation that is fundamental to reduce the crime of child trafficking.

#### **4.3.3 Supervision of the Investigation**

The public prosecutors role towards the investigation to establish effective investigation is very important to achieve the aim of investigation. To this end, supervision of the investigation has also been highly recognized by specialized agencies. The investigative officer required to carry-out the investigation in accordance with the law to ensure an effective criminal justice response.<sup>346</sup> In this regard, specifically the federal attorney general establishment proclamation<sup>347</sup> established the office of attorney general with the power and duties to led and supervise the investigation of crime. Therefore, the office of attorney general should led, oversee and advise the manner of investigation to ensure the successful investigation that guarantee effective prosecution. The role of prosecutors towards ensuring effective investigation is very high since the prosecutors are required to be the graduates of law and have taken pre-employment legal training that aimed to develop the knowledge of prosecutors. On other hand, the investigative police in Ethiopia in general and in S/N/N/P/R are not required to be graduates of law and to take advanced pre-employment legal training. In this condition, the supervision of investigation by prosecutor is very important to realize the purpose of investigation. Thus the realization of

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<sup>345</sup> Art. 43(1) of the Trafficking Proclamation No. 909/2015; Art 41 of the Trafficking proclamation No. 1178/2020

<sup>346</sup> Inter- Agency Coordination Group against Trafficking in Person, (n 235) 44-45

<sup>347</sup> Art. 6(3) (a - b) of the Federal Attorney General Establishment Proclamation No. 943/2016

effective investigation needs the prosecutor supervision. The investigation supervision should also include ways of reporting, manner of interrogating, manner of handling and gathering evidence as well as release of the perpetrators.

Moving to the practice, according to key informants from investigative department and prosecutor the public prosecutors of DFW do not conduct the supervision on the investigation conduct by investigative police. For instance, the investigation department coordinator revealed that the prosecutors do not conduct supervision on the investigation of all crimes except the crime of homicide.<sup>348</sup> This implies that in DFW prosecutors do not supervise the investigation on child trafficking while DFW is highly affected by child trafficking and the prosecutors have legal obligation to conduct supervision on child trafficking. Furthermore, lack of supervision on child trafficking is the reflection of absence of commitment on prosecutors to discharge their duties and to collaborate with investigators.

Besides this, according to investigative police the prosecutors in some instance supervise the investigation on all crimes including crime of child trafficking when there is some complain from interested parties on the handling of investigation by police.<sup>349</sup> He also added that, even within the investigation department there is no supervision on the investigation on crime of child trafficking. He further added that, the prosecutors do not conduct supervision on their own initiation when the investigative police conduct investigation on crime of child trafficking rather the higher prosecutor who takes the investigative file directs the investigative police to conduct further investigation on the case after the investigation department sent the investigation file to higher prosecution department to give decision on the investigative file. This implies that DFW prosecutors do not supervise investigation on child trafficking unless there is special reason to supervise the investigation. The head of investigation department share this and revealed that he witnessed in other wereda of Wolayta zone which is Damot Gale wereda in which the case of child trafficking is not as such high but the prosecutors in Damot Gale wereda conduct deep supervision on investigation on crime of child trafficking. Whereas in DFW there is a lot of child

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<sup>348</sup> Interview with the head of investigation department in DFW (Bitena, 5 May 2020)

<sup>349</sup> Interview with one the investigator (Bitena, 5 may 2020)

trafficking case but the prosecutor not supervise the investigation on crime of child trafficking.<sup>350</sup> This clearly implies that the prevalence of child trafficking in DFW highly related with the manner of investigation on child trafficking. Moreover, lack of supervision by prosecutors on investigation of child trafficking provided opportunity for the perpetrators of child trafficking to escape from the sanction.

Thus, the practice in DFW shows that the prosecutors in DFW do not supervise whether the investigation on crime of child trafficking is conform the law and whether the investigative police conduct adequate investigation to frame effective charge against the perpetrators. Besides, the prosecutor department has no plan to conduct supervision on police investigation on all crime except the crime of homicide.

This research hold that in DFW there is lack of supervision on the police investigation on crime of child trafficking and lack of supervision resulted weak responses towards the perpetrators of child trafficking and it placed the investigative police far from the position to conduct effective investigation and to produce sufficient evidence to charge the perpetrators of child trafficking.

#### **4.4. Challenges of DFW towards the Prevention and Investigation of Child Trafficking**

Due to the complex and hidden nature of trafficking in children, it is difficult to discuss here all the challenges towards the prevention and investigation trafficking in children. As the preceding discussion in body part demonstrates, DFW relevant institutions towards combating trafficking in children are not effectively prevent and investigate trafficking in children. Starting from the raising of public awareness on the problem to bringing the perpetrators to justice system the DFW activities are very poor and do not conform anti-human trafficking laws. To these minimal activities of DFW, various challenges are responsible. Among major challenges affecting DFW efforts towards the effective prevention and investigation of trafficking in children are related with, but not limited to lack of adequate knowledge on part of focal persons of relevant institutions, lack of commitment to implement anti- child trafficking law, some of the institutions

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<sup>350</sup> Interview with the head of investigation department in DFW( Bitena, 5 May 2020)

in charge of prevention activities are weak, lack of budget particularly provided to the prevention and investigation, lack of adequate awareness both to the law enforcement organs and to the public on the problem, misconception of the public towards lack of the collaboration between concerned bodies as well as concerned bodies and families of victims, communities and other relevant stake holders. Lack of commitments on core committee of DFW, lack of collaboration with adjacent wereda and the geographic location of DFW highly hindered the efforts on the prevention and investigation of child trafficking.

On top of that, lack of temporary care center for the victims affected the effort to collect evidence on the case of child trafficking. Moreover, the existence of anti-human trafficking task force is vital to coordinate the relevant bodies to take joint action on child trafficking while in DFW there is no anti-human trafficking task force and due to lack of anti-human trafficking task force the role of DFW towards the prevention and investigation of child trafficking is very poor and do not conform the law.

## **CHAPTER FIVE**

### **5. Conclusion and Recommendation**

#### **5.1. Conclusion**

Trafficking in children has been the long existed problems which is pressing human rights issues affecting the whole world. The condemnation of trafficking in persons includes trafficking in children started prior to the establishment of UN and the adoption of international human rights instruments while the comprehensive definition for trafficking in persons including trafficking in children is firstly provided under trafficking protocol. The international, regional and national instrument as well as UN guiding principles on combating child trafficking and UNODC always strives the prevention of child trafficking and the punishment of perpetrator of child trafficking. To achieve this, the international and national instruments impose obligation on states and its agents to conduct various activities towards the prevention and investigation of child trafficking. As a result, the government of Ethiopia and its agents has responsibility to conduct the activities devised to the prevention and investigation of child trafficking. Thus, DFW have obligations to conduct the activities fundamental to the prevention and investigation of child trafficking. The specific obligations under international, regional and domestic laws are among others, obligation to raise awareness on child trafficking; obligation to address poverty and unemployment; obligation to rescue children on trafficking; obligation to collaborate with stakeholders; obligation to conduct proactive investigation; obligation to conduct joint investigation and obligation to supervise the investigation on trafficking in children.

However, imposing legal obligation on the government and its agents is not final step to prevent actions that violate rights of children. Besides this, as children are mentally and physically immature there is potential abuse on children by the actors involved in child trafficking. The concerned bodies activities are there for the prevention and investigation of child trafficking to ensure children rights. Several instruments provide the government obligation to conduct several activities towards the prevention and investigation of child trafficking. When this comes to wereda level, there are several institutions such as women, children and youth affairs office, prosecutor office, police office, food security coordination sector and rural employment creation sector.

DFW is one of the areas in Wolayta zone in which trafficking in children is at severe situation and there are huge numbers of victims while the perpetrators brought before justice system is very few compared to the prevalence of child trafficking.

Bearing this in mind, this thesis was conducted to analyze the prevention and investigation of trafficking in children in DFW and evaluate its compliance with laws relevant for prevention and investigation of child trafficking. Based on the foregoing discussions, the study holds that there is no strong practice of awareness creation on child trafficking. The women, children and youth affairs, and prosecutor office role to provide well-built awareness on child trafficking is very limited. Even if some institutions conducted awareness rising on trafficking in persons while it is very limited, not targeted the relevant stake holders, does not conform the standard on the law and do not take into account the situation of DFW. The women, children and youth affairs office do not collaborate with prosecutor office. Beyond this, there is lack of adequate attention from concerned institutions in DFW, lack of adequate budget and lack of knowledge on the anti-human trafficking laws. With all these shortcomings, the women, children and youth affairs office and prosecutor office role in creation of awareness on child trafficking is minimal and insignificant. Thus, the above challenges added with absence of impact assessment on awareness creation undermine the manners of awareness creation which are fundamental to evaluate the result of awareness creation.

On other hand, the study found that the prevalence of child trafficking in DFW related with lack of awareness of the society on child trafficking. The communities of DFW have misconception on child trafficking. This suggests lack of awareness creation in DFW and need of urgent measures to discharge the obligation towards awareness rising. However, despite the existence of deep problem related with lack of awareness raising on child trafficking, the women, children and youth affairs office, and prosecutor office role on awareness rising is very poor and do not conform the law

On top of that, addressing poverty and unemployment in DFW are conducted to help the economic problems of the dwellers of DFW but it is very limited and not solely given for individuals with economic problem and to address poverty and unemployment to prevent child trafficking. The study found that there is lack of addressing poverty and unemployment solely to

combat trafficking in person and child trafficking in particular. Moreover, there is lack of collaboration between concerned institutions to address poverty and unemployment to the combating of child trafficking.

On other hand, the prevalence of child trafficking in DFW is mainly related with poverty and unemployment. This suggests need of measures to address poverty and unemployment. However, despite the existence of deep problem related poverty and unemployment to prevent child trafficking, the food security coordination sector and rural employment creation sector role on addressing poverty and unemployment is very poor and do not conform the law.

The study found that the rescue of children on trafficking has many shortcomings such as lack of stringent control on the exit doors, lack of considering the techniques of traffickers and brokers, and lack of working together with bus station workers, communities and adjacent wereda. Beyond this, there is no wereda task force on combating child trafficking which is fundamental to rescue the children on trafficking. This suggests need of measures to rescue the children on trafficking. However, despite the impact of shortcomings, the women, children and youth affairs office role and police office role is very poor and do not conform the law.

The study found that in DFW each relevant institution take individual actions and the relevant government institutions, societies and other stake holders have no strong practices of collaboration within themselves and with each other due to lack of commitment to effectively combat trafficking in children.

On other hand, child trafficking in DFW conducted with support of parents and in the participation of several individuals. This suggests need of collaboration between women, children and youth affairs office, prosecutor office, police office, families of victims and local communities, as well as collaboration between women children and youth affairs office, food security coordination sector, rural employment creation sector and NGOs. However, the collaboration between stakeholders in DFW is very poor and do not conform the law.

The study found that there is lack of proactive investigation in DFW. The investigation in DFW towards child trafficking is controlled by families of victims. Moreover, there is no joint investigation on trafficking in children and the prosecutors do not supervise the investigation on child trafficking while trafficking in children needs great focus in DFW. Furthermore, lack of permanent or temporary care center for victims hindered the efforts of investigation to gather and preserve evidence on the case of child trafficking.

On other hand, the number of effective investigation or number of perpetrators brought before justice system is very few compared to the extent of child trafficking in DFW. Beyond this, DFW law enforcement organs (investigation department) have no adequate knowledge about anti-human trafficking laws but they do not collaborate with other stakeholders in conducting investigation which is crucial to bring the perpetrators to justice system. These suggest prosecutor in DFW required conducting deep supervision on investigation of child trafficking and the police office to collaborate with prosecutor and other relevant bodies to establish effective investigation whereas the police office and prosecutor office role to ensure effective investigation is very poor and does not conforms the law.

In general, this study concluded that despite the existence of persistent and deeply rooted problems of trafficking in children in DFW, the DFW prevention and investigation activities are very poor to address the issue and do not conform the law. Therefore, in order to effectively prevent and investigate trafficking in children, the gaps and challenges on their effort towards the prevention and investigation of child trafficking needs to be rectified.

## **5.2. Recommendations**

Based on the findings of this study the following recommendations are forwarded to ensure effective prevention and investigation of child trafficking

- Prosecutor office and women, children and youth affairs office should develop strong practice of awareness creation about child trafficking to the public at large and other stakeholders including bus station workers. Awareness rising address the responsibilities of concerned bodies towards the prevention and investigation of child trafficking, laws relevant to the prevention and investigation of child trafficking, the ways of recruitment



employed by traffickers and brokers, the ways of exploitation and the danger of child trafficking on the well-being of children, on the society and on the country in general. The focal persons of women, children and youth affairs office on combating child trafficking, investigative police, other police officers and prosecutors should take capacity building training regarding laws relevant to the prevention and investigation of child trafficking, the ways of recruiting and transporting children during child trafficking and the ways of effective prevention and investigation of child trafficking.

- DFW food security coordination sector should conduct activities to address poverty particularly to combat child trafficking.
- DFW employment opportunity creation sector should conduct activities to address lack of employment particularly to combat child trafficking.
- Exit doors control should consider the tactics of traffickers and brokers, and it should be stringent. In exit door control team approaches participating police officer and other relevant stake-holders includes bus station workers, community and focal persons of women, children and youth affairs office should be developed. Besides, DFW should collaborate with neighboring wereda to effectively rescue the children on trafficking.
- Women, children and youth affairs office and prosecutor office should take coordinated actions to raise the awareness of public on child trafficking. The police office and women, children and youth affairs office should take coordinated actions to effectively rescue the children on trafficking. The food security coordination sector should take coordinated activities with women, children and youth affairs office to address the poverty to combat child trafficking. The employment opportunity creation sector should take coordinated activities with women, children and youth affairs office to address lack of employment to combat child trafficking. The police office and women, children and youth affairs office should take coordinated actions with communities, families of victims, and bus station workers to rescue the children on trafficking.
- Investigative police conduct proactive investigation and gather evidence on their own inquiry. Investigative department should collaborate within themselves, with public prosecutor, with police and focal person of women, children and youth affairs office to conduct effective investigation on child trafficking. Investigative police should collaborate with communities, families of victims and workers of bus station in the

investigation of child trafficking. Public prosecutors should regularly supervise investigation on child trafficking. The wereda core committee should provide resources to women, children and youth affairs office, prosecutor office, police office, food security coordination sector and employment opportunity creation sector particularly to combat trafficking in children. The police office, women, children and youth affairs office, prosecutor office, wereda core committee, food security coordination sector, and employment opportunity creation sector should provide due attention in the combating of child trafficking and to ensure the implementation of ant-child trafficking laws. Moreover, the wereda core committee should establish wereda task force to effectively combat trafficking in children, and should establish a temporary care center for victims to ensure their rights and preserve evidence.

- Wolayta Zone should follow up the efforts of relevant institutions in DFW towards combating child trafficking.
- Finally, it is worthy to note that issue of child trafficking in Wolayta zone needs further study on the prevention and investigation of child trafficking. For instance the practice in other wereda which have similar economy and topography while the extent of child trafficking is less than in DFW.

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## Appendixes

### Appendix A

- **Interview Guide for key informants from women, children and youth affairs office.**

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this interview is to get information on the role and activities conducted by your institution in the prevention and investigation of child trafficking.

### Questions

1. How do you describe the prevalence of child trafficking in DFW?
2. What are the major root causes for child trafficking in DFW?
3. Who are the key actors of child trafficking in DFW?
4. What do you know about the laws relevant to combat child trafficking?
5. What are the obligations of your institution towards the prevention and investigation of child trafficking?
6. What activities have been conducted by your institution towards the prevention and investigation of child trafficking? If any, Please mention the major activities?
7. Does your institution evaluate the effectiveness of its activities on child trafficking?
8. What is the DFW communities’ level of awareness on child trafficking?
9. Have your institution conducted any collaborated efforts with concerned bodies towards the prevention and investigation of child trafficking?
10. Has your institution offered awareness rising on child trafficking?
11. Do you think that DFW pay due attention and necessary support for the prevention and investigation of child trafficking?
12. Do you think that your institution is adequately discharging its obligations on prevention and investigation of child trafficking?
13. Do you think that ant- human trafficking laws are implemented in DFW?
14. Does DFW have any task force to combat child trafficking?
15. What hinder your institution in the prevention and investigation of child trafficking?
16. What is future plan of your institution to solve the problem of child trafficking?

**Thanks very much for your cooperation!**

## Appendix B

- **Interview Guide for key informants from the police office and attorney general office.**

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this interview is to get information on the role and measures taken by your institution in the prevention and investigation of child trafficking.

### Questions

1. How do you describe the crime of child trafficking?
2. What are the root causes for child trafficking in DFW?
3. How child trafficking is carried out in DFW?
4. Who are the key actors in child trafficking in DFW?
5. What do you know about the laws relevant to the prevention and investigation of child trafficking?
6. Can you tell me the particular obligations on your institution towards the prevention and investigation of child trafficking? If any, please mention the major obligations?
7. What activities have been done by your institution towards the prevention and investigation of child trafficking? Please mention the major activities done by your institution?
8. How does your institution handle the investigation on trafficking in children?
9. Has supervision on investigation of child trafficking?
10. How many child trafficking cases investigated/supervised by your institution in the last year?
11. Has your institution offered awareness rising on child trafficking?
12. What activities have been done by your institution to ensure the effective prevention, reporting and investigating child trafficking? If any, Please mention the major activities?
13. Have your institution conducted any collaborated efforts with concerned bodies towards the prevention and investigation of child trafficking?

14. Does your institution evaluate the effectiveness of activities conducted to prevent and investigate child trafficking?
15. Have you taken any training relevant for the prevention and investigation of child trafficking?
16. Do you think that DFW pay due attention and necessary support for the prevention and investigation of child trafficking?
17. Do you have any especial successful techniques in DFW in the prevention and investigation of child trafficking? If any, please mention the major one?
18. Do you think that your institution is adequately discharging its obligations on prevention and investigation of child trafficking?
19. Does the DFW have any task force to combat child trafficking?
20. Do you think that ant- human trafficking laws are implemented in DFW?
21. What are the challenges that hinder your institution in the prevention and investigation of child trafficking?
22. What is future plan of your institution to solve the problem of child trafficking?

**Thanks very much for your cooperation!**

## Appendix C

- **Interview Guide for key informants from the rural employment creation sector**

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this interview is to get information on the role and measures taken by your sector in the prevention and investigation of child trafficking.

### Questions

1. How do you describe the prevalence of child trafficking in DFW?
2. What are the major root causes for child trafficking in DFW?
3. Who are the vulnerable groups for child trafficking in DFW?
4. What are the obligations on your sector towards the prevention of child trafficking?
5. What activities are done by your sector to address child trafficking? Please describe the major activities done by your sector?
6. Do you have any collaborated actions with relevant stake holders in creation of employment opportunity to the prevention of child trafficking? If any, please mention the major coordinated actions?
7. Do you think that the creation of employment opportunity towards the prevention of child trafficking has given adequate attention in DFW?
8. Do you think that your sector is discharging its obligations on creation of employment opportunity?
9. What are the challenges that hinder your sector in creation of employment opportunity to the prevention of child trafficking?
10. What is future plan of your sector to solve the problem of child trafficking?

**Thanks very much for your cooperation!**

## **Appendix D**

- **Interview Guide for key informants from food security coordination sector.**

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this interview is to get information on the role and measures taken by your sector in the prevention and investigation of child trafficking.

### **Questions**

1. How do you describe about the prevalence of child trafficking in DFW?
2. What are the major root causes for child trafficking in DFW?
3. What are the obligations on your sector towards the prevention of child trafficking?
4. What activities are done by your sector in ensuring food security to address child trafficking? Please describe the major activities done by your institution?
5. Do you have any collaborated actions with relevant stake holders to ensure food security to the prevention of child trafficking?
6. Do you think that ensuring food security towards the prevention of child trafficking has given adequate attention in DFW?
7. Do you think that your sector is discharging its obligations to ensure food security to prevent child trafficking?
8. What are the challenges that hinder your sector in ensuring food security to the prevention of child trafficking?
9. What is future plan of your sector to solve the problem of child trafficking?

**Thanks very much for your cooperation!**

## **Appendix E**

- **Interview Guide for key informants from the returnee.**

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this interview is to get information about the prevention and investigation of child trafficking in DFW and the activities done by the concerned government institutions in DFW towards the prevention and investigation of child trafficking is concerned.

### **Questions**

1. What are the root causes that force you for trafficking?
2. Who are the key actors in your trafficking?
3. Have you awareness about child trafficking before being victims of trafficking?
4. Is the DFW officials have given any training or awareness raising program on child trafficking in your locality?
5. How many times you become victims of child trafficking?
6. How you returned to your locality?
7. Do you want to become victims of child trafficking again?
8. Do any activity in your area that provided by government which mainly aimed to address the socio-economic causes for child trafficking? If any, please describe the major activities?
9. Have you knowledge about the prevention and investigation of child trafficking?
10. Do you think that DFW government has given adequate attention for child trafficking?
11. What you recommend to effectively prevent and investigate child trafficking?

**Thanks very much for your cooperation!**

## **Appendix F**

- **Interview Guide for key informants from the families of victims.**

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this interview is to get information about the prevention and investigation of child trafficking in DFW and the activities done by the concerned government institutions in DFW towards the prevention and investigation of child trafficking is concerned.

### **Questions**

1. How do you describe child trafficking in DFW?
2. What are root causes that force children for trafficking in DFW?
3. Who are the main actors of child trafficking in DFW?
4. Who are the vulnerable groups for child trafficking in DFW?
5. What are your role on prevention and investigation of child trafficking? If any, please describe the major activities?
6. What activities have been conducted in your locality by DFW towards the prevention and investigation of child trafficking?
7. Have you taken awareness rising on child trafficking?
8. What is the DFW communities’ level of awareness on child trafficking?
9. Have you collaborated with concerned bodies in the prevention and investigation of child trafficking?
10. How do you see trafficking in children?
11. Does the DFW prevention and investigation activities against child trafficking are adequate to address the issue of child trafficking?
12. What are major challenges for effective prevention and investigation of child trafficking?
13. What measures you recommend to effectively prevent and investigate child trafficking?

**Thanks very much for your cooperation!**

## **Appendix G**

- **Interview Guide for key informants from the local communities.**

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this interview is to get information about the prevention and investigation of child trafficking in DFW and the activities done by the concerned government institutions in DFW towards the prevention and investigation of child trafficking is concerned.

### **Questions**

1. How do you describe the prevalence of child trafficking in DFW?
2. What are the major causes that force children for trafficking in your locality?
3. Who are the vulnerable groups for child trafficking in DFW?
4. Who are the key actors of child trafficking in DFW?
5. What are the major role of the communities in prevention and investigation of child trafficking? If any, please describe the major role of your communities?
6. What activities are conducted in your locality by DFW towards the prevention and investigation of child trafficking? If any, please describe the major measures?
7. Have you taken awareness rising on child trafficking?
8. What is the DFW communities’ level of awareness on child trafficking?
9. Have you collaborated with concerned bodies in the prevention and investigation of child trafficking?
10. How do you see trafficking in children?
11. Does the prevention and investigation of child trafficking has given adequate attention in DFW?
12. What are the major challenges for DFW in the prevention and investigation of child trafficking?
13. What measures you recommend to effectively prevent and investigate child trafficking?

**Thanks very much for your cooperation!**



## **Appendix H**

- **Interview Guide for key informants from the children.**

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this interview is to get information about the prevention and investigation of child trafficking in DFW and the activities done by the concerned government institutions in DFW towards the prevention and investigation of child trafficking is concerned.

### **Questions**

1. What are root causes that force children for trafficking in your locality?
2. Have you taken awareness raising program about child trafficking?
3. Do you want to go urban centers?
4. How do you see trafficking in children?
5. Have you knowledge about the prevention and investigation of child trafficking?
6. What activities are conducted in your locality by DFW towards the prevention and investigation of child trafficking? If any, please describe the major activities?

**Thanks very much for your cooperation!**

## **Appendix I**

- **Interview Guide for key informants from the bus station workers.**

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this interview is to get information about the prevention and investigation of child trafficking in DFW and the activities done by the concerned government institutions in DFW towards the prevention and investigation of child trafficking is concerned.

### **Questions**

1. How do you describe the prevalence of child trafficking in your locality?
2. What are the major causes for child trafficking in DFW?
3. Have you received training or awareness on child trafficking?
4. What is the DFW bus station workers’ level of awareness on child trafficking?
5. Do you have any activities that have been done in your bus station to the prevention and investigation of child trafficking? If any, please mention the major activities?
6. What measures have been taken by DFW government bodies in your bus station to the prevention and investigation of child trafficking? If any, please describe the major measures?
7. Does DFW have provide due attention to the prevention and investigation of child trafficking in your bus station?
8. Do any concerned bodies in DFW collaborate with your bus station in the prevention and investigation of child trafficking?
9. What are the major challenges for your bus station towards your effort for the prevention and investigation of child trafficking?
10. What measures you recommend to effectively prevent and investigate child trafficking?

**Thanks very much for your cooperation!**

## Appendix J

### • Focus Group Discussion Questions

**Introduction:** I am Mesay Shiferaw, LL.M student at Jimma University School of Law. I am doing my LL.M thesis on a title “prevention and investigation of child trafficking in Duguna Fango Wereda, Wolayta Zone of the Southern Nations Nationalities and Peoples Region of Ethiopia”. The purpose of this FGD is to get affluent information on the prevention and investigation of child trafficking in DFW. To this end, FGD addressed by the discussants from the relevant government institutions in DFW, coordinator of bus station workers, local communities and families of victims those have responsibilities and duties concerning the prevention and investigation of child trafficking.

### Questions

1. How do you describe the prevalence of child trafficking in DFW?
2. What are the root causes for child trafficking in DFW?
3. Who are the key actors in the child trafficking in DFW?
4. What is the DFW communities’ level of awareness on child trafficking?
5. What is the role of DFW towards the Prevention of child trafficking?
6. What do you know the relevant laws on prevention and investigation of child trafficking?
7. What are the major activities done by DFW concerned bodies towards the prevention and investigation of child trafficking?
8. How do you see the investigation activities of DFW towards child trafficking?
9. How do you see the prevention activities taken by the concerned government bodies in DFW towards the prevention of child trafficking?
10. Do the DFW concerned institutions activities are adequate to the prevention and investigation of child trafficking?
11. Does DFW have any task force to combat child trafficking?
12. Do you think that ant- human trafficking laws are implemented in DFW?
13. What are the challenges for DFW in the prevention and investigation of child trafficking?
14. What measures you recommend for effective prevention and investigation of child trafficking in DFW?
15. What is future plan of DFW to solve the problem of child trafficking?

**Thanks very much for your cooperation!**

**Appendix K. Table 1 on the general Background of Key Informants from Government institutions in Duguna Fango Wereda**

No.	code	sex	Age	Education status	Institution	Position	date of interview
1	KI 1	F	38	BA	Women, children and youth affairs office	Head	5/11/2020
2	KI 2	M	41	LL.B,	Prosecutor office	Head	5/7/2020
3	KI 3	M	40	LL.B	Police office	Head	5/6/2020
4	KI 4	M	36	BA	Rural employment creation sector	Coordinator	5/6/2020
5	KI 5	M	48	BA	Food security coordination sector	Coordinator	5/8/2020
6	KI 6	M	29	LL.B	Prosecutor office	Prosecution coordinator	5/7/2020
7	KI 7	M	30	LL.B	Prosecutor office	Legal drafting and awareness core process coordinator	5/5/2020
8	KI 8	M	38	BA	Police office	Investigation department coordinator	5/5/2020
9	KI 9	M	46	BA	Police office	Crime prevention department leader	5/6/2020
10	KI 10	M	31	BA	Police office	Investigator	5/5/2020
11	KI 11	M	32	BA	Women, children and youth affairs office	Women and children rights protection unit coordinator	5/11/2020

**Appendix L. Table 2 on general background of FGD discussants**

No.	FGD Discussant Code/ name	Sex	Status/position	Date and place of FGD
1	FGD 1	F	Head of women, children and youth affairs office	10/09/2020 Bitena
2	FGD 2	M	Head of prosecutor office	10/09/2020 Bitena
3	FGD 3	M	Head of police office	10/09/2020 Bitena
4	FGD 4	M	Head of wereda administration council	10/09/2020 Bitena
5	FGD 5	M	Coordinator of food security coordination sector	10/09/2020 Bitena
6	FGD 6	M	Coordinator of rural employment creation sector	10/09/2020 Bitena
7	FGD 7	M	Coordinator of Bitena town bus station	10/09/2020 Bitena
8	FGD 8	M	Coordinator of Dimitu town bus station	10/09/2020 Bitena
9	FGD 9	M	Kebele communication, Resident (local communities)	10/09/2020 Bitena
10	FGD 10	F	Resident (families of victims)	10/09/2020 Bitena

**Appendix M. Table 3 on the general background of key informants from local communities in Duguna fango wereda**

No.	Code	Sex	Age	Education status	Kebele	position	Date of interview
1	KI 1	M	31	10	Fango Boloso	Milisha	8/3/2020
2	KI 2	M	35	9	Damot Shinka	Coordinator of society in Damot shinka school	8/5/2020
3	KI 3	M	40	10	Anka Damot	Kebele communication	8/7/2020
4	KI 4	M	43	8	Bitena	Milisha coordinator	8/10/2020
5	KI 5	F	40	11	Dimitu	Women association coordinator	8/14/2020

በዚህ ጊዜ ከላይ የጠቀሰው ድርጅት ባወጣው መረጃ መሠረት ከሆነ በሌላችን አዳሪነት ላይ ከተሰማሩ ሊቶች መካከል 26.8 የሚሆኑት የሕገ-ወጥ የሕፃናት ዝውውር ተጠቂዎች ናቸው።

• ከላይ ከተጠቀሱት በሕገ-ወጥ ዝውውር በባዛት በሀገራችን ከሚታይባቸው አባባቢዎች አንዳንዶችን ለመጥቀስ ያህል፤ በአማራ ክልል፤ በጉንደር፤ ጉጃምና ክልሎች አባባቢዎች የሚመጡት ወደ ባህር ጸር ከተማ በመምጣት ከላይ በተጠቀሱት ተግባር ላይ የሚሰማሩ ሲሆን ከደቡብ ክልል ውስጥ ደግሞ (ጋሞ ጉፋ፣ ጉራጌ) ለጥልበት ብዝህነት የሚጻፈጉ ሲሆን ከወላይታ የሚወለዱ እንደዚህም ወደ ሌሎች ከተሞችና በተለይ ወደ አሮሚያ ገጠር ውስጥ የሚወለዱ ናቸው።



የተለያዩ ጥናቶች እንደሚያሳዩት ከሆነ በተለያዩ አገር እንዲሁም በሀገራችን ደረጃ ለሕፃናት ዝውውር እንደምንገኛቸው የሚረደድቱ።

የተለያዩ አባላት ለሌላ (የግንብት) ዘመድ ወዘተ. ሊሆኑ ይችላሉ፤

- የሀገር አቀፍ የሕዝብ ማመላለሻ ሾፈሮችና መኪና ላይ የሚሠሩ ገለበጾች፤
- ተደም ሲል በሕገ-ወጥ አዘዎች ተወሰዱ የተመለሰ ስለሆኑት የሚያሳስቡ መረጃ በመስጠት እንደአገናኝ ሊያገለግል ይችላል።
- በኢትዮጵያ ውስጥ ከሚታዩ ሕገ-ወጥ አዘዎች በአብዛኞቹ በተለይ ለተኝና ሕፃናትን የሚያስከበሩት ሊቶች እንደሆኑ የተለያዩ ጥናቶችና መረጃዎች ያሳያሉ።

**በሕገ-ወጥ ሕፃናት ዝውውር መባባስ ምክንያቶች**

**Factors/**

ለሕገ-ወጥ ሕፃናት ዝውውር እንደምንገኛቸው

የሚጠየቁት ስሜት ምን ዓይነት ነው።

እነሱም፦

- የማገፈፈት ምክንያቶች /Push factors/
- የሚሰቡ ምክንያቶች /Full factors/ በመባል ይታወቃሉ።
  - ሀ) የማገፈፈት ምክንያቶች፡- የሚባሉት በሕፃኑ ላይ በተጥታም ሆነ በተዘዋዋሪ ውጫዊ ጫና በማሳደር በሕገ-ወጥ አዘዎች እጅ እንዲወድቁ የሚያደርጉ ናቸው።
- ሰምሳሌ፡-**
  - በቤተሰብ ፈቃደኝነት ላይ የተመሠረተ ግፍት /Family consented pressure/
  - ትምህርት የመጣር ምቹ ሆኑት ያለመናር /Inaccessibility to education/
  - ከመጠን ያለፈ የቤተሰብ ቁጥር መኖር /Extended family and landlessness/
  - ድህነት (የራስ የሆነ የገቢ ምንጭ ያለመናር) /Poverty-lack of income for survival/
  - ያስፈጽሟል ጋብቻ (በቤተሰብ ግራት መጻፈር) /Early forced marriage/
  - የቤተሰብ ግፍት (መለያየት) /Family conflict/separation/
  - ወላጅ አጥነት /Orphanage/
  - ለ) የሚሰቡ ምክንያቶች፡- የምንሰማቸው በተጠቀሰው ላይ ውጫዊ ተጽዕኖ ሳያሳድሩ በሕገ-ወጥ የሰዎች አዘዎች እጅ እንዲወድቁ የሚያደርጉ ናቸው።
- ሰምሳሌ፡-**
  - የተጠቀሰው ፈቃደኝነት /Victim's willingness/
  - ተደም ሲል የተጠቃ ሰው የተሻለ ለብሶ ሲመለስ (ትንሽ ገንዘብ በእጅ ይዞ ሲመለስ) /Returning former victims who have better closing and perhaps few money/
  - የተሻለ ኑሮ ለመናርና ትልቅ ከተማ ውስጥ ለመግባር ባለው ጥላቻ /Seeking for better life and education in bigger cities/

ሕፃናትና ጉዳይ

የሕገ-ወጥ ሕፃናት

የሕፃናት ዝውውር

የሕገ-ወጥ ሕፃናት ዝውውር

ሕፃናት ሕፃናት መብትና ደህንነት ማስጠበቅ ሞና ሥራ ሂደት የተዘጋጀ

ሕፃናት/ 2012 ዓ.ም ቢጠና፣

**መገቢያ**

ሕገ-ወጥ የሰዎች ዝውውር ነጅ እንደሚከተሉት ወጪ ትርጓሜ ይሰጠዋል። የተሰመደ ሕገ-ወጥ የሰዎች ዝውውር እንደ ወንጀል ተቆጥሮ ትርጓሜ የተሰጠው በተዘጋጀው መንገድ (Protocol) በሕገ-ወጥ ሴቶች ላይ የሚፈፀመውን ወንጀል ለመከላከል ተብለው የተሰጠ ሲሆን ስነ ህግ ጀምሮ የሕገ-ወጥ የሰዎች ዝውውር «ፕሮቶኮል» በመባል ይታወቃል። በዚህ «ፕሮቶኮል» ውስጥ ሕገ-ወጥ የሰዎች ዝውውር ግለት ለሆኑት

- በመመልመል
- በማንገዝ /ተራጎ
- በማስተላለፍ
- በማታሰብ ወይም ሆስፒታል በመጠቀም
- የሰዎችን ፈቃደኝነትን እስከሚያገኙ ለቀጥተኛ ስር እስከሚያስገቡ እንዲሁም አታላለው በቀጥተኛ ስር ካሰጡ በኋላ ለተለያዩ ዓላማ ለገዝበህ መጠቀምን ያካትታል።



በዚህ ስር «ገዝበህ» የሚለውን ቃል በተለያዩ ትርጓሜዎች መመልከት አገኛለን። ለምሳሌ ያህል ለተኛ አዳሪነት ወይም ለሌሎች የታዩ ገዝበህ ማጋለጥ፣ በግዴታ የተልበት ሥራ ላይ ማለማራት ለባሪያን መልክ በመስጠት/ የተለያዩ የሰውነት ክፍሎችን ማላጣትን የሚገልጽ ትርጓሜን ይለጣል።

**ሕገ-ወጥ የሰዎች ዝውውር ላይ በስፋት የሚታዩ ነገሮች፡-**

- በሕገ-ወጥ የሰዎች ዝውውር ላይ የወንጀል ተጠቂ የሚሆኑ አንደኛዎች /ሀገር/ ብዙም የሚለያይ አይደለም። በዚህም ምክንያት ሴቶች፣ ወንዶች እና በማንኛውም የዕድሜ ክልል ውስጥ የሚገኙ ሕፃናትን ያጠቃልላል።

- ብዙ ጊዜ የሕገ-ወጥ ሰዎች ስላላቸው የሚሆኑት በማጠቃለያ ውስጥ ለችግር የተጋለጡ /ደህንነት/ የተለያዩ አግራጭ ያጡና ወላጅ አልባ የሆኑትን ግለት ነው።
  - ሕፃናትና ሴቶች የዚህ ሰዎች በመሆን በግንባር ቀደምትነት ይጠቀሳሉ።
  - ከተጠቂዎቹ አንዳንዶቹ በራሳቸው ምክንያት፣ በቤተሰብ ጫና ምክንያት እንዲሁም በተለያዩ መንገዶች በሕገ-ወጥ የሰዎች ለዘዋዋሪዎች እጅ በመውደቅ ነው።
- ከሕገ-ወጥ የሰዎች ዝውውር ጋር በሰላት በተጠቂዎች ላይ የሚደርሱ ችግሮች፡-
1. መሀረታዊ የሰላማዊ መብት መገደብ ማረጋገጥ
  2. ተገዶ በማይፈልጉት ሥራ እንዲሰማሩ ማድረግ፣
  3. በእዳ መያዝ
  4. ሴቶች ሲሆኑ ደግሞ ያለፈቃዳቸው እንዲያሰቡ መገደብ፣
  5. ተገዶ ውርድ እንዲያካሄዱ ማድረግ፣
  6. ለፈቃዳቸው እንዲያረገጡ ማድረግ፣
  7. መደፈር፣
  8. ሰብዓዊ መብትን በሚካካ አካላት መያዝ /Torture/፣
  9. ጭካኔ በተሞላና ኢ-ሰላማዊ በሆነ መንገድ መያዝ፣
  10. የሰውነት መቀበል /መጉዳት/፣
  11. መታገት፣
  12. የተልበት ገዝበህ እና የመሳሰሉት ናቸው።

**በሕገ-ወጥ የሰዎች ዝውውር ጋር የተገናኙ ስውነቶች**

- ሕገ-ወጥ የሰዎች ዝውውር ከጊዜ ወደ ጊዜ እየጨመረ እንዲሁም ረቂቅ ባለ-ሁኔታዎች መጥተዋል።
- UNODC በኢ.ኤ.ኤ 2009 ዓመቱ ሪፖርት

እንደተገለፀው በሕገ-ወጥ ለዘዋዋሪዎች 750,000 - 4000,000 የሚሆኑ ሰዎችን በግዝዋወር ከፍ በገደብ የአመራካ ዶላር በላይ ትርጉፍ እግጥዋል ተባሉ ይገመታል።

- አንድ US «ዲፓርትመንት» መንገድ በ2008 ዓመቱ ሪፖርት መሠረት፡-
- 12.3 ሚሊዮን የሚሆኑ ሰዎች ያለፈቃዳቸው እንዲሁ፣ የሕፃናት ጉልበት ብዝሃ እና ለሌተኛ አዳሪነት ያለፈቃዳቸው እንደተሰማሩ ያካትታል።
- በሚሊዮኖች የሚቆጠር የሀገር ውስጥ ሕገ-ወጥ የሰዎች ዝውውር ሳያስገኙት 800,000 የሚጠጉ ሰዎች የሀገራቸውን ድንበር ተሻግረው እንዲሆወሰዱ ገልፀዋል።
- በዚህም መልክ ከሀገራቸው ወደ ሌላ ሀገር ከተወሰዱት 80% የሚሆኑት ሴቶችና ሕፃናት እንደሆኑ ይገልጻል።

**ሕገ-ወጥ የሰዎች ዝውውር በሰፊ የሚታዩ ስፋቶች**

- 81% የሚሆኑ በሕገ-ወጥ ለዘዋዋሪዎች አማካኝነት የተወሰዱ ሕፃናት አማካኝ ዕድሜያቸው በ10 እና 14 ዕድሜ ክልል ውስጥ የሚገኙ ናቸው።
- እንዲሁም 38% ያልተማሩና 44 የመጀመሪያ ደረጃ አንገን ያላጠናቀቁ ናቸው።
- ኢ.ኤ.ኤ በ2008 የ«US Department of State» እንደተገለፀው ከሆነ በሕገ-ወጥ የተደረገው መረጃ እንደሚያመለክተው ከገጠራቱ ለተቀዳጅ ወደ ከተማ በሕገ-ወጥ መንገድ ከተወሰዱ ሕፃናት አጠቃላይ በሴት ውስጥ ሥራ ላይ፣ በመንገድ ላይ የወሲብ ብዝሃ፣ ያለፍላጎታቸው ያለሰማቸው ሥራ ላይ ተሰማርተው ይገኛሉ። ለምሳሌ ያህል በሽመና ሥራ ላይ እንዲሁም አልፎ ተርፎው በልመና ላይ ተሰማርተው ይገኛሉ።



**ሀገ-ወጥ የሰዎች ዝግጅት ማሰባሰቢያ፣ ወጪዎች፣ የሀገር አቀፍ ስነ-ምግባር እና የህብረተሰብ ድርሻ**

ሀገ-ወጥ የሰዎች ዝግጅት፡- ማለት ሰዎችን ለሥራ ወይም ለሌላ ለማግኘትም ዓላማ ሲባል ዛቻን ወይም ህይወትን በመጠቀም፣ በማግኘት፣ በመጥለፍ፣ በተገኘላቸው በማታለል ወይም የተሰፋ ቃል በመስጠት ሰዎችን መመልመል፣ ማጓጓዝ፣ ማዘዋወርና ማስጠለል ማለት ነው።

ሴቶችና ህፃናት ለሀገ-ወጥ ዝግጅት ይበልጥ የተጋለጡ የህብረተሰብ ክፍሎች ሲሆኑ ከላይ ከጠቀሰናቸው መንገዶች ውጪም ቢሆን ህፃናትን ለብዝሃነት ዓላማ መመልመል፣ መጓጓዣና ማዘዋወርም የሀገ-ወጥ የሰዎች ዝግጅት አንድ አካል ነው።

ሰዎች በተለያዩ መከንያዎች ለሀገ-ወጥ ዝግጅት ተጋላጭ ይሆናሉ። ከነዚህም መካከል

- ✓ ድህነት
- ✓ ሥራ አጥነት
- ✓ የቤተሰብ፣ የግራምትና የጓደኛ ግፊት
- ✓ የግንዛቤ ማነስ
- ✓ ሀገ-ወጥ የሰዎች ዝግጅትን የሚፈፀሙ ደላሎች መብራካት ጥቂቶች ናቸው።

ሀገ-ወጥ የሰዎች ዝግጅት በቤተሰብ፣ በህብረተሰብና በሀገር ላይ ከፍተኛ የሆነ ማህበራዊ፣ ኢኮኖሚያዊና ፖለቲካዊ ችግሮችን ያስከትላል። ከነዚህም ጥቂቶቹ

- ✓ የገንዘብ ችግር
- ✓ የሰነድ ልቦና ጉዳት
- ✓ ለጉልበት ሥራ መጋለጥ
- ✓ ለአካል ስርዓት ተጋላጭ መሆን

እነዚህ ሁሉ መዘዎች ከግለሰብ አልፎ በህብረተሰብና በሀገር ላይ የሚያደርሱት ጉዳት አጅግ ሰፊ ነው።

ሀገ-ወጥ የሰዎች ዝግጅትን መፈፀም የሚያስከትለው ተጠያቂነትና ቅጣት

ሀገ-ወጥ የሰዎች ዝግጅትን መፈፀም ወንጀል ስለመሆኑ በኢ.ፌ.ዲ.ሪ የወንጀል ህግ አንቀጽ- 596፣597 እና 598 ላይ ከሚያስከትለው ቅጣት ጭምር ተደንግጎ ይገኛል። ከዚህም በተጨማሪም ይህንን ወንጀል ለመከላከል ሲባል በወጣው አዋጅ ቁጥር 909/07 ላይም በግልጽ ተደንግጎ ይገኛል። በዚህም መሠረት

- ✓ ሀገ-ወጥ የሰዎች ዝግጅትን ወንጀል ሲፈፀም የተገኘ ግለሰብ ከ15-25 ዓመት ፅኑ ሥራ-ትና ከ150 ሺህ እስከ 300 ሺህ ብር ይቀጣል።
- ✓ ይህ ወንጀል አንዲፈፀም የደገፈና ጭምቶ ለምሳሌ፡- ቤት በማከራየት፣ ትራንስፖርት በመስጠት ወዘተ የደገፈ ሰው ተመሳሳይ ቅጣት ይቀጣል።



በተጨማሪ ደግሞ ይህ ወንጀል ሲፈፀም መሆኑን አያወቀ ከሌለም በላይ በሆነ ምክንያት ካልሆነ በቀር መረጃውን ለፖሊስ ወይም አግባብነት ላለው አካል ያልገለጸ ወይም ሀሰተኛ መረጃ የሰጠ በቀላል ሥራ-ት (ከ10 ቀን -3 ዓመት) በሚደረስ ሥራ-ት ይቀጣል።

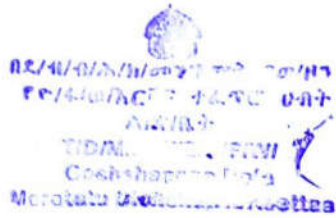
ህፃናት ወይም የህፃናት ወላጆች ፈቃደኛ አንዳንድ ቢሆን ይህ ዓይነት አካሄድ ተቀባይነት የለውም።

ሀገ-ወጥ የሰዎች ዝግጅትን ለመከላከል የህብረተሰብ ድርሻ

- ✓ ይህ ወንጀል ስለሚያስከትለው ጉዳት በሚገባ ማወቅና ማሳወቅ አንዲሁም ከዚህ ድርጊት ራሱን መቆጠብ
- ✓ ይህን ወንጀል የሚፈፀሙ አካላት ሲኖሩ ለሚመለከተው አካል በመጠቀም ማጋለጥ
- ✓ ለዚህ ወንጀል ተባብሮ አለመሆን

ሀገ-ወጥ የሰዎች ዝግጅትን ቢጋር አንከላከል!!

ቢድ/ፋ/ወ/ዐ/ሀግ ጽ/ቤት የሀገር/ማ/ሀገ/ሥ/ሥ/ደት ጥቅምት 2012 ዓ.ም የተዘጋጀ



#የር... 20/08/2012  
#ን...

ለጅማ ዩኒቨርሲቲ

ጅማ:-

ጉዳዩ:- ማስረጃ ስለመስጠት ይሆናል።

ከላይ በርዕሱ ለመግለጽ እንደተሞከረው መሳይ ሽፈራው በህገ-ወጥ ህጻናት ዝግጁ መካከል ምርመራ በተመለከተ ለጥናታዊ ጽሁፍ መረጃ ለመወሰድ በመምጣት በህገ-ወጥ ህጻናት ዝግጁ መካከል ምርመራ ከመስሪያ ቤታችን መረጃ መወሰዱን እያረጋገጠን ይህን ማስረጃ ሰጥተናል።

አወጣጥ ጋር!  
ክብር

ፌደራል አገልግሎት  
የዳይሬክቶሬት ሪፖርት  
ገደብ ማህበረ ሰብ



ቀን 12/01/13

ለጅማ ዩኒቨርሲቲ

ጅማ

ጉዳይ: ማስረጃ ሰለመስጠት ይሆናል

ከላይ በርዕሱ ለመግለጽ እንደተሞከረው፡ መሳይ ሽፈራው፡ በሕገ-ወጥ ሕጻናት ዝግጁ መከላከልና ምርመራ በተመለከተ ለጥናታዊ ጽሁፍ መረጃ ለመወሰድ ወደ ቢጠና ከተማ መናኸሪያ በመምጣት በሕገ-ወጥ ሕጻናት ዝግጁ መከላከልና ምርመራ ዙርያ መረጃ መወሰዱን እያረጋገጥን ይህን ማስረጃ ሰጥተናል።

ከሠላምታ ጋር !



ታሪክ ሰለመስጠት  
የሥነ ምግባርና ምርመራ ዘርፍ  
ከሥነ ምግባርና ምርመራ ዘርፍ

ቀን 15/02/2013

ለጅማ ዩኒቨርሲቲ

ጅማ

ጉዳዩ፡ ማስረጃ ሰለመስጠት ይሆናል

ከላይ በርዕሱ ለመግለጽ እንደተሞከረው፡ መላይ ሽራራው፡ በሕገ-ወጥ ሕጻናት ዝግጁ መከላከልና ምርመራ በተመለከተ ለጥናታዊ ጽሁፍ መረጃ ለመውሰድ ወደ ደምቱ ከተማ መናኸሪያ በመምጣት በሕገ-ወጥ ሕጻናት ዝግጁ መከላከልና ምርመራ ዙርያ መረጃ መውሰዱን እያረጋገጥን ይህን ማስረጃ ሰጥተናል።

ከሠላምታ ጋር !

*[Handwritten signature]*  
ማስታወሻ ማንኛውንም የወጣቱ

*[Handwritten signature]*







Tohossa D/M/Kawotettaa  
 መላሃጣ Zoniyan Duguna Pangoo worada  
 police x/keettaa  
 የደ/ብ/ብ/ሕ/ክ/ መንግስት  
 መላክታ የግ ጭገና ፋንታ ወልባ  
 ፖሊስ ጽ/ቤት

ቁጥር-1058-28-29

ቀን-28-08-12

**ለጅማ ዩኒቨርሲቲ**

ጅማ:-

ጉዳዩ:- ማስረጃ ስለመስጠት ይሆናል።

ከላይ በርዕሱ ለመግለጽ እንደተሞከረው መሳይ ሽፈራው በህገ-ወጥ ህጻናት ዝግጠራ መከላከልና ምርመራ በተመለከተ ለጥናታዊ ጽሁፍ መረጃ ለመውሰድ በመምጣት በህገ-ወጥ ህጻናት ዝግጠራ መከላከልና ምርመራ ከመስሪያ ቤታችን መረጃ መውሰዱን እያረጋገጠን ይህን ማስረጃ ሰጥተናል።



*Handwritten signature and text:*  
 መላክታ ተሰጋ  
 ኢ/ፎ  
 የወረዳ ፖሊስ ጽ/ቤት

  
 በደ/ብ/ህ/አ/ኃ/መ/ወ/ሰ/ሰ/ሰ  
 የድ/ፋ/ወ/ሰ/ሰ/ሰ/ሰ  
 S/N/N/P/F/W/Zone D/Fango  
 Woreda P/Prosecutor Office

ቁጥር 240021/586/53

ቀን 29/08/2012

**ለጅማ ዩኒቨርሲቲ**

**ጅማ:-**

**ጉዳዩ:- ማስረጃ ስለመስጠት ይሆናል።**

ከላይ በርዕሱ ለመግለጽ እንደተሞከረው መላይ ሽፈራው በህገ-ወጥ ህጻናት ዝግጠራ  
 መከላከልና ምርመራ በተመለከተ ለጥናታዊ ጽሁፍ መረጃ ለመወሰድ በመምጣት በህገ-ወጥ  
 ህጻናት ዝግጠራ መከላከልና ምርመራ ከመስሪያ ቤታችን መረጃ መወሰዱን እያረጋገጠን ይህን  
 ማስረጃ ሰጥተናል።



**ከሠላምታ ጋር!**

  
**ገፈሪ ኩሳ ኩሳ**  
**KUSA KUKA**  
**የደ/ብ/ህ/አ/ኃ/መ/ወ/ሰ/ሰ/ሰ**  
**Public Prosecutor Office**

  
 የፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ኢትዮጵያ  
 ጥቅም ላይ የዋለው ህዝብ ጥቅም ላይ የዋለው  
 T/D/W/ K/W/Zoomiyaa Dugana K...  
 Moradba Marbaa asaa Ubeeri H...  
 Yellagatu Abshiyaa X/Keettuu

ቁጥር- 5664/207/759/  
 ቀን- 03/09/12

**ለጅም ዩኒቨርሲቲ**

ጅም:-

ጉዳይ:- ማስረጃ ስለመስጠት ይሆናል።

ከላይ በርዕሱ ለመግለጽ እንደተሞከረው መሳይ ሽፈራው በህገ-ወጥ ህጻናት ዝግግር  
 መከላከልና ምርመራ በተመለከተ ለጥናታዊ ጽሁፍ መረጃ ለመወሰድ በመምጣት በህገ-ወጥ  
 ህጻናት ዝግግር መከላከልና ምርመራ ከመስሪያ ቤታችን መረጃ መወሰዱን አያረጋገጠን ይህን  
 ማስረጃ ሰጥተናል።

ከሠላምታ ጋር!

*[Handwritten signature]*



ታደላች ወልደ ክብሩ  
 TADELECH WOLDE GEBRE  
 የሴቶችና ህፃናት ጉዳዮች ማከታተያ ኮሚቴ  
 Women & Children Affairs Office head