

# **Gaps in the Net of Evidence: The Need for Conducting Empirical Research on Human Trafficking from and within Refugee Camps**

## **Abstract**

This paper creates a connected 'net' by tying in the pieces of evidence of human trafficking pertaining to refugee camps. This 'net' is further surrounded by the camp conditions, which place refugees at a high risk for becoming trafficking victims. Life in refugee camps is framed by human rights abuses, lack of hope for durable solutions in near future, severe security concerns, and illicit activity. All of these factors make refugees highly vulnerable to human trafficking. This paper finds credible but limited evidence suggesting the trafficking of minors for warfare, sexual exploitation and forced marriages. However, this 'net of evidence' is filled with holes and questions that remain unanswered. In order to prevent more people from becoming enslaved around the world and to fill the holes in the 'net of evidence', the optimal time to begin researching this topic is now.

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## Introduction

*Saw Pol Lu (name changed) is a human trafficking victim who was trafficked from the Mae La Refugee Camp in the Thai-Burmese border. Restricted by the Thai government's policy that forbids refugees from leaving the camp therefore 'imprisoning' them and limiting their employment opportunities, Saw Pol Lu, among many others, decided to escape the camp in order to find employment in Thailand. He paid an agent to smuggle him through several check points, but little did he know about the conditions under which he, and many Burmese refugees like him, were going to work. He worked for a clothing factory, where his work days lasted from 6 am to 9 pm and he was not allowed outside. Out of his 'income', he was required to pay the police 500 bath each month, and buy food only from the owner of the business. After making these payments, he was left with almost no money.*

*Nevertheless, Saw Pol Lu considers himself luckier than many of his fellow Burmese refugees who decide to escape the refugee camp. Saw Pol Lu knows of many who are sold to work in fishing boats or brothels. He says that many have been locked up, not allowed to make any phone calls, and beaten brutally by their bosses. Also, his sister has disappeared in the hands of a Thai employer.<sup>1</sup>*

- YouTube video "Traffickers Target Refugee Camps" by Radio Free Asia

Saw Pol Lu's example is one of the significant pieces of evidence of how human trafficking affects refugee camps. Researching human trafficking and contemporary slavery as it affects refugee camps is complicated for several reasons. Academic research conducted on this topic is largely non-existent. In addition, the research conducted in the field of contemporary slavery and human trafficking is plagued by the problem of accuracy. Moreover, the political and politicized connotations associated with refugees may further complicate the gathering of accurate data, and the willingness to research the topic.

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<sup>1</sup> Youtube video by Radio Free Asia

Thus, before beginning the research on this topic, it is first important to raise the question of whether or not human trafficking even is an issue affecting refugee camps.

Despite these above mentioned complexities hindering the research of the topic, is of high importance in the fields of human rights, refugee issues, and human trafficking and contemporary slavery. Refugees constitute a large number of vulnerable people around the world. According to the UNHCR Global Appeal Report 2013, as of January 2012 there were over 10 million refugees around the world, excluding stateless people, internally displaced persons (IDPs) and asylum seekers.<sup>2</sup> This number encompasses also those who do not live in camps. While relatively minimal, there is some evidence of human trafficking taking place in refugee camps. The issue is mentioned in several United Nations documents, the *Trafficking in Persons* (TIP) report by the United States Department of State, and several newspaper articles. Furthermore, the security concerns, multitude of human rights violations, and the vulnerability of refugees living in camps certainly create optimal conditions for human trafficking.

The second question one must ask is:

Why has this topic been neglected in academic research? Are we simply regarding refugees as an 'unimportant' population for human trafficking and human rights protection?

Certainly refugees are often viewed by their host countries as an unwelcomed population coming with 'additional strains'. One could also suggest that the scarcity of resources and funding received by aid agencies working in refugee camps is only sufficient for the emergency response, not for combating an unfamiliar threat such as trafficking and contemporary slavery. An even more disturbing question is whether the international community has any interest to invest in the prevention of human trafficking from refugee camps, as long as the activity stays within the camp system? And if there is interest, whose obligation it is to protect refugees and prevent trafficking from taking place in the camps?

This paper seeks to address these questions, analyze refugee camps as a source for human trafficking, and expound upon the little evidence there is of this phenomenon. This

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<sup>2</sup> UNHCR Global Appeal Update 2013

evidence combined with the insecurities accompanying life in refugee camps support the plausible assumption that human trafficking occurs in refugee camps, and establishes a need for conducting empirical research on this topic. Due to the lack of empirical research carried out on this topic at the time of writing this paper, the tone of this paper can only be speculative.

Human trafficking is defined in various ways by different states, the United Nations, and organizations working in the field. For the purpose of this paper I'm using the definition used by the Human Trafficking Clinic (HTC) at the University of Denver. The HTC defines human trafficking as:

“...the recruitment and/or movement of someone within or across borders, through the abuse of power/position with the intention of forced exploitation, commercial or otherwise.”<sup>3</sup>

In order to understand how important conducting empirical research on human trafficking taking place within and from refugee camps, it is first important to look at the conditions facing refugees living in camp situations, and recognize the struggles they face as displaced people.

## **Refugees and Human Rights**

Refugee protection can be best understood in the context of the human rights regime. The Human Rights Regime consists of an internationally agreed upon set of principles, laws and practices guarding human rights as outlined in documents such as the Universal Declaration of Human Rights (UDHR). Refugees as a group are subject to facing many human rights violations during the pre-flight, flight and post-flight stages. Rights violations are often the very reason people flee their homes during conflict situations. Unfortunately, a myriad of human rights violations also continue once a person reaches a refugee camp. The realization of human rights protection is challenged in low-resource refugee camps around the world, where even securing provision rights, the rights essential for living (food, water, shelter and sanitation), can be

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<sup>3</sup> The Human Trafficking Clinic at University of Denver

arduous. Generally speaking, the most disadvantaged are often the ones at the highest risk for human rights violations. For instance, women, who often constitute the majority of the camp inhabitants and are also the group with the most risk for marginalization. Generally, women are less mobile than men, as they are responsible for the caring of the children and elderly and have less access to procuring resources than men.<sup>4</sup> Unfortunately, women are also commonly subject to gender-based violence (GBV) and assault in the camps while carrying out their daily tasks such as collecting firewood and water.<sup>5</sup>

The relationship between refugees and human rights is a complex one due in part to politicization of refugee issues. Refugees are often unwelcomed as they portrayed as group coming with additional strains, and further instability. For instance, in countries such as Angola, Rwanda, the DRC, Bosnia-Herzegovina, Georgia, and Israel/Palestine, the displaced people have played a role in the continuation of conflict and instability.<sup>6</sup> The large presence of displaced people may also hinder peace processes and economic development. In fact, refugee flows are sometimes seen as a source of conflict as these flows cause instability, trigger intervention, and may provide a basis for the formation of refugee warriors, terrorists, and other rebel activity.<sup>7</sup>

Despite the political and politicized connotations associated with refugees the protection of the rights of refugees is essential for the maintenance of one's dignity, as well as for the stability of the camp and the surrounding region. These important rights that should be protected include one's right to be free from slavery, as established in Article 4 of the Universal Declaration of Human Rights (UDHR).<sup>8</sup> Therefore, it is of significant importance that refugees living in camps be protected from coerced labor and human trafficking as well.

### *UNHCR*

In order to understand the conditions, capabilities, and resources available to prevent human rights violations taking place in refugee camps, it is also important to understand the

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<sup>4</sup> Marfleet "Refugees in a Global Era" p. 198

<sup>5</sup> Crisp "A State of Insecurity: The Political Economy of Violence in Kenya's Refugee Camps" p. 606

<sup>6</sup> Newman and Selm "Refugees and Forced Displacement:" p. 5

<sup>7</sup> Newman and Selm "Refugees and Forced Displacement:" p. 5

<sup>8</sup> Universal Declaration of Human Rights

functions of the United Nations High Commission for Refugees (UNHCR) in charge of refugee camps. The UNHCR's specific authority comes from the General Assembly of the United Nations and under the 1951 Convention Relating to the Status of Refugees<sup>9</sup>. UNHCR's Statute and the 1951 Convention outline the goal of the UNHCR, which is to promote and protect the human rights of refugees and to prevent<sup>10</sup> refugee situations from happening<sup>10</sup>, protect refugees from repression, and advocate for them.<sup>11</sup> While UNHCR's mandate is not concerned with victims of human trafficking as a group, the work of the organization is closely related to the issue. Firstly, it is UNHCR's responsibility to ensure that refugees, Internally Displaced Persons (IDPs) and stateless persons do not become victims of human trafficking. Secondly, UNHCR has a responsibility to make sure that previous victims of trafficking who face persecution in their country of origin are given international protection and recognized as refugees. Thirdly, UNHCR also has a responsibility to refer victims of trafficking who do not face persecution to appropriate agencies for support and assistance.<sup>12</sup> UNHCR emphasizes the prevention of human trafficking as one of the important issues closely related to its objectives.<sup>13</sup>

The UNHCR's Guidelines on International Protection recognizes the relationship between refugees and human trafficking. However, much of these guidelines that are based on the Article 1A (2) of the 1951 Convention, and 1967 Protocol relating to the Status of Refugees, focus on granting refugee status for trafficking victims who face persecution, or fear of becoming re-trafficked in their country of origin.<sup>14</sup> While this is absolutely crucial to the victims' protection, it is concerning that the protection of refugees living in camps from becoming victims of trafficking is almost completely overlooked.

In addition to UNHCR, there are numerous aid agencies providing services to refugees living in camp situations. Undoubtedly, the work carried out by these organizations and UNHCR in the refuge field is invaluable. However, the work of the aid providers is complicated by the

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<sup>9</sup> Roxström and Gibney "Problems of Protection: The UNHCR, Refugees, and Human Rights" Steiner et al. p. 38

<sup>10</sup> Ibid p.39

<sup>11</sup> Loecher "Problems of Protection: The UNHCR, Refugees and Human Rights" Steiner et al. p.4

<sup>12</sup> UNHCR Legal Documents p.11-12

<sup>13</sup> UNHCR "Ensuring Protection for People of Concern" p. 17

<sup>14</sup> UNHCR Legal documents HCR/GIP/06/07 p.7, p.156 in the entire document

struggle to maintain political neutrality while securing the continuation of funding flows. For instance, the UNHCR is an intergovernmental organization under the UN system, and it is dependent on funding sources. For instance, according to Gil Loescher, the UNHCR received 94% of its funding from the US, the EU and Japan as of 2003.<sup>15</sup> The narrow scope of funding sources obliges all organizations working in camps to balance between aiding the refugees in the best manner possible, while keeping the donors satisfied.

Despite the complexities of refugee protection, more ought to be done as the inadequacies in the system of human rights protection and promotion increases the vulnerability of refugees living in camps. It is worrisome that in such environments at risk for human rights violations, the humanitarian aid and development projects, and the peacekeeping missions rarely have any rights components in their mandates or programs.<sup>16</sup> Rights protection seems to be of secondary concern as the efficiency and quantity of aid delivered takes precedence.

### **The Vulnerability of Refugees Living in Camps**

Being displaced makes refugees vulnerable to begin with. Displaced people have been forced to abandon or to be separated from their resources during the pre-flight and flight stages. These resources may include material possessions, access to employment, land and housing, as well as more socio-cultural factors such as one's traditions, familiar language, and institutions.<sup>17</sup> Once in the camp, there are a myriad of other factors, including human rights violations discussed in the previous section, that contribute to this vulnerability. The vulnerability of forcibly displaced people, such as refugees and IDPs begins with inadequate provision rights (food, water, shelter, sanitation) that often frame the life in refugee camps. Furthermore, factors such as the physical location of the camp, camp setting, logistics, and mobilization of resources influence vulnerability.<sup>18</sup> For instance, whether or not a camp is located in an isolated area (the notion of 'warehousing' discussed later in this paper), or in a

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<sup>15</sup> Loescher "Problems of Protection: The UNHCR, Refugees, and Human Rights" in Steiner et al. p. 6

<sup>16</sup> Prendergast "Frontline Diplomacy: Humanitarian Conflict and Aid in Africa" p.87

<sup>17</sup> Marfleet "Refugees in a Global Era" p. 194

<sup>18</sup> Van Arsdale "the Danger of "Culture" and the Value of Sociocultural Systems:" p.13

close proximity of an international border may put refugees at risk for attacks from outside the camps. Also, the overall camp setting including the location and proximity of water collection points to the camps, are factors that may increase the vulnerability of women for abuse and assault.

Vulnerability of refugees is also recognized in several documents of the International Refugee Law. While refugees are vulnerable as a whole, the most disadvantaged are usually the ones most deeply impacted by displacement.<sup>19</sup> Therefore, there are certain sub-groups within the camp population that are more prone to vulnerability than others. For instance, the Conclusions of the Executive Committee on the International Protection of Refugees reflect the vulnerability of forcibly displaced children in Conclusions no. 107.<sup>20</sup> Children living in refugee camps have often been separated from their family during the conflict or flight, and are therefore at high risk of being exploited. Without a guardian in the camp, children are especially at risk for being recruited into warfare, which is discussed later in this paper.

Another vulnerable subgroup of refugees is women. Women are known to constitute most casualties of war, and the majority of people displaced in refugee camps.<sup>21</sup> The vulnerability of women and girls living in the camps is also outlined in Executive Committee Conclusions on Women and Girls at Risk (no. 105 2006). The document explains the camp environment posing additional security threats for females as their movement and livelihood opportunities are more restricted, and gender-based violence (GBV) is highly prevalent.<sup>22</sup> In addition, the traditional family structure of refugees living in camp situations has often been disrupted by conflict, and there are many widowed women who have to survive without the protection of a husband or a male relative. In a camp hosting potentially hundreds of thousands of displaced people, these broken family structures further increase refugee vulnerability. Needless to say that in such conditions it is not easy to notice if some individuals disappear from the camps.

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<sup>19</sup> Marfleet "Refugees in a Global Era" p. 194

<sup>20</sup> ExCom Conclusions on International Protection of Refugees, UNHCR legal documents p.137

<sup>21</sup> Marfleet "Refugees in a Global Era" p.199

<sup>22</sup> UNHCR "Girls at risk" in UNHCR Legal documents p. 138

## Security Concerns

Security concerns can be regarded as the biggest challenge of refugee camps. The continuous nature of many conflicts overcrowds refugee camps, and transforms these temporary settings into permanent settlements. A good example of prolonged camps is the set of three Dadaab camps (Hagadera, Ifo and Dagahaley) near the town of Dadaab, Kenya. The Dadaab camps were established in Kenya in 1992 to cater to the population fleeing from surrounding conflicts, primarily Somalia. Now two decades later, Dadaab as a whole is the world's largest refugee camp, hosting an estimated population of 155,634 as of 14 October 2012, according to UNHCR.<sup>23</sup> These types of prolonged camps are not only a strain on the host state, but also impact the well-being of refugees, and contribute to the instability of the region. Most of the states hosting large prolonged refugee camps are fragile and unable to provide basic services and security even for their own citizens, let alone an overcrowded camp of refugees. Sadly, the international community's passion to help also tends to burn out when conflicts become prolonged, leaving the refugee host state and the entire region to struggle with the consequences. For instance, the conflict in Somalia continues to affect the entire region of the Horn of Africa. Despite the numerous attempts by the international community to facilitate peace talks and send international peacekeeping forces to protect civilians, the conflict in Somalia continues. This has made the international community hopeless, and wondering if a durable and peaceful solution for the region will ever be reached.

### *Expanding and overcrowding camps*

Another reason for the large number of security concerns is the massive expansion and overcrowding of refugee camps. Overpopulation not only increases population density in the camps, but also forces the camp to take up more and more land that could be used for other purposes, such as agriculture. In addition, high population density burdens the environment in several different ways. Increased population flows may cause deforestation, land degradation through overuse of land, pollution or reduction of water supply, and increased waste buildup<sup>24</sup>.

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<sup>23</sup> UNHCR Camp Population Statistics

<sup>24</sup> Lohrmann "Migrants, refugees and insecurity. Current threats to peace?" p.13

Additionally, “A massive flow of refugees in a poor area can strain natural resources such as wood, water and land; further burden education, medical care, housing systems, roads: also increase unemployment.”<sup>25</sup> When all these challenges intensify in crowded, low-resource settings, there is a high potential of the frustration unwinding into a violent social conflict.<sup>26</sup> Additionally, due to the overcrowding and expansion of refugee camps, tension often shadows the relationship between the local population and the refugees living in camps, as the two parties compete over the same scarce resources such as potable water and cattle. From a social perspective, “an inflow of refugees...can be perceived as a security threat by the receiving country when it changes the ethnic, religious or linguistic composition of the receiving population”.<sup>27</sup> Furthermore, in less affluent regions the poor host population may view the refugees as being privileged, as the camps may be provided with more aid and better resources than what is accessible to the people residing in the surrounding areas.<sup>28</sup> This dynamic may further inflame the relationship between these two parties and exacerbate security conditions.

#### *Prevalence of violence in the daily lives of camp residents*

The third troubling factor shadowing the life in the camps is the prevalence of violence in the daily life of refugees. There is an atmosphere of violence that exists in many refugee camps, stemming from the fact that many refugees have experienced, witnessed, or even engaged in violence prior or during their flight. Tensions between different nationalities, clans, and ethnicities exist within the camps, and camps may host members of different parties fighting in the conflict. It is common for these tensions to culminate in a form of violence, such as rape, armed robbery, and even killings.<sup>29</sup> For instance, Astri Suhrke and Kathleen Newland have described the Kenya camps in the 1990s as places where “...rape was rampant, and police protection...virtually nonexistent”<sup>30</sup> Also, attacks from outside the camps are common due to the camps often being richer in resources than surrounding areas, as noted earlier.

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<sup>25</sup> Lohrmann “Migrants refugees and insecurity. Current threats to peace?” p.12

<sup>26</sup> Hoffman Brandt “Relief Organism: Re-thinking Refugee Encampment at Dadaab, Kenya” p. 250

<sup>27</sup> Lohrmann “Migrants, refugees and insecurity. Current threats to peace? P.12

<sup>28</sup> Crisp “A State of Insecurity: : The Political Economy of Violence in Kenya’s Refugee Camps: p. 617

<sup>29</sup> Ibid p. 608

<sup>30</sup> Suhrke and Newland “UNCHR: Uphill into the Future” p.297

The prevalence of violence in the camps is fostered by the problem of impunity. In fragile refugee hosting states, the rule of law is often weak and offenders are rarely held accountable for their actions.<sup>31</sup> In addition, corruption tends to be a problem in many of refugee hosting states and amongst their security forces. This fosters the problem of impunity and enables violence to concentrate around refugee camps.

The Shagarab camp in Sudan can serve as an example of how physical security threats can increase violence and riots inside the camp. The Shagarab camp has been faced with disappearances for several years. The camp is located about 70km west of the Eritrean border, and hosts primarily Eritrean refugees. Because of the human trafficking rink that enjoys recruits from the Shagarab camp, many people have disappeared, and the ones staying in camps are living in fear. According to a reporter Katy Migiro, “Since 2009, human traffickers have snatched thousands of Eritrean refugees from camps in eastern Sudan for ransom, sexual exploitation, forced marriage and bonded labour.” The refugees are kidnapped by an Arabic group Rashaida, and sold to Egyptian Bedouins in the Sinai. These kidnappings have caused restlessness in the camps, and on 22 Jan 2012 fighting broke out in the camps as the camp residents believe that traffickers lived amongst them.<sup>32</sup>

Much of this article is based on the findings of radio presenter Estefanos Meron, but the UNHCR also confirms the disappearances from the camp, and believes that some are due to kidnappings while others pay to be smuggled elsewhere.<sup>33</sup>

### *Militarization of Refugee camps*

The fourth major security concern contributing to the prevalence of violence is the militarization of refugee camps, which gives rise to terrorist and rebel activity. There are two types of militarization that a camp may experience; outward and inward. Outward militarization refers to the voluntary and involuntary participation of refugees and internally displaced persons (IDPs) in cross-border and internal wars. Inward militarization of the camps, on the

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<sup>31</sup> Crisp “A State of Insecurity: The Political Economy of Violence in Kenya’s Refugee Camps p. 619

<sup>32</sup> Migiro “Traffickers attacking in Eritrean Refugees in Sudan –rights groups”

<sup>33</sup> Ibid

other hand, includes targeting refugees and IDPs with direct military attacks, coercion, forced conscription into militia forces, abductions, intimidation and arbitrary arrest.<sup>34</sup> Both forms of militarization pose a huge security threat to the refugee and local populations, and both forms of militarization are known to happen.

There are a number of reasons for the militarization of refugee camps. Sometimes the political stance or support for one group in the conflict by the host state may cause militarization. Also, the close physical proximity of the camps to the international border, and the presence of rebels amongst the camp population also contribute to militarization. Moreover, regional factors, such as the scarcity of economic and social opportunities, and the intertwined nature of the conflict may further increase militarization in the camps.<sup>35</sup>

All of these factors impact the conflict in the Great Lakes region in Africa. The refugee camps in the Kivu region of the eastern Democratic Republic of Congo (DRC) experienced militarization in the second half of 1994 (DRC called Zaire at the time), when Hutu soldiers fleeing from Rwanda established their operations at the camps. The militarization of the camps in the Kivu region has led to violent clashes between Hutu soldiers and militiamen controlling the camps, and the local Tutsi population.<sup>36</sup> This continuous violence has forced many civilians to flee to refugee camps hosted in Rwanda. Today, the conflict fulfills all elements to be considered a humanitarian disaster, where multiple rebel groups supported by surrounding governments continue their operations, committing brutal attacks on civilians and engaging in the illegal mineral trade. This continuous regional conflict has exacerbated the security of the entire area.

The militarization of camps is not easily preventable as identifying members of militias among the fleeing population is challenging. In fact, the emergence of military components in camps is fairly common, and many camps have been used as bases for the reorganization of armed groups, recruitment of new fighters and to recuperate militias,<sup>37</sup> as seen in the example

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<sup>34</sup> Muggah "No Refuge: The Crisis of Refugee Militarization in Africa" p. 90

<sup>35</sup> Mogire "No refuge: The Crisis of Refugee Militarization in Africa" p.147-149

<sup>36</sup> Lohrmann "Migrants, refugees and insecurity. Current threats to peace?" p.13

<sup>37</sup> Juma and Kagwanja "Problems of Protection: the UNHCR, Refugees, and Human Rights" in Steiner et al p. 231

of the DRC. This has also been the case in Guinea refugee camps, which became the base for armed elements fighting against Charles Taylor in Liberia. Also, the Somali combatants in the Dadaab and Kakuma camps of Kenya have reorganized and exercised authority over the refugee population as well as redirected some humanitarian assistance to support their endeavors in Somalia.<sup>38</sup>

### *Security Enforcement*

There is a lot of room for improvement when it comes to the enforcement of security in refugee camps. The UNHCR and other aid agencies working in the Kakuma camp in Kenya have been highly criticized for retreating to their compounds, and leaving no one to monitor the crime and violence that occurs at night.<sup>39</sup> Nevertheless, it should also be noted that the UNHCR's mandate regarding the physical safety and security of refugees is limited and generally a priority of the host state.<sup>40</sup> In the case of Kakuma, the Lutheran World Federation is in charge of security, but it employs many Kenyans, ex-military personnel, and refugee residents.<sup>41</sup> Moreover, addressing the security concerns and the issue of violence is difficult as the UNHCR continues to experience cuts in funding and staff. The UNHCR does, however, work towards building the capacity of the local police forces,<sup>42</sup> although with insufficient outcomes.

The culture of impunity shadowing many refugee camps is enabled by the, the intimidation of potential witnesses, and the cycle of revenge that made refugees unwilling to give evidence against suspected criminals.<sup>43</sup> These factors stem from the lack of accountability of the security system. For instance, the Kakuma and Dadaab camps of Kenya both have a disproportionately low amount of police forces with respect to the massive populations of the camps, and to the extent of bandit group activity. Furthermore, due to the presence of rebel elements at the Kenya refugee camps, policing them is dangerous. The police forces have been

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<sup>38</sup> UNU Policy Brief "Protracted Refugee Situations and Peacebuilding" p. 2

<sup>39</sup> Crisp "A State of Insecurity: The Political Economy of Violence in Kenya's Refugee Camps p. 603

<sup>40</sup> Crisp "A State of Insecurity: The Political Economy of Violence in Kenya's Refugee Camps p. 612

<sup>41</sup> Verdirame "Human Rights and Refugees: The Case of Kenya" p. 62

<sup>42</sup> Crisp "A State of Insecurity: The Political Economy of Violence in Kenya's Refugee Camps p. 613

<sup>43</sup> Ibid p.620

criticized for the lack of professionalism and training, resulting in low investigative capacity.<sup>44</sup> Of the few investigations taking place, few lead to convictions. Although dated example, only five people were convicted of rapes in the Dadaab camps between 1997 and 1999.<sup>45</sup>

The security issues shadow essentially all refugee camps that tend to be overcrowded and face resource-deficiencies. The prevalence of violence, and high potential for militarization of refugee camps combined with the culture of impunity and the incapacity of security forces, may easily give rise to a hotbed for other illicit activity including human trafficking and coerced labor.

### **Illicit Activity in Refugee Camps**

The presence of illicit activity in wars may easily spread across the region to the ‘backyards’ of these conflicts, the refugee camps. Furthermore, the high amount of security concerns may bring along a high amount of illicit activity. As noted earlier, refugees often bring militia and criminal elements to the camp as they flee from war-torn conflict situations,<sup>46</sup> with opportunities of expanding these criminal elements in the camps. Also, the restrictions posed on refugees’ movement and employment opportunities coupled with lack of hope for a speedy and durable solution, make the barrier for anyone to enter into illicit networks significantly lower.

Another factor potentially increasing the illicit activity at the camps is ‘warehousing’ of refugees. The notion of ‘warehousing’ refugees refers to housing of refugees in highly isolated areas in order to protect the host state from the conflict. While the practice of warehousing might intend to advance peace, the restrictions posed on the movement of refugees by the physical isolation of the camp may encourage people to engage in any available entrepreneurial activity.

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<sup>44</sup> Ibid p. 621

<sup>45</sup> Ibid p.622

<sup>46</sup> Monica Kathina Juma and Peter Mwangi Kagwanja p. 236 in Steiner et al.

There have been some efforts undertaken in camps to prevent refugee youth from becoming involved with crime and violence. For instance, the UNHCR in collaboration with state governments and NGOs has initiated projects such as the 'peace education' program in Kakuma and Dadaab designed to foster tolerance, understanding and peaceful coexistence between refugees. Extensive youth, sport and cultural programs in Kakuma have been other venues established in order to prevent the youth from entering into illegal activity.<sup>47</sup>

The informal nature of entrepreneurial activity in camps creates optimal conditions for illicit networks. For instance, in East Africa the increased entrepreneurial activity both within the camp and reaching through local community and across borders is not under the control of UNHCR nor the host state. While the majority of this business activity constitute of trade in legal goods, such as electronics and leather, some of it includes trade in illegal arms, minerals, narcotics, precious stones, and money changing operations. In fact, East Africa has become a key transit point for drug trafficking partially due to its proximity to South Asia, and lack of control over the coastlines.<sup>48</sup> Many of the world's refugee camps are located in East Africa, including Dadaab, which is located only an estimated 150 miles from the coast.<sup>49</sup>

### *Illegal Arms Trade*

Similar to licit economic activity, globalization has also enabled the expansion of illicit networks around the globe, including trade in illicit arms. The transnationalization of illicit activities is defined as the movement of goods and services that are illicit, produced by illicit means, or licit goods intended for illicit purposes.<sup>50</sup> One way this phenomenon plays out today is in the form of increased diffusion of small arms to non-state actors, as many states have become more willing to sell weapons for profit despite international treaties and political considerations.<sup>51</sup> There is a widely understood link between the illicit trade in small arms and refugee camps. As noted in the preamble of Nairobi Declaration (2000) "The mass movement of armed refugees in certain countries... [has] greatly contributed to the proliferation of the illicit

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<sup>47</sup> Crips ""A State of Insecurity: The Political Economy of Violence in Kenya's Refugee Camps" p.615

<sup>48</sup> Monica Kathina Juma and Peter Mwangi Kagwanja in Steiner et al. p. 232

<sup>49</sup> <http://www.distancefromto.net/>

<sup>50</sup> Jojarth "Crime, War and Global Trafficking" p.7-8

<sup>51</sup> Ibid" p. 224

small arms and light weapons".<sup>52</sup> While this link can be drawn, refugees should not be automatically associated with illicit activities as it can easily politicize the issue of refugee protection and enforce negative stigma about refugees, potentially deteriorating refugees' human rights situation.<sup>53</sup> For instance, in the case of the Guinea's refugee camp hosting primarily Liberian refugees, military elements were present at the camp, but the most significant sources of small arms were internal to Guinea, and in fact not related to the presence of refugees.<sup>54</sup>

#### *Financing rebel operation through illicit means*

Other forms of illicit activity, such as drug or mineral trade is often used as means to financing conflict. For instance, since 1980s the Fuerzas Armadas Revolucionarias de Colombia (FARC), a large left-wing rebel group in Colombia, has utilized the drug industry as a source of finance for their operations as well as extensive profit. Also, the illegal Autodefensas Unidas de Colombia (AUC), a right-wing paramilitary receives an estimated 70% of its income from drug business, according to the AUC's national chief.<sup>55</sup> These rebel forces continue to finance their activities through drug trade until today, and force thousands to flee from their homes mainly in the border areas of Venezuela, Ecuador, and the Pacific.<sup>56</sup> The multiple rebels groups present in the DRC also use illegal mineral trade as means to finance their military operations, as described in an earlier example of this paper.

The prevalence and potential for illicit activity in refugee camps is prominent. While many refugees stick to legal activities, others may be former combatants or members of militias, who may use the refugee camps as base for illicit trade or financing of the conflict, similarly to camps being used for organization of militias. However, not all illicit trade taking place in refugee camps is organized. Individual entrepreneurs are also drawn into the criminal activity in lack of other opportunities. As illicit trading in arms, narcotics, minerals and other commodities is linked to refugee camps, there is also a high potential for trading and trafficking

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<sup>52</sup> Nairobi Declaration of 2000

<sup>53</sup> Mogire "No Refuge: The Crisis of Refugee Militarization in Africa" p. 158

<sup>54</sup> Milner and Christoffersen-Deb "No Refuge: The Crisis of Refugee Militarization in Africa" p. 55

<sup>55</sup> Ibid p. 95

<sup>56</sup> 2013 UNHCR Country Operations Profile Colombia

in human beings. After all, trafficking of commodities of all sorts often tend to go hand in hand. In fact, according to a Policy Brief provided by the United Nations University, prolonged camps have been places for trafficking in arms, drugs, women and children, as well as places for recruitment of child soldiers.<sup>57</sup>

### **Recruitment of Child Soldiers from Refugee Camps**

Child soldiers have been used around the world in different conflicts, and many of these soldiers have been trafficked or enslaved to fight in the wars. In fact, trafficking of children from refugee camps into armed conflict is perhaps the most familiar sub-phenomenon in regards to the topic of this paper. Children living in refugee camps are particularly vulnerable for trafficking as oftentimes they are separated from their families during the conflict or the flight. As noted in the Conclusions of the Executive Committee on the International Protection of Refugees No. 107 LVIII (Conclusions on Children at Risk 2007), there is a “particular vulnerability of refugee children to being forcibly exposed to the risks of physical and psychological injury, exploitation and death in connection with armed conflict”.<sup>58</sup> Children are recruited into warfare through abduction or by fraudulent means. There are number of children who join armed forces voluntarily in the lack of other opportunities, or perhaps lured by the sense of belonging. However, the voluntary joining of a child in the army or rebel forces can be counted as human trafficking, as it is defined in this paper as

“...the recruitment and/or movement of someone within or across borders, through the abuse of power/position with the intention of forced exploitation, commercial or otherwise”.<sup>59</sup>

There is a significant level of abuse and exploitation that takes place when a child is recruited into warfare. The children tend to be exploited through psychological and physical means. They are trained to use guns and other weapons and forced to commit horrific and brutal acts. Once a child has killed, they have normally developed a dependency on the armed group as they cannot undo their crime. This dependency and “no-going-back” mentality also

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<sup>57</sup> UNU Policy Brief “Protracted Refugee Situations and Peacebuilding” p.2

<sup>58</sup> ExCom Conclusions on Children at Risk, UNHCR legal documents p. 137

<sup>59</sup> Human Trafficking Clinic, University of Denver

inhibits their escape from the armed forces.<sup>60</sup> It's common for many children to fear going back to the old community as they often have been forced to kill people from their own villages. Therefore, these children are definitely forcibly exploited, even if recruited voluntarily.

The word "voluntary" is extremely complex in relation to minors as it fails to acknowledge the problem of agency. How could we possibly expect that an eleven year old, for instance, would fully understand the consequences of enlisting oneself as a soldier? Several international agreements also recognize this problem and prohibit the recruitment and use of children in warfare. The article 38 of the Covenant of the Rights of a Child (1989) forbids the recruitment of children under the age of 15 into warfare.<sup>61</sup> The Optional Protocol to this Covenant (2000) further raised this age limit into 18 years.<sup>62</sup> Also, the Rome Statute that established the International Criminal Court (ICC) forbids conscripting and enlisting children, and the use of children under the age of 15 in hostilities.<sup>63</sup>

The diversity of purposes for which children are recruited also enforces the notion of this activity constituting human trafficking. While the most common position for which children are recruited is combatants and 'human shields' for older militia members, they are also used to make the militia operations function properly. Children have been sent out to spy the opponent, made to cook for the militia, patrol or guard prisoners, serve as bodyguards for the commander, and ensure weapons maintenance. Female children have also been recruited for "wives" for the commanders, or sex slaves.<sup>64</sup> This enforces the notion that sex trafficking is also taking place in refugee camps. Child recruits have also been sacrificed in order to generate an atmosphere of fear. Some recruited children are occasionally let to escape to intimidate a particular camp or village with their stories of the horrors the armed groups are engaging in. Moreover, many rebel forces use children to carry out attacks on civilians in order to produce more potential recruits from the fleeing population. This has been the case in Uganda where

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<sup>60</sup> Singer "Children at War" p.76

<sup>61</sup> Covenant on the Rights of a Child, Art.38

<sup>62</sup> Covenant of the Rights of a Child Optional Protocol Art.4

<sup>63</sup> Rome Statute Art.8.2.26

<sup>64</sup> Singer p.76

the attacks carried out by the Lord's Resistance Army (LRA), which is famous for recruiting child soldiers, in Gulu district have forced nearly a half of the population to flee.<sup>65</sup>

While children are abducted and recruited from schools and market places, children living in the streets are at an even greater risk of abduction and fraudulent recruitment. Refugee children are among some of the most vulnerable. According to P.W. Singer, UNHCR housed unaccompanied minors in separate areas from the rest of the population in the refugee camps during the Sudanese civil war. This inconsideration for the risk of trafficking placed the minors in danger for recruitment by the Sudan People's Liberation Army (SPLA). As a matter of fact, the rebels even formed their own camps near this housing establishment in order to enjoy easy access to new recruits.<sup>66</sup> Singer also implies some Hutu rebels have recruited refugee children for warfare in Burundi from the camps in Central African Republic, Tanzania, Rwanda and Kenya.<sup>67</sup> It is also believed that the SPLA regularly recruits soldiers from the Dadaab camps of Kenya.<sup>68</sup>

### **Refugees as 'Desperate Survival Migrants'**

Refugees can be counted as a type of migrants in the wider spectrum, although forcibly displaced. There is an internationally recognized link that exists between migration movements and human trafficking. A small part of global migration consists of irregular migration, which is often aided by human smugglers or traffickers. To combat organized crime, migrant smuggling and human trafficking, the General Assembly of the United Nations adopted the Convention against Transnational Organized Crime adopted by the General Assembly resolution 55/25 on 15 November 2000. This convention is further supported by three protocols:

1. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
2. The Protocol against the Smuggling of Migrants by Land, Sea and Air.

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<sup>65</sup> Singer "Children at War" p.103

<sup>66</sup> Singer "Children at War" p.59

<sup>67</sup> Ibid p.20

<sup>68</sup> Crisp "A State of Insecurity: the Political Economy in Kenya's Refugee Camps" P. 603

### 3. The Protocol against the Illicit Manufacturing of and Trafficking in Firearms.<sup>69</sup>

Despite the attempts to create coherent approaches to combatting migrant trafficking, the phenomenon is largely blurred due to its illicit nature.

#### *Human Smuggling vs. Human Trafficking*

The distinction between smuggling and trafficking is sometimes murky and the terms are often misused especially in the media. Not all human smuggling is trafficking, but smuggling can turn into trafficking if the end result is a migrant being forcibly exploited, even if a migrant initially agreed to be smuggled voluntarily.

Conflicts can increase people's willingness to enter into smuggling networks. Given the security conditions in the refugee camps, many choose not to flee to camps, but try to get into third countries where they look for asylum. Human smugglers, some of whom are also traffickers, are well aware of this business opportunity. An example of this is a news article published in the Guardian in November 2011 including the story of a Somali woman, Amira Shakir (name changed).

*Escaping the conflict and droughts in Somalia, Amira agreed to be smuggled to Nairobi, Kenya. She traveled the 1,000 km in a truck with other women, guarded by five men. As the truck reached Eastleigh Estate, a Nairobi suburb, Amira was sold off to a shop owner, where she now works as a shop attendant. Amira is not the only one agreeing to be smuggled away from the conflict, droughts, and food crisis. "Vehicles that transport miraa [a leafy narcotic] from Kenya to Somalia return loaded with young girls and women who end up in brothels in Nairobi or who are shipped to destinations outside Kenya," says Hubbie Hussein, Womankind Kenya's director.<sup>70</sup>*

*According to the article, Kenya's Coast province is becoming a hot bed for human trafficking. Many of the trafficked are children from Rwanda, Tanzania, Ethiopia, Somalia and Uganda who work as domestic labourers, sex workers and cattle herders across Kenya. "The*

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<sup>69</sup> CTOC and three supporting protocols

<sup>70</sup> Kaharre "Human Trafficking on the Rise amid Horn of Africa's drought and famine"

*huge influx of refugees has complicated the movement of people in the region; it has increased the vulnerability of people to trafficking, smuggling and other forms of exploitation,”” says Jean-Phillipe Chauzy, the head of communications at IOM.”<sup>71</sup>*

Similarly to the children from refugee producing countries mentioned in the article, Amiera also became a trafficked although only agreed to be smuggled. With a hope for a better future, many migrants are fraudulently recruited for being smuggled, but end up being trafficked for multiple purposes, including labor exploitation, prostitution, and forced marriages. It is widely understood that the smuggling of migrants increases when states impose tighter restrictions on the legal movement of people, thereby opening a venue for increased human trafficking.<sup>72</sup> Irregular migrants are aware of the fact that they have no legal presence in the destination country, and they can easily be intimidated by the threat of being caught by the legal authorities if they don't obey the commands of the traffickers. The fear of the immigration and law enforcement authorities generates a dependency of undocumented migrants on the false safety net provided by the traffickers,<sup>73</sup> which keeps many of these cases underground inaccessible to researchers, law enforcement, or other entities working in the field. Therefore, migrants, and especially irregular migrants or forcibly displaced people, such as refugees living in camps are easy prey for traffickers.

### *Smuggling and Trafficking of Refugees*

Entering into these illegal migration networks may be particularly appealing to a refugee who has lived in a camp for a long time, and who is 'imprisoned' in the camp. The lack of hope for a durable solution, such as voluntary repatriation, host country integration, or third country resettlement in prolonged camp situations may push refugees to become desperate for any outlets to exit the camp. In addition, there are a number of other external forces, such as the lack of opportunities, poor security conditions, and frequent human rights violations that push refugees into entering the irregular migration networks if an opportunity arises. Refugees are regarded as the most 'desperate survival migrants' in this network, as they are most affected by

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<sup>71</sup> Ibid

<sup>72</sup> Marfleet "Refugees in a Global era" p.249

<sup>73</sup> Salt in "Perspectives on Trafficking of Migrants" p. 31

conflict, terror and dislocation, and may travel from afar, making them an ideal group to traffic for lucrative business.<sup>74</sup>

Sometimes these traffickers live amongst the refugees. At the Thai-Burmese border, there are nine official Refugee Camps where an estimated 156,000 Burmese refugees live. The largest one of these camps is Mae La, which hosts an estimated 50,000 refugees. Human traffickers are known to pose as refugees, who make friends with camp populations and tell them about the employment opportunities that await them in Thailand and Malaysia. Once smuggled to the cities, the refugees are known to be sold to employers, who threaten them with arrest and prison terms if they try to escape. What makes the protection of these refugees even more complicated is that neither Thai nor Malaysia government differentiate between refugee and illegal immigrant. Consequently, neither has signed the 1951 Refugee Convention. Therefore, if a Burmese refugee who has been trafficked is found, they can be automatically deported to their home country.<sup>75</sup>

There is definitely evidence of refugees constituting an optimal pool of trafficking victims, and some evidence of trafficking affecting refugees living in camps. What has yet to be discovered is:

If human trafficking takes place within refugee camps, and how widespread the problem of trafficking from refugee camps truly is.

### **Further Evidence of Human Trafficking Affecting Refugee Camps**

The majority of the evidence of human trafficking occurring within and from refugee camps consists of small isolated situations. As mentioned earlier, the largest portion of evidence with regards to trafficking taking place in refugee camps deals with the recruitment of children into warfare. However, there are a number of other pieces of evidence that demonstrates trafficking of refugees for different purposes. For instance, trafficking from refugee camps for sexual exploitation is also known to exist under the framework of recruiting

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<sup>74</sup> Marfleet "Refugees in a Global Era" p. 250

<sup>75</sup> Zusman "Still Not Safe: the Trafficked lives of Burmese Refugees"

children into warfare.<sup>76</sup> In addition, according to Susan Kneebone, UNHCR in Thailand discovered that there was a trafficking ring operating from a refugee camp and placing children in urban areas as beggars.<sup>77</sup>

In addition to recruiting children into sexual exploitation by militias, there is a possibility that women may also be trafficked into prostitution elsewhere. The prevalence of prostitution as a means of income generation in the camps is alarming. Female movement and power is more restricted than that of males in camps, leaving them with less economic opportunities and access to fewer resources. As explained in the report based on research carried out in the camps of Sierra Leone, Guinea and Liberia in 2002 by staff of UNHCR and Save the Children UK, prostitution can be means of survival;

*The food rations are calculated in kilocalories, not quantity, and are often severely inadequate. There is not enough land to find food, and there are not enough income-generating opportunities for refugees. Education is free, but the families and students are in charge of providing all school supplies. "The parents have no income and the girl has to fend for herself. It's like their bodies are the only currency they have left. At the same time, surrounding the refugee population and controlling so much of their lives, is a moneyed elite – UN and NGO workers, peacekeepers etc."*<sup>78</sup>

It is also known that some women living in refugee camps provide sexual services to other camp residents in exchange for food or water rations. Largely due to the lack of human rights, women in camps may use prostitution as a method of survival.

Nevertheless, it is very disturbing that the aid organizations have played such a large role in the sexual exploitation of refugees. Not only are some aid workers known to buy sex from refugees, but in the camps of Sierra Leone, Guinea and Liberia, some service providers are

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<sup>76</sup> Singer "Children at War" p.76

<sup>77</sup> Kneebone "Refugee Trafficking Nexus: Making Good (the) Connections" p.140

<sup>78</sup> Ferris "Abuse of Power: Sexual Exploitation of Refugee Women and Girls" p.586

also known to have demanded sexual services from women and girls in exchange for aid<sup>79</sup>, medical services and satisfactory school grades.<sup>80</sup>

While prostitution in this example is carried out for individual gain, it can also easily institutionalize in refugee camps. Given the prevalence of prostitution and sexual exploitation in camps, there would be room for some entity to profit from this activity. After all, coordinated networks tend to arise to capitalize on vulnerability.

### *Forced Marriages*

Human trafficking also affects young refugee girls living in camps in a form of forced marriages. One of the world's newest conflicts, the Civil War of Syria, has triggered a mass exodus of Syrian refugees to surrounding Turkey, Jordan, Iraq and Lebanon. According to an article by a journalist Hassan Hassan published in *The National*, a newspaper in the United Arab Emirates, wealthy Middle Eastern men have created ways to exploit young refugee females living in the crowded camps. There are several Arabic online forums "seeking marriage from Syrian girls". Saudi men are known to pay 500-1,000 riyal (about \$140-270 US) to marry a young refugee girl living in the camp in Jordan. Saudi Arabia tends to be the most common destination, but Turkey and Iraq are also mentioned as common destinations on these websites. This trend has been supported by leaders such as Sheikh Adnan Arour, a Syrian cleric, who has encouraged men to marry victims of sexual exploitation by issuing fatwas (legal pronouncement in Islam), in order to "cover their shame through marriage". According to Hassan, families in the camps agree to sell their daughters into marriage because they believe that it's better than living in camps where girls are vulnerable to rape. However, Hassan also emphasizes that these young girls often become victims of sexual exploitation through these forced marriages. One factor that makes this practice particularly disturbing is the age of the girls being sold to marriage. Hassan refers to Abdelbari Atwan, the editor-in-chief of the pan-

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<sup>79</sup> Marfleet "Refugees in a Global Era" p.209

<sup>80</sup> Ferris "Abuse of Power: Sexual Exploitation of Refugee Women and Girls" p. 585

Arab newspaper Al Quds Al Arabi, who claims that these young girls being sold off to marriage are below the age of 15.<sup>81</sup>

Trafficking of refugee women into forced marriage has also been observed in Kenya's Kakuma camp, where young Sudanese girls are known to be abducted for forced marriage back in their home country.<sup>82</sup> However, there is no further information available on who the kidnappers are, who the Sudanese husbands are, and how huge this problem is.

#### *United States TIP Report*

While challenged by its insufficient methodology in data collection, the Trafficking in Persons (TIP) report by the United States Department of State also recognizes that human trafficking is happening from refugee camps. The TIP report ranks countries into three Tiers based on their efforts to combat human trafficking through complying with the Trafficking Victims Protection Act (TVPA) minimum standards; Tier 1 constituting the countries with the clearest record, and Tier 3 with the worst.<sup>83</sup>

The TIP report mentions human trafficking in relation to refugee camps in a couple of different instances. For instance, the TIP report ranks Chad into Tier 2 and mentions Chadian and Sudanese refugee children being recruited from refugee camps by both the Chadian military and the rebel forces. These children have been used as cooks, combatants, lookouts and guards.<sup>84</sup>

The TIP report also mentions Eritrea in connection to this topic. Eritrea ranks in Tier 3. According to the report there are an estimated 2,000-3,000 Eritreans per month who have fled to the refugee camps of eastern Sudan within the past three years. Some of these refugees settling in the camps have been abducted, tortured by the traffickers, and trafficked across the Sinai Peninsula. The purpose for which they are trafficked and the identity of the traffickers is

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<sup>81</sup> Hassan "Online Trafficking of Syrian Women Shames All Involved"

<sup>82</sup> Crisp "A State of Insecurity: the Political Economy in Kenya's Refugee Camps p. 604

<sup>83</sup> Trafficking in Persons report p. 40

<sup>84</sup> Ibid p.115

not identified in the TIP report. However, the report further mentions that some of the Eritrean refugee children have also been trafficked for warfare.<sup>85</sup>

Tunisia is also referred to having a problem with human trafficking and contemporary slavery as it affects refugee camps. Tunisia is placed in Tier 2. The TIP report states that some Malian girls were forced into prostitution in the Choucha refugee camp in southern Tunisia. Also, during the unrest in Tunisia and neighboring Libya, large migrant flows (some of whom came from third countries) were smuggled over to the shores of Europe<sup>86</sup>. It is believed that some trafficking may be present in these smuggling flows.

The TIP report also mentions refugees as a group being vulnerable to trafficking in the instance of Yemen. According to the TIP report, some of the Ethiopian and Somali refugees who come to Yemen are subject to becoming trafficked for sexual exploitation and forced labor in Yemen, or trafficked further to Saudi-Arabia.<sup>87</sup> While the case of Yemen does not exemplify trafficking from refugee camps, it once again provides an example of the relationship between refugee populations and human trafficking, and further supports the notion of vulnerability of refugees to trafficking. Yemen ranks in Tier 3.

#### *Other research on the topic*

Important evidence of refugees being trafficked is the report “Human Trafficking in Sinai, Refugees between Life and Death” published by Tilburg University and Europe External Policy Advisors on 26 Sep 2012. The findings of this report are mainly based on interviews conducted by Meron Estefanos (a radio-presenter for Radio Erena). In this study, 123 interviews were conducted of which 104 interviews were conducted with refugees in Sinai. According to this report,

“the interviews were translated into English where necessary, then analyzed and categorized into a database to quantify information and identify patterns. To the extent possible, the findings were crosschecked with other empirical datasets, in particular,

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<sup>85</sup> Ibid p. 150

<sup>86</sup> Ibid p. 347

<sup>87</sup> Ibid p. 374

interviews carried out by Physicians for Human Rights, Israel with former hostages (which is based on a total of 1,300 interviews). However, due to limited access to the region, lack of funding, and security reasons, not all information was crosschecked.”<sup>88</sup>

This study uses the Article 1 a (2) of the United Nations Convention Relating to the Status of Refugees of 1951 definition of a refugee. According to this article, a refugee is defined as a person who, “for fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion,”<sup>89</sup> is not in his country of nationality and is unable to return there. Nevertheless, the report acknowledges their inability to verify whether or not all their informants fit this definition.

The study focused on those who were held hostage in the Sinai area. According to the findings, many victims were Eritreans, who were kidnapped when they were on their way to refugee camps, to family reunions in Sudan or Ethiopia, or kidnapped from inside the refugee camps, particularly the Shagarab camp in Sudan and Mai Aini camp in Ethiopia. Also, some refugees were forcefully kidnapped while working in the area surrounding the refugee camp in Kessala, Sudan. The kidnapers are members of Rashaida tribe in Sudan and Eritrea, and other Eritreans, who transport the kidnapped to Sinai where they are handed over to members of the Bedouin tribes. Once in Sinai, these victims are tortured brutally until ransoms are received from Eritrean family or community members. The report is explaining the phenomenon of kidnapping and trafficking Eritreans being prevalent because of the large Eritrean diaspora who can pay high ransoms to release victims, large number of vulnerable Eritrean refugees, and the prevalence of Eritrean migrants and officials in the trafficking network.

Based on the interviews, the report outlines the following steps through which these refugees were trafficked;

1. Initial payment made by the refugee to be smuggled out of their country of origin
2. Payments made by the refugee to guides en route to destination (refugee camps at Mai Aini or Shagarab)

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<sup>88</sup> Estefanos et al. “Human Trafficking in the Sinai: the Refugees between Life and Death”

<sup>89</sup> Convention and Protocol p.14

3. Abduction; payment demanded from refugee to reach a safe place (pretext)
4. Sold on; payment demanded from refugee for the sale
5. Sold on; payment demanded from refugee for the sale
6. Ransom for release of refugee
7. Sold on; payment demanded from refugee for the sale
8. Ransom for release of refugee
9. Release or death<sup>90</sup>

This report lacks information on the methodology used in data collection. Due to the unreliable methodology, the validity of the findings can be questioned. Also, the loose definition and the inability to verify whether or not the victims of kidnapping fit the definition of refugees used in this research, contribute to the unreliability of the findings. However, this study draws attention to an important human rights issue and offers recommendations to different actors that have the power to combat this phenomenon. The study also provides us with yet another example of how human trafficking is a threat to refugee camps. It is also valuable as it is a specific regional example of the issue, and outlines who the traffickers are and what purpose the victims in this example are trafficked for, which is something we know very little about.

### *Efforts to combat trafficking*

There are some programs implemented in refugee heavy areas that combat human trafficking, and also serve as evidence of human trafficking threatening refugees. For instance, the IOM acknowledges human trafficking as an issue pertaining to refugee camps. To improve anti-trafficking measures in refugee camps the IOM is working in collaboration with UNHCR and the American Refugee Committee (ARC) to educate trainers on how to raise awareness of the risks and threats related to human trafficking in refugee camps in Thailand. The goal of the training is to provide the trainers with skills that can be used for further education of refugee

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<sup>90</sup> Estefanos et al. "Human Trafficking in the Sinai: the Refugees between Life and Death"

leaders on the topic.<sup>91</sup> Similar training is also highly needed in other refugee camps around the world.

Additionally, the IOM has also attempted to bring the issue of refugee flows and human trafficking into the fore front of regional seminars. For instance, in 2007 the IOM in collaboration with the UNHCR hosted a regional seminar on the mixed migratory flows in the Caribbean in order to strengthen collaborative responses to refugee protection, human trafficking, and migration.<sup>92</sup>

Another example of efforts to protect refugee children from becoming victims of human trafficking, are efforts taken by Catholic Relief Services (CRS) and partnering organizations in Bosnia. Bosnia is a country recovering from the genocide of early 1990s. Bosnia is located in Eastern Europe, which has been another hotbed for human trafficking, including sex slavery and coerced labor. The CRS provides refugee heavy areas with board games and comic books that teach the kids not to give up their identity documents to anyone, and raises awareness on suspicious outlets such as newspaper advertisements for jobs abroad. The CRS also provides jobs skills training for young women aged 14-25 in knitting, cheese making, hair dressing, sewing and technology to protect them for fraudulent job recruiters luring them to work abroad.<sup>93</sup>

Yet another measure taken by UNHCR and the IOM to combat human trafficking as it relates to refugees was a joint training for government counterparts, civil society organizations and UN agencies, that was held in Khartoum, Sudan, in November 2012. The topics of this training were irregular migration, smuggling, and human trafficking in Sudan. According to the UNHCR, out of the estimated 2,000 persons entering into Sudan illegally every month, between 1,000 and 1,500 seek asylum in Sudan and are consequently hosted at the Shagarab camps close to the Eritrean border. They also note that the kidnapping, smuggling, and trafficking of refugees and asylum seekers has increased in the past couple of years. Namely the new arrivals at the refugee camps have been at risk for being forcibly taken by who is believed to be tribes

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<sup>91</sup> IOM "Shattered Dreams: a Training of Trainers on Anti-Trafficking for Refugees"

<sup>92</sup> IOM "Joint regional seminar: Mixed migratory Flows in the Caribbean"

<sup>93</sup> Sheahen "Protecting Young Women from Human Traffickers".

living along the border.<sup>94</sup> The IOM and UNHCR admit refugee abductions, smuggling, and trafficking being a problem in Sudan; however, they don't report more accurate information about the breadth or depth of the problem.

Based on the parcels of evidence, it is plausible conclude that human trafficking is indeed a problem of refugee camps. However, conducting empirical research would be vital in connecting these pieces of information into a more in-depth and concise picture.

## **Conclusion**

This paper has sought to create a connected 'net' by tying in the pieces of evidence of human trafficking pertaining to refugee camps. This 'net' is further surrounded by the camp conditions, which place refugees at a high risk for becoming trafficking victims. As this paper has demonstrated, life in the refugee camps is framed by human rights abuses, lack of hope for durable solutions in near future, severe security concerns, and illicit activity. All of these factors make refugees highly vulnerable. Oftentimes, it is the most vulnerable who are prone to becoming exploited by more powerful forces. Therefore, it can be concluded that refugees are highly vulnerable to human trafficking.

This paper has found credible but limited evidence suggesting the trafficking of minors for warfare, sexual exploitation and forced marriages. Through evidence provided by news articles, it can also be concluded that refugees living in camps are trafficked for coerced labor, and for the purpose of receiving ransoms. However, this 'net of evidence' is filled with holes and questions that remain unanswered. For instance, we have very little knowledge of who the actors engaging in trafficking of refugees are, apart from rebel groups and tribal kidnappers. Nor do we have a clear understanding of which networks and venues are used to gain access to the vulnerable camp population. Does most of human trafficking threaten the camps from outside, or are there many insiders engaging in this activity? Is trafficking in this context connected to large criminal organizations, smaller groups, or carried out for individual gain? We also have very limited understanding of the extent of the problem as it affects camps.

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<sup>94</sup> Trnka "Raising Awareness in Sudan of Irregular Migration, Smuggling, and Trafficking"

Given the attention and rising concern that human trafficking has received around the world within the past decade, it is astounding that human trafficking from refugee camps has been largely ignored in the academic research. Some of this might be partially due to the negative stigma attached to displaced people, and the reluctance of addressing the refugees' needs. Or perhaps we simply do not see refugees as a priority group for human rights and human trafficking protection. Nevertheless, human trafficking is an encompassing problem affecting the fields of economics, health, human rights, security, and politics around the world. Furthermore, there is a hypocritical nature attached to the discussion of human rights and human trafficking protection, if refugees are neglected as a population from this discussion. Acknowledging refugees as a priority population in the discussion of human rights protection and human trafficking would also improve the overall quality of refugee protection. Human trafficking within and from refugee camps is not only a problem of UNCHR and the fragile states hosting these camps, as trafficked individuals may end up in horrific conditions anywhere around the world. It is thus the obligation of the international community as a whole to address the issue of trafficking from refugee camps.

The methods taken to combat trafficking from refugee camps must be based on empirical research. As of now, the limited research conducted on the topic is insufficient for our overall understanding of the problem. Therefore, conducting carefully designed empirical research on this topic is essential. In order to prevent more people from becoming enslaved around the world and to fill the holes in the 'net of evidence', the optimal time to begin researching this topic is now.