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Irregular Migration Flows in the Horn of Africa: Challenges and implications for source, transit and destination countries

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This Occasional Paper is one of a series produced as part of the Department of Immigration and Border Protection’s Research Programme.

The Research Programme is intended to strengthen the evidence base on migration, trade, border management, compliance, law enforcement and national security to inform policy and operational deliberations. Research is framed in an open, inquiring manner that is objective and non-partisan. A particular focus of the Research Programme is placing Australia’s experience in the broader global context.

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Source
Where appropriate, secondary sources have been referenced by the author in the footnotes. Any insights and analysis that have not been referenced are of those of the author drawing on his extensive expertise in mixed and irregular migration in the Horn of Africa, and as Coordinator of the Regional Mixed Migration Secretariat (RMMS) in Nairobi. For more information on RMMS visit www.regionalmms.org

Research timeframes and context
The analysis provided in this paper is based on research, data and observations up to February 2015. There have been new developments affecting mixed migration in the Horn of Africa Region and Europe since the time of research, and the results presented should be considered within that context.
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Executive summary

1. The scale of irregular migration and forced migration or displacement within the Horn of Africa region and neighbouring countries is significant. It is estimated that:
   - In 2014, 91,500 irregular migrants arrived in Yemen, after crossing the Red Sea from Djibouti or Somalia. The vast majority were Ethiopians intending to travel onwards to Saudi Arabia, in addition to Somalis who tend to remain in Yemen and are granted prima facie refugee status on arrival.
   - During 2014, an estimated 2,000 Eritrean irregular migrants and asylum seekers arrived in neighbouring Ethiopia and Sudan every month. Sudan and Ethiopia officially host over 220,000 Eritreans with many practicing secondary movement after registration, normally with the aid of smugglers.
   - Despite much discussion about Somali refugee returns to Somalia, in 2014, Somali irregular migrants and refugees/asylum seekers continued to arrive in neighbouring Djibouti, Kenya, Ethiopia and Yemen pushing the total number of Somali refugees in the region to almost one million. Although the rate of annual exodus from Somalia has slowed in the last two years, the numbers remain in their tens of thousands.
   - In 2014, some thousands of Somali refugees who had been residing in Kenya, Yemen, and from the diaspora outside the region, voluntarily returned to Somalia following an apparent improvement in security conditions in Mogadishu, but the return flows remain below the numbers leaving.
   - Since December 2013 and throughout 2014, South Sudanese refugees fleeing civil war have crossed into neighbouring Ethiopia and Kenya. By May 2015, Ethiopia was hosting over 260,000 South Sudanese refugees and Kenya over 90,000. In South Sudan, the number of internally displaced was estimated at over 1.5 million and the number of Sudanese refugees was 240,000.

2. The scale of irregular migration beyond the region is also significant. For example, it is estimated that:
   - In 2014, Saudi Arabia forcibly expelled over 160,000 Ethiopians who were considered to be residing unlawfully in Saudi Arabia. The vast majority had entered Saudi Arabia without documentation as economic migrants through Yemen. It is not known how many Ethiopians currently enter Saudi Arabia or reside there after these expulsions.
   - In 2014, over 48,000 Eritrean migrants sought asylum in the European Union, mainly entering the Eurozone by crossing the Mediterranean with smugglers, normally from Libya. The total number of Eritreans in 2014 was over three times the total for 2013.
   - In 2014, almost 15,000 Somalis sought asylum in the European Union, mainly entering the Eurozone by crossing the Mediterranean with smugglers, normally from Libya.

3. In 2013, small numbers of irregular migrants from the Horn of Africa reached Australia.
   - In that year, almost 1,000 illegal maritime arrivals (IMAs) from the Horn of Africa reached Australia, the majority from the Republic of Sudan (around 550) and Somalia (around 400), with smaller numbers from Eritrea and Ethiopia.

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1 The figures used in this executive summary are collated from sources of the United Nations High Commissioner for Refugees (UNHCR), International Organization for Migration (IOM), Frontex, Eurostat and the Regional Mixed Migration Secretariat (RMMS). In the text of the report more details are offered with full references.
4. With border protection officials focused on managing growing irregular migration flows from Sri Lanka, Iran, Pakistan, Afghanistan and Burma/Myanmar, this sudden surge in arrivals from the Horn of Africa was unexpected in Australia where diaspora communities are small.

5. In light of this unexpected development, this occasional paper by Christopher Horwood was commissioned under the Australian Government Department of Immigration and Border Protection’s Research Programme based on the author’s expertise in migration in the region.²

6. A key goal of this occasional paper is to provide Australian policy makers and analysts with a deeper knowledge of the region’s complex migration dynamics in order to better inform their analysis of the emergence of Horn of Africa flows to Australia.

The paper also briefly discusses some implications of these flows, possible future scenarios, and opportunities for future research, which are summarised below:

- The dynamics of ‘pioneer’ migration³ from the region and the ‘testing’ of new routes warrants further analytical attention. The Australian experience suggests there is an appetite and ability, at least among some Sudanese and Somali migrants and their facilitators, to pursue new and more complex smuggling and migration routes, despite greater distances, costs and difficulty.

- The drivers of irregular migration and displacement in Southeast, South and West Asia have fundamentally and exclusively shaped the history of irregular maritime migration to Australia. On the other hand, the sudden emergence of IMAs from the Horn of Africa signals a significant shift in source regions of irregular migration to Australia, and a geographic repositioning of Australia in terms of its proximity to smuggling routes outside of its ‘traditional’ source regions.

- Notwithstanding the continued effectiveness of Australia’s current measures to deter irregular maritime migration,⁴ it remains plausible that flows to Australia could occur again, and it is also likely that routes from the Horn of Africa may be explored and ‘pioneered’ by migrants and facilitators, in the future.

² Christopher Horwood is the Coordinator of the RMMS, based in Nairobi. The views, comments and analyses expressed in this document are those of the author and do not represent the views of the RMMS. More information about the RMMS is provided at Appendix C.
⁴ The implementation of a range of deterrence measures by the Australian Government in mid- to late 2013, proceeded a dramatic decrease in IMAs, including those from the Horn of Africa. These new measures included the implementation of the ‘Regional Resettlement Arrangement’ with Papua New Guinea (in July 2013), and the establishment of the Australian military-led Operation Sovereign Borders (in September 2013).
1. Introduction

Irregular migration within and beyond the Horn of Africa and its neighbours is extensive and growing. The region spans Ethiopia, Eritrea, Djibouti, Somalia, Yemen, Kenya, South Sudan, and Republic of Sudan (see Figure 1).

Irregular migration in the region is mixed, and comprises undocumented migrants, irregular migrants, asylum seekers and refugees who are driven to move by multiple, interrelated factors including conflict, political and ethnic persecution, poverty, resource scarcity, environmental degradation, famine, labour market conditions, family and community ostracism, household livelihood strategies (such as reliance on remittances), and social expectations to migrate. Also caught up in these flows are victims of human trafficking.

The phenomenon of mixed migration\(^5\) is a relatively new, but an often contested concept that is generating increasing levels of interest from academics, analysts, humanitarian programme managers, the media and policy makers globally. It reflects the rising tendency of people to migrate, both regularly and irregularly, despite greater risk, in search of a better future in more affluent parts of the globalised world. It also indicates that people are on the move for a combination of reasons that are often, but not exclusively, related to safeguarding or establishing physical and economic security.

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\(^5\) IOM describes mixed migration as consisting of complex population movements including refugees, asylum seekers, economic migrants and other migrants (IOM (2004) p. 42). UNHCR describes it as people travelling in an irregular manner along similar routes, using similar means of travel, but for different reasons (UNHCR (2011) p. 8). For this paper the term will also include those who are trafficked.
Mixed migration competes with alternative labels such as complex migration flows, survival migration, crisis migration and other terms which have been conceptualised to advance legal and policy responses to forced and voluntary migration. The complex dynamics of irregular migrants’ decision-making and the blurred lines between forced and voluntary movement continue to be debated among migration scholars and practitioners.

At one level, the term mixed migration is a ‘Humanitarian Counterpoint’ with ‘origins in the efforts during the 1990s to draw a clearer line between refugees and asylum-seekers who are protected by International Refugee Law, and migrants who are not. As the interest in the concept is widening, it has taken on broader connotations, with the risk of confusion between security, economic, political considerations, and humanitarian concerns.’ The logic is that while governments focus on frameworks and procedures to disaggregate and manage mixed migration, humanitarian action must address human needs based on a priori of humanitarian principles. In the Horn of Africa (HoA) the term is useful insofar that it acts as a unifying lens through which to assess the movement of people who face similar and often extreme protection deficits and who themselves may be driven to move by a number of factors that defy simple categorisation as refugees, asylum seekers or economic migrants.

Mixed migration is closely linked to security and livelihood problems caused by multiple and often interconnected issues, including failed or fragile governance, persecution, political turmoil, armed conflict, poverty, natural disaster, resource scarcity, environmental stress and population pressure. In addition, social issues such as forced marriage or dysfunctional homes, as well as the more aspirational attractions for many rural youths and the emerging ‘cultures of migration’ in certain countries, create compelling push and pull factors affecting the decision to move. As commonly used, however, mixed migration is distinct from the international stocks and flows of regular migrants which are recorded in immigration statistics and censuses.

1.1 Estimates of irregular flows in a broader context

In 2013, the stock of international migrants worldwide reached 232 million, up from 175 million in 2000 and 154 million in 1990. Since 1990, North America recorded the largest gain in the absolute number of international migrants. Between 1990 and 2013, North America added 25 million migrants. Europe received the second largest number during this period (23 million), followed by Asia (21 million). According to UNHCR, the estimated total number of refugees in 2014 was 19.7 million (including 5.1 million Palestinians). OECD recently claimed that approximately half a million undocumented migrants enter the European Union every year. According to the European Union (EU) Commissioner for Migration, Home Affairs and Citizenship, an estimated 276,000 migrants entered Europe irregularly in 2014. Many more have entered Europe as students or on other visas, which they overstay.

A number of new trends emerged in 2014 (particularly in the last months) along the Mediterranean route. According to Frontex, the EU border control agency, the winter months saw an unprecedented rise in the

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7 De Haas (2006) p.5-6. In societies and communities where a culture of migration has developed, the pressure to migrate is intensified irrespective of the risks (ILO (2011) p.8 & p.12).
8 UNHCR Global Trends 2014. Migrants, in this context, are defined as people usually resident in a country other than the one where they were born.
9 Ibid.
10 UN DESA (2013).
11 OECD (2009).
use of the central Mediterranean route by undocumented migrants and asylum-seekers. In previous years (going as far back as a decade), poor weather traditionally led to a decline in the number of migrants/asylum-seekers making the crossing. Although Libya remained the preferred departure point for smugglers facilitating entry into the EU in 2014, the last months of 2014 saw an appreciable number of boats arriving from Turkey.

America finds it difficult to prevent irregular migration. There are more than 40 million foreign born in the U.S. and an estimated 11.4 million are in irregular status. This means a large majority are legally in the country, with the largest segment being naturalized citizens. The border controls that have been put in on the Mexico border (and ongoing deportations) are largely seen as having been quite effective. The actual size and the origin of the undocumented or illegal immigrant population in the United States is difficult to ascertain, but data suggests an estimated 11.4 million unauthorized immigrants were living in the US as of January 2012. According to a Pew Hispanic Center report, in 2004, 57 per cent of illegal immigrants were from Mexico; 24 per cent were from other Latin American countries, primarily from Central America; 9 per cent came from Asia; 6 per cent came from Europe and Canada; and 3 per cent came from Africa and the rest of the world. Most simply crossed the Rio Grande and turned themselves into the Border Patrol, relying on the belief that United States law made special provision for illegal immigrants who were children. Immigration and Customs Enforcement deported more than 250,000 immigrants between October 2013 and July 2014. Some sources suggest the number of those deported in 2014 was closer to 400,000.

There are no authoritative estimates of the unauthorized population in Canada although media reports regularly cite between 200,000 and 400,000 individuals. This would constitute to between three and six per cent of the foreign-born population (which is approximately 20 per cent of the whole Canadian population). Clearly, while these figures are speculative, they indicate that the problem Canada faces (particularly from unauthorised maritime movement) is minor. However, the year 2015 may see a surge of undocumented people in Canada when four-year work permits for thousands of temporary foreign workers expire under a 2011 federal law.

Australia is listed by UNDESA as one of the top ten countries in terms of the number of international migrants as a proportion of the population. According to the Australian Bureau of Statistics (ABS), in mid-2010, almost six million Australian residents were born outside Australia, representing 26.8 per cent of the total Australian resident population. But the overwhelming majority of these migrants are regular and ‘legal’.

According to Australian Government sources, the majority of irregular migrants residing in Australia are visa over-stayers, who enter the country legally, but remain there after the expiry or revocation of their visa. Notwithstanding this, Australia recently saw an increase in asylum seekers/migrants arriving by boat, predominantly asylum seekers from Afghanistan, Iran, Iraq, Pakistan and Sri Lanka. Between 2008 and 2013 (inclusive), Australia recorded nearly 52,000 IMAs on its shores. Australia’s geography and the extent of sea surveillance and border control means that these movements are easily detected and accounted for.

1.2 Irregular migration from the Horn of Africa

Irregular migration within the Horn of Africa and out of the region is extensive. The level of internal movement within the region is dynamic and highly reactive to political and climatic/environmental pressures, as well as national immigration and refugee policy. Movement out of the region is extensive and appears to be on the rise. It is shaped less by short-term reactions to particular stresses or crises than rooted in longer-term factors.

13 FRONTEX (2014).
16 Hulse (2014).
17 Caldwell (2014).
18 Bloemraad (2012).
The Intergovernmental Authority on Development (IGAD), a regional bloc that comprises one of Africa’s economic communities, is a useful alternative designation for the Horn of Africa region, as it comprises Djibouti, Ethiopia, Eritrea (suspended), Kenya, Somalia, Sudan, South Sudan and Uganda. The total population of this bloc is approximately 200 million, of which approximately 2.5 million people are registered refugees, approximately 5.6 million are Internally Displaced Persons (IDPs) and 100,000 are asylum seekers. Excluding the undocumented number of economic migrants in IGAD, which is difficult to quantify, the total uprooted and displaced population represents approximately eight million or four per cent of the total IGAD population.\(^\text{22}\)

While these eight million displaced people are fairly sedentary (in the short and medium term), there is a parallel world of \textit{mixed migration} flows that includes economic migrants, refugees and asylum seekers (often practicing secondary movement patterns), as well as smaller flows of trafficked people that tend to be highly fluid, moving under the official radar and hard to monitor. Nevertheless, indicative data suggests the number of people on the move annually in recent years is likely to be more than 200,000, representing just 0.1 per cent of the IGAD population.\(^\text{23}\) As the country-specific profiles in Appendix A illustrate, irregular migration is more relevant to some countries than others in the IGAD bloc. For example, while Kenya and Djibouti are important transit and host countries, their nationals are rarely found in \textit{mixed migration} flows. On the other hand, Ethiopians make up the bulk of irregular migration flows taking the eastern route out of the region into Yemen (see below), numbering approximately 286,000 migrants and representing 78 per cent of the total number choosing that route in the last four years (2011 to 2014 inclusive).\(^\text{24}\)

1.3 External migration routes

External migration movements originating from the Horn of Africa correspond to the direction of the primary points of the compass:

The \textbf{eastern} route (into Yemen to Saudi Arabia and beyond); this is the most documented route and the most popular – in the last four years an overwhelming annual average of approximately 93,000 Somali and Ethiopian migrants have taken this route (a total of 367,000 in the last four years).

The \textbf{southern} route (down the Eastern Corridor via Kenya towards South Africa and beyond) – this route is less popular and the most reliable documentation available is five years old. However at that time (2008-09) the estimate was that between 17,000 and 20,000 Somalis and Ethiopians were using the southern route annually.\(^\text{25}\)

The \textbf{northern} route (into Sudan and Egypt, and previously via Sinai into Israel) was severely restricted as of mid-2012 and curtailed as of early 2013. This route has been used mainly by Eritreans and Sudanese but the numbers are not documented. Estimates of Eritreans leaving Eritrea are discussed in the country profile in Appendix A.

The \textbf{western} route commences in Eritrea, Ethiopia, Somalia or Somaliland, passes through Sudan and, for some, either ends in Libya as a country of destination or, for most, continues towards Europe (Italy, Malta) by crossing the Mediterranean and using Libya as a transit country.\(^\text{26}\) The Mediterranean crossing to Italy or Malta is referred to as the Central Mediterranean route by the European border agency Frontex. The western route has become increasingly popular, but the hazards facing migrants on this route are considerable. No reliable data exists on the numbers involved, apart from records of interceptions and rescues, as well as the number of deaths at sea.

On all the routes, smugglers are commonly used for part or all of the journeys. As irregular migrants, unless they assert their claims as asylum seekers (assuming the transit or destination countries accept such claims), they cross international borders without authorised documentation and must therefore travel clandestinely under the aegis of smugglers and are exposed to considerable risks including those of

\(^{22}\) Calculated from various sources including UNHCR, the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) and the Internal Displacement Monitoring Centre (IDMC).

\(^{23}\) Calculated from RMMS and author estimates. Hard data not available.

\(^{24}\) Calculated from accumulated RMMS data based on regional statistics and UNHCR data.

\(^{25}\) Horwood (2009).

neglect, violent abuse and extortion. Where they encounter state officials, migrants repeatedly report further abuse and exploitation. They risk arrest, detention (sometimes arbitrary) and deportation. In terms of fatalities and extreme abuse, the recent IOM publication, *Fatal Journeys – tracking lives lost during migration*, presents a grim picture of irregular migration from the Horn of Africa.

Clearly, these identified routes and corridors are not the whole story. Migrants from the Horn of Africa are found in significant concentrations in certain locations a long way from the destinations mentioned above. Those in irregular migration flows can take many months and years to arrive at their final destination. They may use a combination of land and maritime routes (as irregular migrants), then obtain false or legal documentation somewhere along the route. They are then able to enter a country of destination ‘legally’ on commercial flights.

The initial targeted destinations may change over time as migrants are influenced by unforeseen factors or new opportunities. For example, migrants arriving in southern European countries (Italy, Malta, Greece and Spain) rarely remain there. The same applies for migrants (mainly Somali) who make it to South Africa. After some years the same migrants have, for example, found a way to South America, North America, Europe and Australia. Some migrants take highly convoluted routes before they establish permanence (albeit as refugees or irregular / illegal migrants). In the past, Australia has been a rare destination for those in irregular migration flows from the region, especially for those contemplating terrestrial and sea transportation.

2. Country-specific issues

Irregular migrants originate from, and transit through, a small number of countries in the Horn of Africa and within particular migration-related contexts. The bulk of irregular migration flows comprise of nationals from Eritrea, Ethiopia and Somalia (including the South Central region centred on the capital Mogadishu, in addition to the nominally independent break-away regions of Puntland and Somaliland). Because Kenya is such an important hub as a source, transit and destination country, it is also featured. This section will therefore provide a country-specific breakdown to highlight the differences in terms of the profile of those on the move, their drivers, their objectives and the protection risks and deficits they face. (A summary of trends and characteristics is offered in the subsequent section 3.)

Table 1: Snapshot view of aspects of irregular migration in five key countries in the Horn of Africa

<table>
<thead>
<tr>
<th>Djibouti</th>
<th>Scale and scope of movement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irregular migrants</td>
<td>The exact number of Djiboutian irregular migrants is not known. However, between 2011 and 2014 (inclusive) approximately 243,000 people transited Djibouti en route to Yemen.</td>
</tr>
<tr>
<td>Refugees and asylum seekers</td>
<td>According to UNHCR there were 27,500 refugees and asylum seekers in Djibouti in December 2014 – the majority of refugees are Somali (21,580) followed by Ethiopian (480) and then Eritrean (610). The numbers of refugees in Djibouti has remained fairly stable in recent years (rising slowly) because most flows of irregular migrants, particularly from Ethiopia, pass through Djibouti to Yemen.</td>
</tr>
<tr>
<td>Internally displaced persons</td>
<td>In times of severe drought, such as 2011 and early 2012, some Djiboutians moved to urban locations, in particular Djibouti city, but as a rule there are few or no IDPs in Djibouti.</td>
</tr>
</tbody>
</table>

27 The scale and nature of this abuse is highlighted in the country-specific sections below and are extensively detailed in the references listed.
29 For example, Minnesota in USA and Ontario in Canada. Some migrants were refugees benefiting from resettlement programs, but many more have arrived through irregular means and may live irregularly or have managed to regularize their situation since arrival. The State department suspects that ‘tens of thousands’ may have illegally entered through false identities and taking advantage of US refugee family reunification programs. Apparently Affidavit of Relationships can be purchased on the streets of Nairobi. Refugee Resettlement Watch (2008).
### Trafficked persons

Djibouti is on the US State Department’s Trafficking in Persons (TIP) Report’s Tier 2 watch list (in 2014) and has been listed from 2011 to 2014 (inclusive) as a source, transit and destination country for persons subjected to forced labour and sex trafficking. The 2014 report further says, ‘An unknown number of migrants transiting Djibouti are subjected to conditions of forced labour and sex trafficking upon arrival in these destinations.’ Although officials convicted one trafficker, he was released from jail when his appeal resulted in a suspended sentence.

### Ethiopia

#### Scale and scope of movement

#### Irregular migrants

Ethiopians dominate irregular migration flows into Yemen: over 78 per cent of new arrivals in Yemen in 2014 were from Ethiopia. This number rapidly increased from around 34,400 in 2010 to over 84,000 in 2012 before declining to approximately 75,000 in 2014. The cumulative volume of Ethiopians arriving in Yemen since 2006 (up to the end of 2014) is at least 410,000. Over 160,000 Ethiopian ‘illegal’ migrants were forcibly deported from Saudi Arabia (to the Ethiopian capital Addis Ababa by plane) between November 2013 and February 2014. An unknown number of Ethiopians travelled north, west and south out of their country in mixed migration flows.

#### Refugees and asylum seekers

Ethiopia has overtaken Kenya to become the largest refugee-hosting country in Africa, sheltering an estimated 660,000 refugees as of December 2014. These include approximately 300,000 South Sudanese, 254,000 Somalis and 107,000 Eritreans. Countries of asylum for Ethiopian refugees: in the region are Kenya (21,300), South Sudan (6,500), Sudan (7,280 asylum seekers) and Yemen (6,300). In total there were around 74,500 Ethiopian refugees globally (UNHCR, as of June, 2014) from a total Ethiopian population of 96,500,000 (United Nations Population Fund (UNFPA), as of 2014).

#### Internally displaced persons

The number of IDPs in Ethiopia has not been independently estimated, but the Government of Ethiopia claimed in late 2012 that there were 200,000 IDPs in-country. International Displacement and Monitoring Centre (IDMC) (as of September 2014) estimated there are 350,300 IDPs.

### Eritrea

#### Scale and scope of movement

#### Irregular migrants

In 2011 and 2012, it was estimated that between 2,000 and 3,000 Eritrean migrants entered Eastern Sudan every month. In January 2013, it was reported that the number had dropped to hundreds, but 2014 saw another increase with an average of 2,000 crossing into Ethiopia every month in 2014. There was a marked spike with 5,000 in one month (mid-October – mid-November 2014). Some observers claim the current monthly exodus of Eritreans into Sudan and Ethiopia is approximately 5,000.\(^\text{30}\)

#### Refugees and asylum seekers

The exact number of asylum seekers/refugees within the regular migration flows reported above is not known.

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\(^{30}\) The accurate number of people forming the recent Eritrean exodus is unknown. Some register as refugees and many do not. Also in recent years the estimated average monthly and annual flows have changed considerably. A special explanation of Eritrean data can be found in the RMMS publication Going West (RMMS (2014d)).
<table>
<thead>
<tr>
<th><strong>Internally displaced persons</strong></th>
<th>IDMC identify around 10,000 internally displaced people in Eritrea.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Trafficked persons</strong></td>
<td>The US State Department’s Trafficking in Persons Report in 2014 ranks Eritrea as Tier 3. Eritrea is listed as a source country for persons trafficked for forced labour, and to a lesser extent, sex and labour trafficking abroad. The report claims the Government of Eritrea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so.</td>
</tr>
<tr>
<td><strong>Kenya</strong></td>
<td><strong>Scale and scope of movement</strong></td>
</tr>
<tr>
<td><strong>Irregular migrants</strong></td>
<td>The total number of irregular migrants originating from Kenya is undetermined. The most popular movement of Kenyans are to the Middle East and Gulf States for work. It is estimated that there are over 40,000 Kenyan migrant workers in Saudi Arabia, and most are regular migrants. However, thousands of people in irregular migration flows transit Kenya or work temporarily in Kenya with a view to secondary movement.</td>
</tr>
<tr>
<td><strong>Refugees and asylum seekers</strong></td>
<td>Kenya hosts the largest population of Somali refugees and asylum seekers in the world (around 463,000) as well as a high number of Ethiopians (21,300) and South Sudanese (around 97,800). Since late 2012, a steady flow of refugees have been leaving the camps to return to Somalia (some thousands). A few hundred refugee returns have been organised by UNHCR as a pilot phase of the return programme, under the Tripartite agreement between UNHCR, the Kenyan Government and the Somalian Government, in December 2014. There are estimated to be around 8,600 Kenyan refugees worldwide (UNHCR, as of June 2014) from a total population in Kenya of 45.5 million people (according to UNFPA, as of 2014).</td>
</tr>
<tr>
<td><strong>Internally displaced persons</strong></td>
<td>According to the IDMC as of June 2014, ‘the most recent informed estimate – provided by UNHCR in January 2013 – of 412,000 IDPs does not include those displaced by natural disasters, development projects and pastoralist IDPs. Nor does it include any of the estimated 300,000 people who fled post-election violence in 2007-2008 and who are usually described as “integrated” IDPs.’ According to UNHCR, there may also be up to 30,000 ‘stateless’ people in Kenya needing assistance.</td>
</tr>
<tr>
<td><strong>Trafficked persons</strong></td>
<td>The US State Department’s Trafficking in Persons Reports from 2011 to 2014 (inclusive) lists Kenya as source, transit and destination country for persons subjected to forced labour and sex trafficking. According to partial data provided by the (Kenyan) Department of Public Prosecutions (DPP) for five of Kenya’s 47 counties, 30 cases of trafficking were prosecuted during the reporting period. The report claims that the Government of Kenya does not fully comply with the minimum standards for the elimination of trafficking; but it is making significant efforts to do so. However, the government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Kenya remains on the Tier 2 Watch List for a third consecutive year.</td>
</tr>
<tr>
<td><strong>Somalia</strong></td>
<td><strong>Scale and scope of movement</strong></td>
</tr>
<tr>
<td><strong>Irregular migrants</strong></td>
<td>In 2011 and 2012, over 210,000 Somalis entered Kenya and were registered at the Dadaab refugee camp, though some migrants have found their way into urban centres and avoided the camps. Rough estimates suggest there may be up to 200,000 Somali unregistered irregular migrants and refugees in Nairobi alone. Others transit Kenya aiming to reach South Africa (some 6,000 per year, as estimated in 2009); east, crossing the Gulf of Aden to Yemen (approximately 86,000 between 2011-2014); and west, towards Libya with the intention of accessing Europe.</td>
</tr>
<tr>
<td><strong>Refugees and asylum seekers</strong></td>
<td>There is an official number of 926,000 Somali refugees in the region alone (Djibouti, Ethiopia, Kenya and Yemen), and hundreds of thousands beyond the region. (UNHCR, as of March 2015). Somalia has an estimated total population of around 10,800,000 people (according to UNFPA, as of 2014).</td>
</tr>
<tr>
<td><strong>Internally displaced persons</strong></td>
<td>According to IDMC, there are around 1.2 million internally displaced persons due to conflict and natural disaster, as of December 2014.</td>
</tr>
</tbody>
</table>
Somalia is classified as a ‘special case’ in the US State Department’s Trafficking in Persons Report 2014 for the 12th year running. It is listed as a source, transit and destination country for persons trafficked for forced labour and sex trafficking. The true extent is not known, but according to the report ‘Somalia is a source, transit, and destination country for men, women, and children subjected to forced labour, underage military recruitment, child labour and sex trafficking. Specific information regarding trafficking in Somalia remains difficult to obtain or verify. Victims are reportedly primarily trafficked from Somalia’s southern and central regions to the regions of Puntland and Somaliland in the north. In Somaliland, women often act as recruiters and intermediaries to take victims to Puntland State, Djibouti, and Ethiopia for domestic servitude or sex trafficking. Somali women and girls may also endure sex trafficking in Garowe, Las Anod (Sool region), and so called ‘pirate’ towns such as Harardheere. Pirates also use children aged 15 to 17 to carry out their illegal activities. There are reports of court cases and convictions in Puntland and Somaliland involving trafficking and human smuggling.

(Sources: As indicated from various agencies but most have been drawn from monthly summaries, computation and analysis from the RMMS – Regional Mixed Migration Secretariat. See methodology comment at start of report)

3. Summary of trends and characteristics

3.1 Summary of trends

In line with global displacement characteristics and trends, irregular migration in the Horn of Africa over the last five years has become more complex, more mixed, and larger in volume. Migrants themselves are less protected, more subject to exploitation, and less tolerated in host and transit countries. The following trend analysis is informed by evidence-based analysis from recent research conducted by RMMS in Nairobi, and draws on the country specific profiles outlined in Appendix A.

The drivers and compulsions causing people to move are often multiple and interrelated. For example, people may qualify as asylum seekers because of a conflict situation or oppressive regimes, but they may also be escaping environmental stress and a lack of economic opportunities. Some claim to be escaping a temporary situation when in fact they are looking for permanent establishment elsewhere.

Migrant flows are more mixed in so far that smugglers are transporting refugees, asylum seekers and economic migrants together more than ever. Furthermore, all groups may become victims of trafficking as they migrate.

In recent years irregular migration flows have increased dramatically. The volume of migrants irregularly travelling to Yemen has doubled between the four years of 2006 to 2009 as compared with 2011 to 2014. Although data is partial for the other routes, indicative reports indicate that the numbers going south, east and north have also increased in the last four years.

The protection deficit for those on the move is considerable. Those in irregular migration flows generally travel clandestinely (but in plain view and known to authorities) but face high levels of abuse and neglect from smugglers, criminal gangs, certain state authorities and local communities, who seek to profit financially (and in some cases sexually) from migrants.

Criminal elements and perpetrators and state authorities collude and operate with widespread impunity. State authorities are not regarded as agents offering protection to migrants, rather they seek to exploit and victimise them, criminalise their immigration transgressions and are potentially more dangerous to the migrants cause (by returning / deporting them to their country of origin).

In recent years the number of reports and the level of knowledge around the exploitation of migrants has grown. While violence, sexual attack, robbery and detention were always present, the rise in abduction and brutal kidnapping as a means of extortion has been sudden and has spread from Sudan and Egypt to
Yemen and Libya involving very large numbers of migrants. In addition to witnessed cases of sexual attack, an unknown number of female migrants appear to disappear in the region, presumed trafficked.

There is less tolerance for displaced people in the region. While governments in the region continue to play host to large numbers of refugees (over 1 million - mainly Somali, Eritrean, Ethiopian and South Sudanese), and as the area becomes more securitised and attacks by Islamic extremists increase (in Somalia, Yemen, Kenya and Uganda), the attitude in the media and promoted by politicians is less tolerant of migrants and refugees. In some countries this is more pronounced than others. Controls against irregular migration flows are being more strictly implemented, but generally the numbers overwhelm the authorities.

Responding to the challenges of irregular migration

Donors, governments, mandated agencies and other stakeholders are increasingly confused, have weak or non-existent policies, and usually have little understanding of the scale, scope and conditions related to migration. There is also confusion over how to respond to the dramatic rise in mixed migration, especially in the context of the dynamics of smuggler-managed economic migration within the region and beyond.

The increase in numbers has overwhelmed some communities. Traditional compassion and hospitality for the ‘traveler’ has turned into more callous rent-seeking behaviour and opportunism. In areas where many migrants pass, the community may now be involved in smuggling and extortion activities and for others (for example Loy Ade in Somaliland). The use of conventional definitions of ‘refugee’, ‘asylum seeker’ and ‘economic migrant’ (with their specific rights and duties) is thus problematic and insufficient to address the increasingly mixed nature of migration. Regional realities around migration are straining and challenging definitions created in the post-war period in Europe (1951 Refugee Convention). Donors are unsure if protection and the management of irregular migration flows fall under conventional approaches to development or the humanitarian agenda.

There is an absence of a cohesive or consistent regional response to irregular migration. Predominantly, it is seen as a ‘law and order’ issue and dealt with by the executive. However, the application of the law is partial, fragmented and open to corruption. In many cases, the reaction of authorities to migrants is arbitrary – some are detained, others deported, some sentenced to years in prison while others are released.

The dynamics of irregular migration in terms of its scale and scope, the specific drivers, the level of abuse and violence it sustains and the scale of criminality that underpins irregular migration is often not understood by policy makers. Even the root causes and main drivers are not fully understood (see below in section 4 for discussion). Mixed migration is dynamic and highly complex. Further, an individual’s circumstances may change in the course of their journey whereby they start their journey as a refugee and as a consequence of changing events within or beyond their control they may become economic migrants. Changes in circumstances may occur several times in the course of their journey. On-going and timely research and analysis is therefore essential to better inform policy makers.

3.2 Migrant risk assessment

It would be wrong to underestimate the agency migrants themselves have in risk assessment when they plan to migrate. Evidence from interviews with Ethiopian migrants shows that while they may be ‘blinded by hope’ they are not blinded by ignorance or a failure of agency. In most cases they are very aware of the level of risk they face.

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31 In the month of January 2013, for example, there were at least 36 reported cases of sexual and gender based violence, most of them at sea and perpetrated by the smuggling crew. Almost every female encountered by monitoring teams in Yemen indicated that they either had been the victim of rape or had witnessed rape during the boat journey. Those interviewed in northern Yemen close to the Saudi border had accounts of gang rape, abduction (to unknown whereabouts) and sale of female migrants into private servitude or ‘ownership’ (RMMS (2013h)).

32 For example, when people who were planning to migrate were asked if they understood the risks they may face when migrating 80% knew of the risk of rape and sexual abuse, 79% expected the risk of murder or the threat of it, 86% expected the risk of kidnapping and being held for ransom (RMMS (2014c)).
In the Horn of Africa we find migrants in irregular flows may also switch between identifying themselves as asylum seekers or refugees and as economic migrants. In what may be seen as chameleon behaviour they change their identity by switching between invisibility and visibility and between claiming rights and laying low. In fact this conforms to a level of survival logic where they use their status while on the move to maximize advantages and minimize risk.

Where they can, many register for asylum or as refugees, thereby benefiting from shelter in refugee camps, distribution of resources (bedding, clothes and food), contacts & information sharing (in transit centres and camps where smugglers may also be present), sourcing documents (often, but not always false) and finances (through temporary casual labour and, less commonly, crime). The aim is, of course, to re-group, re-organise and test out the next leg of their journey to their target destination – a journey that may take months or years to complete.

For Ethiopians and Somalis, examples of refugee camps being used as staging posts for secondary movement include: The Dadaab complex in Kenya, Dzaleka in Malawi, Marratane camp in Nampula in Mozambique, Ali Adhe in Djibouti, Al Kharez in Yemen, Shagareb camps in Sudan, and Shire camps in Northern Ethiopia. Apart from camps and transit centres, migrants use cities and towns along their routes for the same purpose. Migrants are often able to hide and gain support from an established ‘ghetto’ of migrant countrymen or kinsmen in such urban settlements.

While outside the scope of this paper, it is also worth noting in relation to migrant agency that migrants can display highly enterprising behaviour. The ability of some migrants to use/abuse international rights regimes and to select between different countries of destination is well documented. Choices based on the presence of existing diaspora and contacts, language, the existence of a refugee processing regime, perceptions of the availability of work and social welfare opportunities, perceptions of how they will be treated by the host population, access to education, health, permanency and family reunification etc. all contribute to the migrants’ choices.

3.3 Growing protection risks

Being part of irregular migration flows means getting caught up in the dark side of migration – an intersection between globalization and transnational crime. Refugees, asylum seekers and economic migrants face similar risks. Dangerous terrain and climate, treacherous seas, smugglers, traffickers, and unscrupulous officials do not discriminate between these decidedly academic and legalistic signifiers of status – all irregular migrants face substantial risks to their safety and lives.

The level of risk-taking behavior by migrants is both evident and documented. A joint study conducted in 2014 (DRC / RMMS) titled Blinded By Hope and based on over 300 migrant interviews, illustrated that most migrants embarked on their journey with full or partial knowledge of the range of specific risks they were likely to face. Perhaps, blinded by hope that they would be the lucky ones who escaped death, violence, abduction or detention, it seems they were prepared to continue the pursuit of their dream to reach Saudi Arabia at any cost. The following list seeks to categorise the various risks and vulnerabilities facing migrants – all of which have been growing in severity and frequency in recent years.

Commoditisation of migrants

Migrants on the move are increasingly being treated as commodities – as goods and chattels to be owned, transferred, sold, neglected, abused, and even killed. This may be exemplified by the rising numbers of kidnappings/abductions in Yemen and now increasingly occurring in Sudan and Libya, as well as occasional reports from South Africa.

In December 2014, 82 per cent of new arrivals from Djibouti (mainly Ethiopians) were kidnapped by criminal gangs with 17 per cent being female. This was not a freak event but has come to characterize the plight of new arrivals along the Red Sea coast. In Sudan the reality of migrants as commodities is even starker: in recent years the typical experience of an abducted migrant is to be repeatedly sold from

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33 A pertinent example of this in practice is that there are currently some 2000 Ethiopians and Eritreans ‘living rough’ in Calais, France waiting to ‘break into’ the UK and insisting that they do not want to apply for asylum in France and previous countries they would have passed to arrive in Calais - not a context imagined by those who framed the 1951 Refugee Convention.
gang to gang, each time the trade value of the migrant increases as they move towards, and into the Sinai. The final gang willing to hold and torture the migrant for ransom has often paid so much for the migrant (normally an asylum seeker from Eritrea) that they will do almost anything to secure payment from the relatives and the Eritrean diaspora.

**Criminalisation of migrants**

Throughout the Horn of Africa region undocumented foreigners are treated under criminal law. In efforts to deter migrants, or deal with them with greater control, countries have tightened their laws against immigration infringement and increased censure in terms of fines or prison sentencing. As such, the act of crossing borders without correct documentation (even when trafficked) has been criminalized in the region, while human rights norms in other parts of the world are trying to deal with illegal migrants under administrative law. Typically the migrants’ story will include various episodes of detention by different police forces or military personnel. As migrants from certain locations are seen as potential terrorists, detention may also mean interrogation by anti-terrorist units. In the Horn of Africa migrants who are not deported will normally serve their sentences alongside other criminals.

Another aspect of the criminalization of migration is the fact that mandatory internment in refugee camps often pushes refugees into illegality. The restriction of rights to employment and education (affecting more than half a million refugees in Kenya) reduces the possibility for local integration. Tens of thousands of potentially enterprising refugees could contribute to local economies if permitted to do so. Of course, many already do so in Kenya – one example is the economic dynamism of Eastleigh in Nairobi, which is populated by Somalis, many of whom are living and working ‘illegally’ outside the camps and who are regularly harassed by police and immigration authorities. Many refugees become desperate due to the lack of opportunities, and at some point, decide to migrate and often use smugglers to do so.

**Criminalisation of the smuggler culture**

The act of smuggling can take place without abuse, even if the act itself breaks laws and infringes sovereign nation’s immigration rules. And for some (the wealthier migrants) their stories are often free of extortion and violation. But for most irregular migrants, smugglers are no longer the brokers and fixer/facilitators they may have once been, but are increasingly associated with criminal acts of abuse. In particular, smugglers seem to collude closely with perpetrators of violent and sometimes lethal acts (criminals and certain state officials) or are the perpetrators themselves. As the migrant smuggling economy has grown in recent years smugglers have become more closely identified with the brutal treatment of migrants. As the smuggling business has grown and become more lucrative it has also attracted more violent and desperate operators and has pushed out the less abusive actors. Those engaged in migrant smuggling enjoy high profits with little risk to themselves or their activities.

**Collusion and corruption of state officials**

Despite an increasing number of countries with clear anti-smuggling and anti-trafficking laws in the region, the number of arrests, convictions and sentencing of smugglers and traffickers appears to be extremely low.\(^{34}\) Even if convicted the punishments (especially fines) are derisory. With many countries in the Horn of Africa recording high levels of corruption among state officials, the authorities cannot be relied upon to adequately deal with transgressors.

In the Horn of Africa region and surrounding countries corruption levels are extremely high: Eritrea, Sudan, South Sudan and Yemen are all in the bottom 8.5 per cent of 177 global rankings, while Ethiopia (ranked 111) and Kenya (ranked 136) are only slightly less corrupt. Somalia is regarded as having the worst level of corruption globally.\(^{35}\)

It is virtually unheard of for any state official to be censured for corruption or criminal collusion in relation to irregular migration. Countless migrant accounts and details of irregular migration revealed by smugglers illustrate that state officials often actively facilitate the illicit migration economy. There are reports directly implicating local officials in robbery, rape, sexual abuse, extortion and trafficking. Years of

\(^{34}\) This is detailed in a Human Rights Watch report on the arrest and then release of numerous alleged perpetrators of kidnapping, torture and murder in Yemen (HRW (2014b)).

\(^{35}\) Transparency International (2013).
testimony from thousands of migrants implicate police, maritime guards, border guards, prison officials, army personnel, judges and immigration officials.

State officials often know the movement of migrants under the auspices of smugglers better than any other group. Members of the local community working in the smuggling industry, including drivers, fishing boat captains and crew operating in specific areas are often well known to the local law enforcement officials. Many observers speculate that the irregular migrant economy far outpaces any other form of income generating activities in many areas of the Horn of Africa, legal or illegal.

Counting the uncounted

IOM released a publication in late 2014 in an attempt to focus on deaths of migrants globally and identified significant gaps in terms of data and records concerning the extent of migrants’ deaths. ‘Deaths at sea’ appears to be the sole context where data is collated in a systematic, albeit incomplete, manner.

To develop a typography of ‘deadliness’ facing migrants is a sobering, if imprecise exercise. In the Horn of Africa, migrants die from physical hardship. They die in the deserts, on the roads, on the seas, lakes and in detention. They also die from suicide and illness, including organ removal. Deaths result from being stranded and through malicious neglect by smugglers. They are murdered by smugglers, criminals, traffickers and state officials. They are also killed by wild animals and bandits. Some migrant women and girls simply disappear – their fate unknown.

3.4 The illicit migrant economy

The IGAD is one of the poorest regions in the world with all countries in the ‘low development’ categories of United Nations Human Development indexes and Multidimensional Poverty Indexes. For example, the per capita GDP (purchasing power parity) level in Kenya was USD1,248, Ethiopia was USD505 and Eritrea was USD544. State official’s pay levels are notoriously low, even by their own countries’ per capita standards. In the absence of other income, the illicit migrant economy provides a valuable source of income in the region.

In terms of smuggling, although a relatively small number of people may be directly benefiting from the main profits of smuggling migrants (for example, around a dozen boats transported up to 80,000 migrants between Djibouti and Yemen in recent years), the benefits of this economy filter down (particularly to state officials and political strong men in transit areas and transit nodes) as well as to others further down the food chain.

The following examples illustrate how pervasive and lucrative the migrant economy is in the region.

Please note: Unless otherwise referenced, the figures used in the examples are estimates based on the author’s own calculations based on known current data and reports of fees and ransom levels from interviews with migrants.

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36 Deaths at sea: In the last four years (2011 to 2014) a reported 327 people died or went missing during the crossing from mainland Africa to Yemen. This represents just 0.09% of the total number estimated to have made the crossing. However, this may be a conservative estimate as reports of deaths mainly come from survivors and migrants who are not always aware of deaths. When people die on boat journeys that evade monitors or the authorities, the number of dead remains unknown. During the three years before 2011 (i.e. 2008 to 2010 inclusive) the estimated number of migrants that lost their lives in the crossing to Yemen was 1,604 out of an estimated 181,000 migrants that made the crossing, giving a death rate of 0.9% – ten times more dangerous than the current period (2011 to 2014). In 2013, the average percentage of deaths in the Mediterranean was 1.1% of the estimated 60,000 that crossed; in 2014 the death rate had almost doubled to 2% of the 165,000 that made the crossing (between Jan-Oct inclusive). In terms of lethality, therefore, the Mediterranean was 10 times more dangerous than the Gulf of Aden for irregular maritime migrants. [Data compiled from RMMS, UNHCR and IOM records for RMMS brochure: ‘Protection at Sea’ Dec 2014].

37 Insofar that GDP per capita indicators are useful as comparative indicators, the 2013 GDP per capita of Yemen was $1,437, the United States was $53,942, Australia was $67,458, the United Kingdom was $41,787 and Saudi Arabia was $25,962. (As documented by the World Bank using World Bank national accounts data and OECD National Accounts data files: http://data.worldbank.org/indicator/NY.GDP.PCAP.PD).
Crossing the Red Sea:

In 2014, the sea crossing from Djibouti to coastal areas of south western Yemen was worth at least between USD9.1 million to USD10.5 million. Over the last four years (2011-14 inclusive) it was worth between USD31.6 million to USD36.5 million. This calculation is based on the fees charged by smugglers for the passage alone and does not include the reported payments they receive from criminal gangs who pay for each migrant they abduct on arrival.

Crossing the Gulf of Aden:

In 2014, the sea crossing from Bossasso area to southern Yemen was worth at least between USD2.3 million and USD3.7 million. Over the last four years (2011 to 2014 inclusive) it was worth between USD12.6 and USD20.2 million.

Eritrean Exodus:

As a result of the continuing Eritrean exodus, smugglers, traffickers and even state officials have been implicated in the kidnapping and holding for ransom of Eritrean asylum seekers in Sudan and Egypt. A 2012 study estimated that between 2009 and 2013 criminals had extorted approximately USD600 million. In some cases a ransom of over USD50,000 was paid for a single migrant but the average is approximately USD22,000 per individual.

Exploiting a transit center:

An earlier study documented the illicit payments by migrants to camp officials in a small transit centre in northern Malawi. Ethiopians and Somalis were forced to pay USD130 each to be allowed to continue their movement to the country’s refugee camp, Dzaleka. In 2008, approximately 3000 migrants passed through the transit centre paying approximately USD390,000 to a small handful of officials in charge.

Going south:

In 2008, a study estimated that the number of Somalis and Ethiopians going to South Africa was between 17,000 and 20,000 per year. At that time the smugglers fees were between USD1,500 and USD2,000 meaning smugglers were earning between USD30 million to USD40 million per year. A more recent study in 2013 suggested the fees have doubled but the flow increases are not known. If the flow rates have remained constant (for the sake of the calculation) then in 2014 smugglers may have earned between USD60 million and USD80 million.

Crossing the Mediterranean:

According to the European Union (EU) Commissioner for Migration, Home Affairs and Citizenship, an estimated 276,000 migrants entered Europe irregularly in 2014. This marks a 155 per cent increase when compared to arrivals in 2013. Around 207,000 individuals made the Mediterranean Sea crossing in 2014.

In January 2015, Italy reported a total of around 170,100 migrants and asylum-seekers had arrived on its shores by the end of 2014. This is a significant increase when compared to the number of arrivals recorded in 2013 (almost 43,000 individuals).

Fees paid to smugglers span a huge range from USD1,000 per person to more than USD5,000 per person (sometimes much more). At times the fees quoted by migrants include land travel and cannot easily be dissembled. Despite these uncertainties the range of earning for a large and disparate group of sea smugglers and boat sellers would have, at least, been from USD207 million to USD1,035 million in the last 12 months from the sea crossing alone. Those using land routes (for example through Greece and Bulgaria) pay other rates.

40 Avramopoulos (2015).
41 Ibid.
Please note: These examples do not include the land route segments of the journey, for example from Khartoum to Tripoli, or Addis to Mombasa. Anecdotally, migrants have reported paying a total fee of up to USD15,000 for the journey from Somalia to Italy.

These examples also do not include the millions of additional sums paid to police or prison managers for release of detained migrants, to smugglers holding people hostage en route, to kidnappers of thousands of migrants (every month) in Yemen who pay as little as USD100 to USD500 for their freedom or the minor bribes paid to local police who repeatedly harass migrants.

4. Discussion and outlook

This section attempts to bring together some of the critical issues for consideration in relation to the migration discussion in the Horn of Africa and how it affects other regions and nations, including Australia. It will start by considering regional factors that shape the migration profile and re-examine some assumptions around migration drivers and ‘root causes’. The inevitability of increasing irregular migration as well as the subsequent implications and challenges will also be explored before looking at possible regional solutions.

4.1 Considering regional factors

This sub-section aims to encapsulate and provide a brief overview some of the active regional factors driving irregular migration in the Horn of Africa.

There are contradictory forces at play in the Horn of Africa region, both within some countries and within the region itself, which may have an impact on migration patterns.

There is evidence of considerable economic growth (economic growth rates have been high for Ethiopia, Kenya, Sudan, South Sudan and Uganda in the last decade)\(^42\) along with some evidence of political and social change (i.e. the development of institutions and constitutional reform). In terms of meeting Millennium Development Goals, the region is improving fast in relation to certain education and health outcomes, as well as in reducing absolute poverty. However, all Horn of Africa countries continue to be ranked low in multidimensional poverty and human development indexes.

At the same time, and often in the same countries, there are authoritarian tendencies, an absence of democratic space, and distributive justice, as well as destructive civil conflicts (South Sudan and Somalia) and political oppression (Eritrea and Ethiopia) with low levels of respect for human rights. The fear of militant Islam and other violent movements in the region (ethnic, religious or geographical) affect immigration and refugee policy especially in Yemen, Kenya and Ethiopia.

There are environmental stresses and many instances of resource competition causing displacement (among pastoralist and settled communities). This is partly caused by high population growth rates and poor management of resources. The medium and longer term effects of climate change are already affecting some communities and are expected to intensify in coming years. The Sub-Saharan population is currently 900 million (of which IGAD countries comprise approximately 25 per cent) and is expected to rise to 2.1 billion by 2050, with a further rise to 3.9 billion by the end of this century. Many Horn of Africa countries have some of the highest fertility rates globally.\(^43\)

As mentioned in the introduction, there are millions of displaced people in the region, as well as a huge number of refugees and asylum seekers. Additionally, the growth of irregular migration, including increasing numbers of economic migrants, means that all countries in the region can be considered countries of origin, transit and/or destination. Despite the development of institutions, the integrity of

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\(^42\) According to World Bank GDP growth rate per annum calculations between 2010-2014, Ethiopia’s was 10.6%, Kenya was 5.7% and Uganda was 6% (while in the same period, for comparison, South Africa and Switzerland were both 1.9%).

\(^43\) According to World Bank 2013 calculations Eritrea, Ethiopia, Kenya, Somali, South Sudan and Sudan are within the highest 34 countries in the world. Somalia is the third highest with a total fertility rate (TFR) of 6.7 (https://www.cia.gov/library/publications/the-world-factbook/rankorder/2127rank.html).
institutions, including the established judiciary and executive apparatus is often questionable, with high levels of corruption recorded in all countries in the region.

Despite the formal integration of countries as part regional economic communities, including IGAD, the East Africa Community (EAC) and the Common Market for Eastern and Southern Africa (COMESA), protocols to increase the integration of capital, trade and movement of people is proving hard to implement.

Considering an optimistic scenario: Even if the anticipated positive transformation in the IGAD region outpaces the forces that are creating crisis, and even if reform also outpaces crisis, according to migration transition theory, there is evidence from examples elsewhere, that economic migration inside the region and outside the region will continue to grow. With that growth may come more desperation and inventiveness if access to countries of destination is restricted.

Considering a less optimistic scenario: Potential (localized) regional conflict, environmental stress, development inequality and governance problems may add to the drivers already mentioned, and compounded with over-population and unemployment, migration is highly likely to increase.

There is no reason why either option needs to be suggested as a polarity, both could occur at the same time, but the probable impact on rising migration will be the same, if not compounded.

4.2 Reconsidering drivers

While each country in the region has specific characteristics (see the country profiles in section 2), the drivers of migration from the Horn of Africa region are normally listed as including impoverishment (livelihoods and unemployment); insecurity (civil conflict and forced military or militia recruitment); social oppression (forced marriages, dysfunctional home-life); political oppression; environmental fragility and natural disasters. These are the most considered drivers. Often regional government representatives characterize poverty as the single most important driver - the root cause.

The result of this analysis is that regional conferences, declarations and statements of intention normally identify poverty eradication and sustainable development as the ‘solution’ to irregular migration and displacement. Despite frequent but brief reference given to the historic benefits of migration – which are identified in other areas of the world – the narrative normally returns to migration as a negative phenomenon that needs to be restricted, controlled and ultimately curtailed.

This analysis deserves further scrutiny if the phenomenon is to be better understood. In particular, the powerful pull of less considered drivers, including ‘an emerging culture of migration’, chain migration, and what may be called ‘aspirational migration’ need to be evaluated. Furthermore, if conditions and opportunities were worse two decades ago, and if there were more jobs in the global economic boom of the 1980s and 90s, then why are we seeing a rise in migrants today? If poverty and economic opportunities are the main drivers, why do we not see poor Kenyans, Djiboutians, Ugandans or Tanzanians in the mixed flows?

As mentioned, the last decade has been transformative for many countries in the Horn and East Africa, but instead of finding people less likely to move from their homes the reverse is true. Some factors contribute to what can be called aspirational migration where migrants who may be well educated and are not affected by poverty or conflict are lured to move to other countries, tempted by a sense of adventure and aspiration of what they imagine other countries can offer them.

44 Developed from the Zelinsky Model of Migration Transition, migration transition theory explains that as communities / countries move out of poverty the rate of emigration grows with prosperity and development initially. Only later does it stop and reverse.

45 Perhaps as a foretaste of this, various examples illustrate the point: In 2014 violence erupted in Calais as stranded Ethiopian and Eritrean migrants had street battles with each other and riot police for the right to stow away on trucks heading to the UK. Ceuta and Melilla – Spanish enclaves in Morocco – frequently face invasions of between 200-1000 migrants swarming over their double fenced barrier in efforts to get onto European soil. There have also been hunger strikes and riots in the Australian managed Manus Island detention centre.

46 Some countries have developed or are developing a culture of migration whereby it is not only acceptable but expected that a member of the family migrate. As such it is often a family decision and the role assigned frequently to a young male. In some cultures in West Africa it is linked to the male sense of courage and bravery.
Some of the less considered drivers and factors influencing migration today are discussed below.

**Diaspora**

There exists a critical mass of former migrants who constitute the migrant-funding and migrant-informing diaspora who enable successive waves of migrants to move to join existing communities of migrants in the global North, and within the region and African continent. They enable so-called *chain migration*, which by definition will increase as numbers of successful migrants grow with permanent establishment in particular countries of destination.

**Labour demand**

Labour needs in the global North continue to increase. With the rapidly rising phenomenon of aging societies in the global North along with selective labour preferences (many citizens of the global North refusing certain jobs) throughout middle and high income countries (also in the Middle East and Gulf States), labour opportunities are plentiful. If the formal and informal labour markets did not have labour demands it must be assumed migration would be significantly reduced.

**Educational opportunities**

There are increasing educational opportunities in the global North as universities and other educational establishments have become more business-orientated and welcome high fee-paying foreign students – many of whom obtain legitimate student visas and then become irregular as they overstay their visas or drop out of studies and go ‘underground’.

**Brain drain**

At the same time, there is an increase in tertiary educated youth in the global South, including the Horn of Africa looking for options overseas as domestic employment opportunities and educational returns (salary levels) are inadequate. Additionally, the cohort of youth in all Horn of Africa countries is rapidly growing in proportion to their population.

**Access to communication technology**

An exponential rise in communication technology, including access to Satellite TV, mobile phones, internet, and especially social networks (in particular Facebook) has meant that many people in the Horn of Africa now have vastly improved communication links with the outside world. Some studies show that there is growing awareness of relative income disparity because of the growing access to mass media and communications and this causes more unhappiness and disquiet than low income itself. Some respond by moving towards centers or regions of higher wealth and opportunity.

**Increased mobility**

With a massive increase in transportation globally the world has become easier to travel through. The modern possibility to move through a combination of transportation options, increase of freight movement, increased aviation, sea passage, road networks and trains all contribute to the greater possibility to move.

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47 Although eight years old, an EU report of 2006 cites the Eurostat projection of a further 40 million immigrants between then and 2050. It asserts that ‘the total number of persons in work is set to decrease by 30 million between the end of the decade and 2050’ (The European Commission (2006)).

48 At current labour participation rates and low levels of inward migration, Western and Central Europe’s labour force would decline by over 50 million by 2050 (23 million during the period 2005-2025 and by another 43 million during the period 2025-2050). (Eurostat). With current rates of inward migration, the decline would still be over 30 million. (Sarmad (2014)).

49 This conforms closely to the ‘Dual labor market’ theories, which emphasize the causal significance of pull factors within recipient societies rather than push factors within the source countries. Modern economies have a chronic demand for immigrants in low-status jobs which continue to be attractive to growing numbers of immigrants without effecting an equalization of wages (OECD (2009) p.60).

50 This is a contradiction facing most countries of the global North; politicians and industry analysts know their labor demands are high but the local constituents’ appetite for high levels of migration to fill the jobs is low.
Increased sophistication

Some groups and communities have a sophisticated understanding of the refugee and asylum regimes of the global North. Contact with those who have succeeded in the past and have helped to increase knowledge of how to ‘play’ the system; which countries are more sympathetic, have more generous asylum packages, the extent to which social welfare systems will support migrants (in housing, education and health etc) contributes to what has be dubbed as ‘asylum shopping’. Smugglers too are aware of different opportunities and reportedly advise migrants accordingly – not always accurately.

Culture of migration

Among certain communities and nationalities a ‘culture of migration’ may have set in. In the Horn of Africa it may seem obvious that Eritreans would want to leave their country, but in Ethiopia and parts of Somalia there is evidence that it has become the norm for some members of the family to migrate. However, there are various differences between, for example, those that may conduct temporary income seeking migration (in Saudi Arabia and the Middle East) and those seeking permanent establishment elsewhere (normally Europe or the global North).

Social networks

This suggests a close alignment to what is known as the ‘social networks’ theory of migration, that suggests a path dependency to migration patterns. ‘Once a migration flow has begun, it gains a life of its own and may not be easily stopped by policy or even economic changes’. It is worth noting that while paths have already been established towards North America, Europe and the Gulf States, it is rare for Horn of Africa migrants to target Asian destinations and even less Australia.

Considering the above factors, when added to the more commonly cited ‘push’ factors it may be misguided to think poverty eradication and sustainable development (both slow) will reduce current irregular migration from Sub-Saharan Africa and especially the Horn.

Furthermore, if the pull factors are considered it will be very difficult to stop migration despite the fact that we can expect a major collision between rising migration and the increasingly migrant-wary politics of the North.

The conclusion of these findings have significant implications for migration policy as well as the analysis and understanding of the ‘root causes’ of migration. If understood and taken seriously these findings could contribute to the re-shaping of regional migration policy as well as the response of international organizations and donors to what is often seen as the current migration ‘crisis’. As mentioned, current policy analysis normally focuses on conflict and political discord and poverty as the root causes to be solved. Re-shaping the policy analysis would result in new and different idea in terms of government and donor –level response.

4.3 The inevitability of increasing levels of mixed migration

Economic drivers for migration, ongoing crises, the rise of migration as a coping strategy and entrenched cultural practice that accepts and expects community and family members to migrate will continue to drive an increasing trajectory of irregular migration for the foreseeable future.

As Hein de Haas wrote in 2007: “In the poorest countries, especially (such as the Sub-Saharan African countries which are the target of much international aid), any take-off development is likely to lead to accelerating take-off emigration for the coming decades, which is the opposite of what ‘development instead of migration’ policies implicitly or explicitly aim to achieve”.

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51 ILO (2011).
52 OECD (2009) p.60.
53 This may be an understatement of the response. In numerous European countries the immigration question has become a key political issue. Many right-of-centre and even minority nationalist parties are gaining support from those who feel the immigration question is the most important. Rising fear or fatigue/exasperation with extreme Islam only contributes to this ‘push back’.
54 De Hass (2007).
The assumption that development (assistance) can assist to reduce migration still prevails in aid and political circles. There is however increasing evidence that emigration generally rises with economic development until countries reach upper-middle income - only thereafter, emigration falls. As previously referenced, migration transition theory suggests that increased prosperity increases migration in the short and medium term. In a recent working paper of March 2014 for the Center for Global Development, the migration researcher, Michael Clemens, surveyed 45 years of research on this issue and concluded there is no indication of a negative relationship between income and emigrant stock when annual income per capita is within the range roughly between USD600 (that of today’s Ethiopia) and about USD7,500. In this range of income he found that the relationship is positive, meaning more development (income) will lead to more migration.\(^{55}\)

If development in the origin countries in the Horn of Africa proceeds as it has for the last decade, in the medium and longer term increasing numbers of people will be able to finance the cost of migration. According to these findings, more income means more migration. Successful development in the Horn of Africa region will therefore also increase migration in the short to medium term.

At the other end of the continuum, crisis will also force a migratory response. If the response cannot be met with legal options (or welcoming responses in the case of forced migration) then the movement will be illegal and irregular. Here crisis could include different configurations of the following characteristics that are already present or are periodically present in the region: the impact of poor governance, open conflict, militant extremism, insecurity, persecution of ethnic groups, the effects of climate change, natural disasters, increasing unemployment and low educational returns, continued impunity for traffickers and smugglers, continued corruption and collusion of certain state authorities with traffickers and smugglers.

When crises reach a tipping point for an individual, a family or a community a decision to move may be made as a desperate reaction (sudden onset). In less sudden situations migration may be used as a coping strategy where selected members of a family or community migrate to capitalise on a perceived advantage elsewhere.\(^{56}\) However, migration that is not crisis driven but a reflection of rising aspirations and possibility to move contributes to and develops into what may be characterized as a ‘culture of migration’, previously mentioned.\(^{57}\) It is noteworthy that while hundreds of thousands of Somalis fled Somalia during the 2011-12 drought (mostly to Kenya and Ethiopian refugee camps) the number leaving for Yemen in the last 4 years is fairly stable at around 20,000 per year. Despite a drop in 2013 (to 11,000), 2014 saw a return to 20,000 despite the fact that conflict in Somalia is lessening, there has been a central government for two years and UNHCR is planning with the Governments of Kenya and Somalia to begin the repatriation of half a million Somali refugees currently residing in Kenya.\(^{58}\) How do we account for this?

The point of this sub-section is to reinforce the argument that whether the future scenario is one of crisis and dystopia or peace, prosperity and growth, or a mixture of the two, there are compelling forces for migration - *mixed migration* - to expand in volume and determination.

### 4.4 The implications and challenges for states

Overall, people tend to stay in their countries of origin for a wide variety of reasons. Even in extremis only a small proportion chooses to move. While record numbers of Ethiopians arriving in Yemen were recorded in 2012 (some 84,000), they represented less than 0.09 per cent of Ethiopia’s estimated population of over 94 million.\(^{59}\) Even if the total number of Ethiopian migrants migrating annually to Saudi Arabia, or to Kenya, South Africa, Sudan, Libya and Europe (both regular and irregular) are added to this number, it would most likely not exceed 0.5 per cent of the population. Also of note is that only one-third of all migrants worldwide are international migrants. Most migrants stay within their countries as internal migrants. Only 15 per cent of all international migrants are from low-income countries - a category to which all countries in the Horn of Africa and Yemen region belong. However, this could change. For example, after decades of migration, an estimated 10 per cent of Moroccans live outside the country as

\(^{55}\) Clemens (2014).

\(^{56}\) Snel and Staring (2001) pp.7-22. One of the first to elaborate this point.

\(^{57}\) ILO (2011).This analysis pioneered the use of the term as a pull factor in migration in the region.

\(^{58}\) UNHCR (2015b).

\(^{59}\) World Bank figures from 2013 as presented in country data at http://data.worldbank.org/country/ethiopia. Other more recent estimates suggest it is now over 96 million.
migrants (some now naturalised). Proportions of this magnitude leaving Ethiopia’s population would be alarming to many, of course. Interestingly, Morocco is an example of a country where rising incomes and development has transformed it from being a source country, to a destination and transit country, with flows of emigrants from Morocco slowing down – illustrating the dynamics of migration transition theory.

However, by this reckoning, all countries in the Horn of Africa are at the early stages of migration as source countries. Countries like Kenya and Ethiopia are source, transit and destination countries for hundreds of thousands in the mixed migration flows. Each country can be expected to have its own migration profile and trajectory. Considering the multifarious factors influencing migrants’ decision to migrate, it cannot be assumed that if countries such as Eritrea and Ethiopia become less authoritarian, and develop more open democracies, that fewer people will leave – even if migrants currently leaving these countries cite political oppression of authoritarianism as their main driver. While many may regard irregular migration from Sub-Saharan Africa as already unacceptably high in number, the prognosis suggests it may be just the beginning.

One of the main insights claimed by the new DEMIG project is that while immigration restrictions often reduce immigration, these effects tend to be rather small and create four identifiable potential side-effects or 'substitution effects'. These side–effects apparently further undermine the effectiveness of restrictions or can even make them counter-productive. First, restrictions often compel migrants to 'jump categories', by finding other legal or irregular channels to migrate. Second, restrictions can lead to huge surges of 'now or never migration' - desperate migration even by those who may not have intended to migrate. Third, restrictions often compel migrants to explore new geographical routes by migrating to or via other countries. The fourth, and probably strongest, side–effect of immigration restrictions highlighted by DEMIG, is that they appear to not only reduce immigration but also reduce return migration. ‘In other words: they reduce circulation and push migrants into permanent settlement. Ironically, this is exactly the opposite of what the policies generally aim to achieve.’

De Haas concludes that policies that attract migrants tend to be more successful than policies that restrict immigration.

Israel’s fence

In 2003, Jagdish Bagwati wrote, ‘paradoxically, the ability to control migration has shrunk as the desire to do so has increased. The reality is that borders are beyond control and little can be done to really cut down on immigration.’ But this may not always be the case. Irregular migration is not inevitable or unstoppable, but in most cases it would be impractical, expensive and presupposes capacity and political will to effect systematic and stringent border control as well as heightened levels of prosecution of criminal profiteers of migration.

Israel, through the construction of a guarded fence, has hermetically sealed its border with Egypt and has reduced irregular migration down from approximately 12,000 per year (mainly Eritreans in recent years) to zero in early 2013 and just 21 individuals in 2014. The physical barrier was supported by increasingly anti-migrant (and particularly anti-African and refugee unfriendly) policy and legislation aimed at not only ending irregular entry into Israel, but the removal of the existing 60,000 migrants (mainly from Sudan and Eritrea). But Israel is a small country with defined short borders with a high capacity to patrol and manage them. With the dramatic rise in numbers of Eritrean asylum seekers in Europe in the last two years an argument could be made that one country’s successful curtailment of irregular migration merely exports the problem elsewhere.

60 ‘Morocco’s current population is about 33 million; more than three million people of Moroccan descent currently live in Western and Southern Europe’ (de Haas (2014)).
61 DEMIG – Determinates of International Migration is an Oxford based theoretical and empirical assessment of policy, origin, and destination effects. It is a five-year project (2010-2014) core-funded by the European Research Council (see: http://www.imi.ox.ac.uk/projects/demig).
63 Bagwati (2003).
64 Human Rights Watch (2014a) p.17.
65 Human Rights Watch (2014c) p.17.
‘Fortress’ Europe

The attitude to irregular migration is changing in Europe. The numbers seen crossing the Mediterranean and eastern land borders in 2014 and early 2015 have forced the European Union to reconsider how it intends to police its collective borders. Most significantly in late May 2015, the EU developed its new Migration Agenda with strong proposals (unanimously supported) to use military force to curtail human smuggling. In addition, the UK led countries seeking a UN resolution permitting European states to use force, including bombing vessels, in an effort to halt irregular movement through smuggling.

Previously it was considered that it would be very unlikely that Europe as a whole would attempt to duplicate the different (but effective) examples offered by the Israeli and Australian (amongst various examples) approaches to irregular migration. The cost, the geographical limitations, the unpopularity and potential illegality (by European law) in making ‘fortress Europe’ truly fortress-like were considered strong obstacles to effectively keeping irregular migrants from the Eurozone. But recent EU decisions indicate a new resolve to police borders more robustly. Nevertheless, smugglers and migrants are versatile and determined and most likely Europe will remain a viable option for smugglers and migrants for the foreseeable future.

There remain legal frameworks in Europe, or loopholes and additional legal considerations in play, to protect irregular migrants and rejected asylum seekers from forced deportation. The appeal process can take many months or years to conclude, for example. The inevitable continued flow into the Eurozone of irregular migrants could bring with it serious contradictions in social and political spheres as Europe’s tendency to tolerate irregular migration and its instinctive desire to protect victims (of poverty, trafficking, oppressive regimes, war, etc.) will collide with Europeans’ rising intolerance of increasing numbers of migrants (as witnessed by the rise in popularity of anti-migrant movements and political parties in countries such as, inter alia, France, Germany, the United Kingdom, Greece, Netherlands and Denmark). Additionally, as the migrant issue is conflated by some with rising fear of extremism,66 the politics of immigration promises to remain a key issue throughout this present decade, at least.

Irregular maritime migration to Australia67

Between 2008 and 2013 (inclusive), Australia experienced historic levels of irregular maritime migration, predominantly by Iranian, Sri Lankan, Afghan, Pakistani and Iraqi asylum seekers. During those six years, Australia recorded more than 50,000 IMAs on its shores, whereas in the preceding six years it received barely 250 arrivals.

The latter part of this peak period of irregular migration witnessed a rapid diversification of IMAs to Australia, including increasing numbers from the Horn of Africa. Between 2008 and 2013, Australia recorded almost 1,000 IMAs from the Horn of Africa, the vast majority being from the Republic of Sudan (around 550) and Somalia (around 400), with almost all of these migrants arriving in 2013 alone. While already accustomed to boatloads of South Asian and Middle Eastern asylum seekers/migrants arriving, Australia suddenly faced the unexpected arrival of Somalis and Sudanese, as well as a handful of Ethiopians and Eritreans, none of whom have particularly sizeable diaspora populations.

These migrants are understood to have travelled by air into Southeast Asia before embarking on organised maritime smuggling ventures from Indonesia, alongside nationalities from the Middle East and South Asia. Without more detailed demographic data on these migrants, it is hard to draw firm parallels between this new flow to Australia and the more established migration channels to Yemen and Europe. For example, it is not clear whether these migrants to Australia were initially part of the more mainstream mixed flows to Yemen; whether they had pursued these routes separately in the past; or whether they travelled in a more direct manner to Southeast Asia before boarding a vessel to Australia.

67 The following analysis and supporting statistics on IMAs to Australia have been informed by input from the Irregular Migration Research and Analysis Section in the Department of Immigration and Border Protection.
Australia is geographically very distant from the Horn of Africa and there is no established tradition of Horn of Africa citizens migrating to Australia. While there are communities of Somali and Ethiopian migrants who have been resettled through Australia’s offshore refugee resettlement program, these are small in comparison to the large urban Somali and Ethiopian communities in the United Kingdom, Sweden, or North America.

The cost and difficulty of travelling from the Horn of Africa to Australia – a route with a smaller economy of scale, much greater distances, and fewer family and community links – means it is likely that these movements involve more organised, sophisticated, well-resourced, and experienced migrants and facilitators. Geographical proximity and existing economies of scale clearly favour the major migration channels to Yemen, the Arab Gulf States and Europe, over Australia. However, the sudden emergence of these flows to Australia does pose a number of issues relevant to migration policy makers in Australia, as well as Horn of Africa specialists:

- There is an appetite among both potential migrants and their facilitators for pursuing new routes out of the Horn of Africa, including as far away as Australia, despite the greater costs and difficulty involved. The dynamics of ‘pioneer’ migration from the region and the ‘testing’ of new routes warrants analytical attention.

- Despite its geographic isolation and small diaspora from the Horn of Africa, Australia is not immune to irregular migration from the region, and the factors driving it. The surprising manner in which the flows emerged may suggest that existing migration paradigms in relation to Australia – concerning its geographic isolation from conflict, displacement and migration hotspots in Africa – should be reconsidered.

- Notwithstanding the continued effectiveness of Australian deterrence measures, it remains plausible that flows to Australia could occur again, while it is also highly likely that other new routes from the Horn of Africa will be explored and ‘pioneered’ by migrants and facilitators, in the future.

4.5 Regional solutions?

As a longstanding advocate for refugee rights, Roger Zetter recently wrote, ‘policies that secure more open channels for orderly, managed, regular migration and mobility, especially to countries in the global north, will greatly assist in relieving the pressure of irregular migration and thus the protection challenges that derive from it.’ For Zetter, rather than Europe and the global North restricting access, he supports moves towards ‘much larger and more effective resettlement programmes in the global north’ as essential to ‘secure longer-term protection for a greater number of refugees; relieve the pressures of irregular migration; and to demonstrate burden–sharing with highly-impacted countries.’ However, in the current climate these aspirations may be unrealistic and if the international environment for movement becomes more restrictive, the region itself may provide alternatives and solutions.

The Horn of Africa region is not short of national laws and regional or international legislation or agreements concerning irregular migration. However, what we find is that countries react with a constantly changing set of de facto responses as they struggle to develop appropriate strategies to respond to the outflow, inflow or transit of rising numbers of migrants.

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68 The 2011 census figures revealed the total number of Australians born in the Horn of Africa, the two Sudans and in Yemen was just 40,000. Only 14% of these are Somali in origin, 21% Ethiopian and 7% Eritrean, with 57% from South Sudan and Sudan (figured derived from Australian Bureau of Statistics (2014). Customised data extracts from the 2011 Census of Population and Housing, www.abs.gov.au/websitedbs/censushome.nsf/home/tablebuilder).


70 A postscript: The implementation of a range of deterrence measures by the Australian Government in mid- to late 2013, preceded a dramatic decrease in IMAs, including those from the Horn of Africa. These new measures included the implementation of the ‘Regional Resettlement Arrangement’ with Papua New Guinea (in July 2013), and the establishment of the Australian military-led Operation Sovereign Borders (in September 2013).

71 Zetter (2014) p. 82.

72 Ibid.
However, the region suffers from an insufficient implementation of existing migration related legislation. In many countries, relevant legislation is neither well known nor effectively enforced. For example, while many countries do have anti-trafficking laws, they are poorly implemented resulting in negligible numbers of traffickers and migrant-abusers being arrested and prosecuted despite the prevalence of illicit activities being known to authorities. Equally, while theoretically there might be protection mechanisms for migrants in place, in practice migrants are often criminalized, while smugglers are not prosecuted. In short, the problem is not so much the lack of migration policies and legislation, but the lack of implementation or the ineffective implementation. This begs the question - what if existing migration legislation and policies are actually implemented and enforced?

Free movement is at the core of two Regional Economic Communities (RECs) in the East Africa and Horn region. For example, the 1996 Agreement Establishing the IGAD (Djibouti, Ethiopia, Eritrea, Somalia, Uganda, Sudan and Kenya) states that one of the aims of IGAD will be to promote the free movement of services, people and the right to establish residence. It states that Member States shall cooperate to facilitate the free movement and right of establishment of residence of their nationals within the sub-region.

The East African Community’s ((EAC) including Kenya, Tanzania, Uganda, Burundi and Rwanda) Common Market Protocol, which also includes the free movement of persons and right of establishment of residence, is regarded as the most advanced system advocating free movement in the region. The implementation is fragmented and different aspects are implemented by the partner states to varying degrees. Unlike the Economic Community of West African States (ECOWAS), which implements the free movement protocols and has gone as far as having a common passport, in the east and Horn of Africa regional implementation at the national level lags far behind policy agreements.

Among members states of the RECs mentioned there is little political will and operational backing for free movement - and other regional migration initiatives in general - to be effectively implemented. There have been few attempts to implement the agreements to remove legislative and administrative barriers to the free movement of people even as advances are being made to harmonise and expedite movement of goods and capital.

A common perception is that implementation of free movement agreements would lead to a sudden and enormous increase in migration movements. Despite genuine free movement regulations, just 0.5 per cent of Europeans circulate within Europe, far less than many observers predicted. Among member states of the ECOWAS, the free movement of persons is one of the main provisions of membership. It is estimated that about 7.5 million West Africans (about 3 per cent of the ECOWAS region’s population) cross member states’ borders annually.

In short, these figures show that although it can be assumed that free movement regulations will result in increasing (regular) migration flows, it will not necessarily lead to a sudden and sharp increase in the volume. However, flows may inevitably target the most economically dynamic centres in the region (Nairobi, Mombassa, Addis, Kampala etc…), as they do in the ECOWAS region.

Countries in the region generally try, or at least aim, to stem irregular migration flows, but their resources may be better engaged in enabling migration in an open manner or else be prepared for increased law and order costs in terms of arrests, detentions, deportations, court cases and prison sentences.

5. Conclusion

It has been claimed that the 21st century is the age of migration with more people on the move than ever before. If this is true then in terms of the manner of which people move – when unable to move legally and regularly – irregular migration has become the new paradigm. It is the lens through which we need to understand the nature of the problem: its scale, scope and characteristics. This new paradigm will drive the political narrative, the search for responses, the struggle of contradictions and efforts to reduce

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74 ECOWAS (French: Communauté économique des États de l’Afrique de l’Ouest, CEDEAO) is the regional group of fifteen West African countries.
75 Castles, Miller & De Haas (2013).
human exploitation. In critical respects the story of mixed migration flows in the Horn of Africa and beyond is emblematic of the new global paradigm of mixed migration and the challenges it brings.

As long as regular migration and attaining desired refugee status or resettlement to preferred countries becomes harder, the option of irregular migration grows. Today’s IDPs, refugees and asylum seekers may be tomorrow’s irregular migrants crossing more than one international border and crossing seas and oceans. In this way it could be said we are entering an age of generalized mixed migration where the distinctions between categories of people on the move become less clear.
Appendix A: Irregular Migration Country Profiles

Republic of Djibouti

**Djibouti as a country of origin for irregular migration**

Despite the level of poverty and limited opportunities in Djibouti, and despite the daily reminder of migration through their country by transiting migrants, Djiboutians are rarely found in irregular migration flows. Although some may be moving under a Somali identity in order to benefit from the refugee status afforded to Somalis in many countries, it is not clear why Djiboutians are not more evident in the flows.

**Transit migration through Djibouti**

Djibouti is a major transit country for migrants. Migrants, mainly from Ethiopia and Somalia, travel through Djibouti en route to Yemen. They travel (normally taken by smugglers), in containers and by bus and truck along the few roads in Djibouti. Others travel by foot through extremely inhospitable terrain, many succumbing to heat and thirst. Between 2011 and 2014 (inclusive) approximately 243,000 people transited Djibouti en route to Yemen. Proportionally 87 per cent of these were Ethiopian (with some few Eritreans detected) and 13 per cent were Somali. Most depart from the vicinity of the small port town of Obock or, increasingly, from remote coastal locations as smugglers try to avoid patrols by Djiboutian authorities.

**Djibouti as a country of destination**

Many migrants heading to Djibouti are Somali, Eritrean and Ethiopian. The Ali Addeh refugee camp, in the south-east of the country, hosts approximately 22,000 refugees. The camp is situated in a remote part of Djibouti and apart from some long-stay refugee residents it is widely regarded as a staging post for secondary movement for Somalis. It is said smugglers operate from within the camp, recruiting ‘clients’ for the onward journey to Yemen. The Oromia Support Group also estimates that there are several thousand undocumented migrants from Ethiopia (5,000 Oromo and 6,000 Amhara) in Djibouti City.

The volume of migrants entering Yemen from Djibouti has risen from 34,894 in 2010, to 72,142 in 2011, to a high of 80,564 in 2012. In 2013, the volume fell to 48,000 in a year of generally lower migration rates to Yemen. The volume remained low at 42,500 in 2014 as migrants increasingly used Bossasso as the departure point for Yemen.

**The popularity of Djibouti as a point of departure**

Before 2009 most mixed migration to Yemen from the African mainland crossed the Gulf of Aden through Bossasso in Puntland, Somalia. Since 2009 Djibouti has become the departure point of choice for the proportionally higher volume of Ethiopians, creating a bonanza for smugglers. In 2014, however, probably as a result of stricter immigration management and detention of migrants, a reduction of the proportion of Yemen-bound migrants departing from Djibouti was recorded. This swing away from Djibouti and towards Bossasso again, (as the preferred point of departure) illustrates the flexibility of migrants and smugglers’ adaption to ground conditions.

**The migrant economy – smuggling profits**

Smugglers offer passage through Djibouti and also across the Red Sea to Yemen, normally as a separate cost. With the sea passage costing migrants on average USD140 per person, smugglers may have made over USD34 million in the last 4 years alone. The same few boats make the trips across the short Bab-

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76 Unless specifically referenced, all data concerning the number and proportion of flows in this paper are sourced from the RMMS data base of monthly collations from various regional and authoritative sources. (Visit the RMMS website for detailed break downs. www.regionalmms.org).

77 Trueman (2012a) p. 28.

78 From mid-November 2013 the Saudis carried out a sudden and wide-spread expulsion of Ethiopians and Somalis. This immediately caused the numbers of migrants crossing the seas to Yemen to fall in November, December and then in January and February 2014. By March the numbers were creeping up again.

79 This is a conservative estimate. Many smugglers gain additional sums (reportedly as much as USD$50 per person) if they collude with criminal extortion gangs waiting for the migrants in Yemen by alerting them of their arrival time and location so that these gangs can abduct the new arrivals.
el-Mandeb strait and it is reckoned that just a few smugglers benefit hugely from the migrant economy of irregular maritime migrants. As Djibouti has one of the lowest GDP per capita level in the world, with per capita levels of USD139 per annum (ranked 146 of 193), the smuggling business is colossal and there is strong evidence that poorly paid state officials (police, border guards, immigration staff, sea patrols, soldiers and prison guards etc.) frequently share the profits.

Protection risks and vulnerabilities

As Djibouti is the closest point to Yemen and borders Ethiopia, migrants can avoid passing through Somaliland where, in the past, migrants faced multiple abuses and frequent robbery from waiting gangs – often in collusion with the smugglers. But the journey to one of the coastal departure points in Djibouti is also a dangerous affair for migrants. Some die in the hot deserts on the Ethiopian as well as the Djiboutian side of the border, suffering from dehydration, starvation or, less commonly, as a result of abuse or neglect by smugglers. Smugglers using this route have also been known to crowd migrants in container trucks that result in cases of death by suffocation. Some migrants report being robbed and beaten in Djibouti.

One study reported sexual and gender based violence (SGBV) risks for women while in transit on the inland route between Loya-ade and Obock. Perpetrators of sexual abuse of migrant women in transit are reportedly members of the Djibouti military or gangs of villagers, with particular mention of Afari men. Female migrants arriving in Yemen also report cases of rape and sexual violence, sometimes prolonged while being held by migrant smugglers in the Obock area. Several deaths at this departure point have been reported as migrants die from dehydration and starvation under the ‘care’ of negligent smugglers. There have also been increasing accounts of migrants being held hostage in Obock until they can produce ransom money to secure their release.

There are other reports of physical abuse of migrants as they approach and wait along the coast. The perpetrators are reportedly the armed groups that control the smuggling. In addition, smugglers impose strict discipline on the queues of migrants waiting on the coast, using force, sometimes lethal, to dominate them.

Abuse and deaths at sea from Djibouti

The sea passage itself is dangerous. Abuse is frequently reported by those that take boats from the Djibouti shores to Yemen, including violence, rape, outright murder and forced disembarkation in deep water. Chronic overcrowding in appalling conditions is the norm. Men are often tightly packed in the hold where engine fuel and exhaust fumes cause burns and can lead to lethal suffocation. In an effort to mitigate the impact on ship safety, smugglers also force migrants to sit motionless throughout the journey, with movement or speech severely punished. Brutal tales of shootings, beatings, drowning and even killing of infants are reported. Women and girls are normally held on deck where they are frequently subjected to sexual abuse, rape and sometimes murder. Increasingly, new female arrivals talk of being subjected to or having witnessed sexual abuse during the passage.

In a rising number of reported cases the abuse extends to the destination shores, where migrants are held hostage and violently brutalised or robbed by smugglers demanding more money or sold to criminals who do the same. In December 2014, for example, an alarming 82 per cent of new arrivals from Djibouti were reportedly abducted by gangs on arrival; 17 per cent of these were female. These statistics have been consistent with data received every month during 2013 and 2014.

In the last four years (2011 to 2014) a reported 327 people died or went missing during the crossing from mainland Africa to Yemen from Puntland and Djibouti combined. During the three years before 2011 (i.e. 2008 to 2010 inclusive) the estimated number of migrants that lost their lives in the crossing to Yemen was 1,604. During those three years an estimated 181,000 migrants made the crossing so the percentage of subsequent deaths was 0.9 per cent - ten times more dangerous than the current period (2011 to 2014). Deaths at sea have become less common in the last two years, however, particularly on

80 UNSTATS (2013).
81 This evidence is mainly in the form of repeated and consistent migrant reports.
83 Soucy (2011).
84 Ibid.
the Red Sea crossing departing from Djibouti. RMMS suggests this is due to the increased commoditisation of migrants and their live value, as they potentially sell migrants on to criminal gangs in Yemen, or other members of their own gangs, who continue to extort the migrants after arrival.\footnote{Most data in this paragraph extracted from RMMS (2013d).}

**Detention and deportation of migrants in Djibouti**

Djiboutian authorities are trying to reduce irregular migration flows through its territory and Ethiopian migrants in Djibouti are usually regarded as irregular migrants and not asylum seekers. As such, authorities in Djibouti frequently round up and arrest those (including substantial numbers of child migrants) in mixed migration flows travelling through the country without proper documentation.\footnote{RMMS (2013a) p. 23.} The Djiboutian military also patrols the Obock coastline, arresting and deporting Ethiopian migrants it finds.\footnote{RMMS (2013e).}

Intercepted migrants are normally returned to Djibouti and sent to detention facilities or local prisons awaiting deportation.

As mentioned, there are reports of collusion between smugglers and authorities. Migrants in Yemen who have transited through Djibouti report that in some cases boat owners and captains had paid coast guards to continue their journey. In other cases migrants claim they witnessed members of the coast guard and smugglers sexually abusing female migrants when a smuggler boat was stopped.

Monitoring teams in Yemen have also recorded claims by Somalis of the latter’s arrest by authorities in Djibouti (during the earlier stages of their journeys). According to the migrants/refugees, they were only released after paying a bribe of approximately USD50.\footnote{RMMS (2013b) p. 36.} Some have reported paying bribes of as much as USD1,000 for their release in Djibouti.\footnote{RMMS (2013f).}

Due to stricter immigration policies in Djibouti city, child migrants are constantly rounded up and imprisoned by the law enforcement officials who patrol the centre-ville areas. When in prison, migrant street children face the same conditions as other detainees, with whom they have to share overcrowded cells, irregular and meagre meals and the absence of sanitary services. Due to limited detention facilities and other resources, the arrest of migrants in Djibouti appears to be arbitrary and not systematic.\footnote{RMMS (2012).}

Arbitrary detention is common as migrants are usually detained as a group, without independent court review and individualized determination to assess whether detention is necessary and reasonable. Detention of children who are held in dire conditions appears to be common in Djibouti.
State of Eritrea

Main regional migration routes

Eritrea is not a transit or destination country in irregular migration flows in the region. Eritrean migrants travel south to Ethiopia or west into Sudan: some of them head further on to Israel, Egypt, Libya and Europe. An estimated 33,872 Eritreans reached Italy in 2014 (up until early November), after travelling through Ethiopia and/or Sudan and crossing the Mediterranean from Libya. As many as 80,000 Eritrean refugees have been hosted in the Shagarab refugee camp in Eastern Sudan in recent years, although since 2012 the numbers dropped significantly (to approximately 30,000 in 2014), partly due to migrant fears of kidnapping and abduction combined with their intention to move on through Sudan.

The Eritrean Diaspora

By early 2013, approximately 300,000 Eritrean refugees and asylum seekers lived in Sudan, Ethiopia, Israel, and Europe. Around 90 percent of Eritrean asylum seekers successfully claimed asylum in industrialized countries in recent years. The majority left their country since mid-2004. Almost all of these arrivals are Christians, reflecting, according to Human Rights Watch, increased abuses against that community since 2002.

Emigration of Eritrean nationals to Europe

Europe is increasingly popular as a destination for Eritrean migrants. The UK, Switzerland, Sweden, Norway, France and Germany are among the main destination countries for Eritrean asylum seekers, and the number trying to enter Europe illegally has been rising sharply in recent years, with countries such as the UK, Switzerland and parts of Scandinavia reporting that Eritreans currently form the largest caseload of irregular migrants trying to enter their countries. During the first ten months of 2014, the number of asylum-seekers in Europe from Eritrea has nearly tripled when compared with the previous 10 months. Between January and October 2014 nearly 37,000 Eritreans sought refuge in Europe, compared to almost 13,000 during the same period in 2013. The vast majority of the Eritreans arrived by boat across the Mediterranean departing from Libya - less from Egypt or through Greece. In 2014 Eritreans were the second largest group (approximately 25 per cent of the total) to arrive in Italy/Europe by boat, after Syrians.

Reduced migration flows into Israel

Israel was previously a major destination country for Eritrean migrants. Between 2006 and 2011, the number of Eritrean asylum seekers crossing the border from Sinai to Israel increased significantly from 1,348 to 17,175. However, stringent Israeli border control, new immigration laws, general refusal to consider asylum claims from Africans and the construction of a guarded fence since early 2014 has reduced the flow of migrants to almost zero.

Spikes in new arrivals in Sudan and Ethiopia

There are currently more than 216,000 Eritrean refugees in Ethiopia and Sudan. Sudan has been hosting Eritrean refugees for more than forty years. Sudan and Ethiopia experienced a dramatic increase in arrivals, including large numbers of unaccompanied children in 2013 and 2014. More than 5,000 Eritreans crossed into Ethiopia in October 2014 alone, compared to an average of 2,000 arrivals per month since

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91 IOM (2014).
92 However, it may be noted that after a controversial fact finding mission conducted in mid-2014, Denmark will no longer give blanket asylum to Eritreans fleeing their country. The Justice Ministry said in late November 2014 that Eritreans will no longer be automatically granted asylum if they came to Denmark to flee their home country’s authoritarian rule and compulsory military service. Instead, Eritreans will need to show that they face a personal threat in order to be granted asylum in Denmark. By January following international criticism they were reviewing their position again.
93 Human Rights Watch (2014a) p. 16.
95 UNHCR (2014b).
96 Ibid.
the beginning of the year. About 90 per cent of those who arrived in October are between 18 and 24 years old. These new arrivals are unprecedented in number, from a country experiencing neither drought nor conflict. More than 1,200 Eritreans arrived in Ethiopia during the first week of November 2014.\textsuperscript{99} UNHCR report that Sudan also saw a marked increase in the number of arrivals in 2014: at an average of more than 1,000 arrivals per month.\textsuperscript{100}

\textit{The threat of abduction and trafficking}

Eritreans are increasingly vulnerable to kidnapping for ransom (trafficking) in Sudan, Northern Ethiopia and Egypt in the Sinai desert. Abductions are mainly organised and controlled by Rashaida (Bedouin) tribes who demand exorbitant ransoms from the victim’s family for their release – in some cases a staggering USD30-50,000 per individual. Migrants and asylum seekers are captured and sold on to others through multiple transactions with the price ‘on their heads’ increasing each time. Smugglers are also known to abduct refugees from camps in Eastern Sudan and Northern Ethiopia as well as in the border areas between Eritrea and the camps. The UN Security Council Monitoring Group on Somalia and Eritrea has also suggested that senior members of the regime – particularly military commanders – directly control the trafficking and movement of migrants (as well as arms) from Eritrea, selling them on to smugglers / traffickers outside the country.\textsuperscript{101}

UNHCR claim that since mid-2014 the number of abductions of migrants and asylum seekers has reduced due to a new anti-trafficking project they initiated with Sudan’s police and immigration forces. Large numbers of Eritreans have died while being held hostage and the details of their captivity and brutal torture is well documented and makes for grim reading.\textsuperscript{102} The removal and sale of body parts has also been reported on numerous occasions, although hard evidence has not been established. Since early 2014 the trafficking of Eritreans in the Sinai appears to have reduced as a by-product of the militarisation of the Sinai by Egyptian forces intent on flushing out Islamic extremists.

\textit{Major drivers of migration}

Besides being one of the poorest countries in the world, Eritrea is widely regarded as being a closed and highly securitised state under an authoritarian government. Consequently, most Eritreans leave illegally, without obtaining the required exit permit/visa; many do so to evade the country’s compulsory national service. The numbers of forced and economic migrants leaving Eritrea have, according to estimates by UNHCR, been in the range of 1,000-3,000 persons a month over the last three years and continuing. Some commentators claim the number may be as high as 5,000 per month in recent years\textsuperscript{103} and, as previously mentioned, 2014 witnessed some sudden spikes in the number of departures. Part of the explanation could be the reported new military conscription drives in Eritrea during 2014.

\textit{The role of smuggling}

Leaving without government permission is illegal for Eritreans and border guards have a reported policy of shoot-on-sight towards people found in locations which are off-limits, such as areas close to the national borders, or intercepted ‘escaping’ by sea. Nevertheless, there appear to be networks of smugglers willing to take Eritreans across the permeable borders into Sudan. Reports from migrants suggest there are numerous smugglers operating in the refugee camps in Sudan and Ethiopia as well as Addis Ababa and Khartoum. Reports also indicate that these smugglers are as negligent and forceful with their charges as elsewhere in the region. Smugglers have been known to sell migrants in their charge to traffickers and many accounts from migrants suggest there are robberies, kidnappings, sexual violations and severe neglect at the hands of the smugglers.

The information available on migrant smuggling from Eritrea is insufficient to make accurate calculations of its economic scale. It is a lucrative business, however, given that migrants are charged an average of

\begin{footnotesize}
\begin{itemize}
\item[98] UNHCR (2014b).
\item[99] Ibid.
\item[100] Ibid.
\item[101] UN Security Council (2012).
\item[103] van Reisen, Estefanos and Rijken (2013) p. 53.
\end{itemize}
\end{footnotesize}
USD3,000 for short distances into Sudan, approximately USD5,000 to be taken into Libya and (previously) fees as high as USD15,000 to reach Israel.\textsuperscript{104}

\textbf{Detention of migrants}

According to the 2013 US Department of State Human Rights reports, there are no reports of detention of foreign nationals in Eritrea in 2013. However, Eritrea does not permit independent monitoring by domestic or international observers. Hence, the ICRC is not permitted to visit prisons or detention centres.\textsuperscript{105}

\textbf{Detention of Eritreans (as migrants)}

The act of leaving Eritrea may lead to imprisonment of Eritrean migrants. Eritreans who are caught fleeing from Eritrea to Sudan can be punished by imprisonment of three years while those caught entering Ethiopia are punishable by death.\textsuperscript{106} Many people are arrested at the border while attempting to cross into neighbouring countries. They are often arrested at night and taken to secret detention places, without family members knowing their whereabouts or being able to visit them.\textsuperscript{107}

Eritrean refugees and asylum seekers who are repatriated from other countries are reportedly also detained in Eritrea, as they are considered traitors.\textsuperscript{108} They may even face life imprisonment or the death penalty as a result.\textsuperscript{109} According to the 2014 report by the Special Rapporteur on the situation of human rights in Eritrea, unsuccessful asylum seekers and other returnees, including national service evaders and deserters, face torture, detention and disappearance in Eritrea.\textsuperscript{110} According to the Human Rights Report "Punishment amounting to torture, inhuman or degrading treatment, as well as detention in inhumane conditions appears to be the norm, even for trivial cases. National service conscripts in detention are also used for hard labour."\textsuperscript{111}

Other reasons for detention, related to emigration, include trumped up charges of plotting to leave the country or helping others to flee, failing to pay a fine when a family member has fled the country or being held in lieu of a parent or family member having left the country.\textsuperscript{112}

\textsuperscript{104} RMMS (2013d).
\textsuperscript{105} US Department of State (2014b). Eritrea Country Report, pp.2-4 & p.17; In a potential attempt towards more openness, the President of Eritrea sent a letter to the UN Secretary General in early 2013, asking the UN to initiate an investigation on the trafficking of Eritreans out of the country and underlined the commitment of the government to halting the practice (UNHCR 2013b).
\textsuperscript{106} van Reisen, Estefanos and Rijken (2013) p. 53.
\textsuperscript{107} Keetharuth (2014) pp.16-17.
\textsuperscript{108} From late 2011 onwards, there have been increasing reports of forcible returns of Eritreans by the Sudanese Government. Amnesty International urged Sudan to comply with its international legal obligations and stop all forced returns of refugees and asylum seekers to Eritrea. Amnesty International (2012).
\textsuperscript{109} Freedom House (2013).
\textsuperscript{110} Keetharuth (2014) p. 11.
\textsuperscript{111} Keetharuth (2014) p. 6.
\textsuperscript{112} Keetharuth (2014) p. 16-17.
Federal Democratic Republic of Ethiopia

**Ethiopia as a source country**

In the region, while the number of Somali refugees is high at over one million persons, it is the Ethiopians who are the majority of migrants on the move. Some move within the region and many move out of the region. The largest group of Ethiopians found in regional irregular migration flows head towards Saudi Arabia. In the last four years (2011-2014) an estimated 290,000 Ethiopians arrived on Yemen’s shores – an average of over 72,000 per year. However, significant numbers of Ethiopians are also found in Libya trying to cross the Mediterranean as well as in all countries between Kenya and Southern Africa (mostly en route to South Africa where, up to recently, they have found it easier to be accepted on asylum grounds). In Kenya itself, there are modest numbers of Ethiopian refugees (21,300), asylum seekers (8,900) and a suspected larger number of irregular economic migrants living in cities and towns, evading authorities.

**Ethiopian migration routes**

Although little is known of Ethiopians travelling west to Sudan and Libya, a 2011 ILO study estimated that, due to loose border control, 75,000-100,000 Ethiopians migrate to Libya annually. More recently, in a UNHCR study on irregular migration in Libya, it was estimated that between 50-100 Ethiopian migrants cross into Sudan per day, which would mean somewhere between 18,000 and 37,000 per year. The journey from Addis Ababa to Khartoum is estimated to take between 3-6 days and cost migrants USD500-800.¹¹³

The International Centre for Migration Policy Development (ICMPD) reported in 2007 that some Ethiopians, under smugglers’ control, first travel north to Cairo and then travel west into Libya. Although it is not clear how many Ethiopians use this route nowadays,¹¹⁴ it is reportedly still an important route for some Ethiopians. IOM and UNHCR in Egypt frequently and increasingly receive reports of migrants being held by authorities in Egypt, many of whom are Ethiopian. Ethiopian migrants are using this route to cross the Mediterranean at Alexandria or to avoid parts of Sudan and Libya by going through the Egyptian desert into Libya.

**Drivers of migration**

Migrants from Ethiopia struggle to win asylum claims in many countries in the region and are mainly visible as economic migrants. However, the numbers of Ethiopians choosing migration as a livelihood compulsion are high.

Ethiopian migrants, when interviewed, overwhelmingly cite economic reasons for leaving their homeland. A small proportion continues to cite fear of or actual ethnic and/or political persecution. Despite significant economic growth and improved social welfare in the last decade, Ethiopia remains one of the poorest and least developed countries in the world, suffering from environmental stress, drought, high population densities, soil degradation, inflation and, reportedly, high taxation. Furthermore, the ruling Ethiopian People’s Revolutionary Democratic Front (EPRDF) has remained repressive since the 2005 elections, with critics or ‘banned organisations’ of the regime reportedly facing arrest, detention and even killing by members of the regime’s security apparatus.¹¹⁵ In particular, Ethiopians of persecuted ethnicity are prominent in the wider group that wish to leave the country.¹¹⁶

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¹¹⁴ ICMPD (2007).
¹¹⁶ Between April and June 2012, the proportion of Oromos among Ethiopian new arrivals in Yemen was 43%. MMTF Yemen (2012). In the first quarter of 2013 the proportion was significantly higher (closer to 60%).
**Migration to Yemen**\(^{117}\)

Ethiopians dominate irregular migration flows into Yemen: over 78 per cent of new arrivals in the country are from Ethiopia. The number has increased rapidly from 34,422 in 2010 to over 84,000 in 2012 and approximately 75,000 in 2014. The cumulative volume of Ethiopians arriving in Yemen since 2006 (up to end 2014) is at least 410,000.\(^{118}\) Most use the Djiboutian port of Obock and its surrounding coastal areas as a point of departure, although there is a swing back to Bossasso with an increasing number of Ethiopians currently seeking to use Puntland as their point of departure. The number of Ethiopians who move on from Yemen to Saudi Arabia is unknown, but over 160,000 Ethiopian ‘illegal’ migrants were forcibly deported from Saudi Arabia (back to Addis by plane) between November 2013 and February 2014.\(^{119}\)

**The role of smuggling**

Almost all migrants from Ethiopia use smugglers for some or all of their journey whichever direction they use. While some venture out in groups by foot without smugglers assisting them, most have to use them when crossing border areas or large sections of desert (in Sudan and Libya), or into Djibouti, for example, and all of them use smugglers for sea crossings. Apart from transportation, smugglers promise to ‘protect’ migrants from predatory state officials and opportunistic criminals who specifically target unaccompanied migrants. Smugglers frequently travel with arms.

The business of smuggling Ethiopian migrants to Yemen (i.e. the sea passage) in 2012 was worth over USD9-11 million, excluding the value of overland smuggling. In addition, there is the substantial industry along the southern route to South Africa: in 2009, this was estimated to be worth USD25-30 million.\(^{120}\) Ethiopians pay over USD1,000 to be smuggled to Tripoli (Libya) and then fees of between USD2,000 and USD5,000 to cross the Mediterranean. The average cost for a trip from Ethiopia to South Africa is approximately USD4,200, while in 2009 this was estimated to be between USD1,750 and USD2,000. The smuggling business in Ethiopia is therefore worth tens of millions of dollars.\(^{121}\)

**Ethiopia as a country of asylum**

Ethiopia has overtaken Kenya to become the largest refugee-hosting country in Africa, sheltering 660,000 refugees as of December 2014. The main factor in the increased numbers is the conflict in South Sudan, which erupted in mid-December 2013. There are, at present, 300,000 South Sudanese refugees in the country, making them the largest refugee population. Somalis comprise 254,000 and Eritreans 107,000.\(^{122}\)

**Countries of asylum for Ethiopian refugees**

In the region, the main countries of destination for Ethiopian refugees are Kenya (21,300)\(^{123}\), South Sudan (6,500)\(^{124}\), Sudan (7,280 asylum seekers)\(^{125}\) and Yemen (6,300).\(^{126}\) Small numbers of Ethiopians apply for asylum in Europe, the United States or Canada.\(^{127}\)

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\(^{117}\) Since the outbreak of civil war in Early 2015 there have been significant chances in the flows to and from Yemen. These changes have occurred outside the timeframe of this research but have resulted in three points of interest: firstly Some of the hundreds of thousands of conflict displaced Yemenis have chosen to cross to mainland Africa, second, the number of Ethiopian migrants going to Yemen has reduced in 2015, and thirdly some thousands of Somali refugees (and migrants) in Yemen have voluntarily returned to Somalia and Puntland.

\(^{118}\) The actual number may be even higher, taking into account monitoring limitations and the fact that many do not register and are transported towards Saudi Arabia by smuggling networks as soon as they land on the shores of Yemen. DRC and RMMS (2012) p. 37.

\(^{119}\) IOM (2014c).

\(^{120}\) Horwood (2009).

\(^{121}\) RMMS (2013d).

\(^{122}\) UNHCR (2015a).

\(^{123}\) As of December 2014; UNHCR (2015b).

\(^{124}\) As of December 2014 UNHCR (2015c).

\(^{125}\) As of December 2014; UNHCR (2015d).

\(^{126}\) As of December 2014; UNHCR (2015e).
Labour migration to the Gulf States

Ethiopia is a major source country for labour migration to the Arabian Peninsula and Middle East. Labour migration to those regions has developed since the 1980s but has increased rapidly recently. In the first half of 2012 alone, over 160,000 maids – 10 times the number of the previous year - reportedly migrated to Saudi Arabia to work in the domestic sector, using the services of Private Employment Agencies. There has been concern in recent years that some domestic workers are trafficked and abused while migrating under the charge of those offering official and registered labour migration.

Protection risks and vulnerabilities

Migrating Ethiopians face considerable risk of exposure to geographic and climatic extremes, violent abuse from smugglers, abduction and kidnapping, criminal attacks and abuse from authorities. Additionally they face detention, prison terms, expulsion and deportation when they are intercepted by authorities. Few migrants reach their primary or secondary destination without facing neglect or abuse. Various reports extensively document the details from migrants' testimonies. In addition to accounts of injury, torture and death many Ethiopian migrants also face destitution when they find themselves stranded en route – having run out of resources or strength to continue or return home, frequently suffering physiological distress and disorientation following abusive treatment. During 2012 and 2013, up to 25,000 destitute Ethiopian migrants were reported to be in the northern Yemen city of Haradh and surrounding areas. Reports of death in deserts or drownings at sea are also common.

In Yemen, Ethiopians are targeted more than Somalis by criminal gangs who wait for their arrival armed and alongside trucks waiting to take them away to be held for ransom. The numbers are staggering. As previously mentioned, in December 2014 alone, an alarming 82 per cent (3,536) of new arrivals from Djibouti (most of who are Ethiopian) were reportedly abducted by gangs on arrival; 17 per cent of these were female. Kidnapping, accompanied by harsh treatment to encourage rapid payment of ransoms, has been a rising trend in Yemen for the last 2 or 3 years. In late 2013 and throughout 2014 reports emerged from migrants that kidnapping for ransom is also occurring in Sudan and Libya.

A report released in late 2014 indicated that while abducted men are normally released after paying between USD100-500 ransoms, a disproportionate number of female migrants appear not to be released. Large numbers of female migrants remain unaccounted for. The abduction and trafficking of female Ethiopian migrants, in addition to the frequent sexual abuse they encounter, may be far higher than currently suspected. This particular aspect of risk has not been investigated sufficiently.

127 In 2012, 3,674 Ethiopians applied for asylum in 44 industrialised countries globally. In 2013 the number was 4384 representing a 21% increase but still only 0.8% of the whole stock of asylum seekers in those 44 countries. UNHCR (2014a).
128 Quoted in RMMS (2013d) from unpublished reports from IOM sources.
130 DRC and RMMS (2012).
131 RMMS (2014a).
Republic of Kenya

Kenya as a migration hub

As a country of destination and transit, Kenya is a major centre for irregular migration in the region. Migrants from a wide variety of neighbouring countries, but especially Ethiopia, Eritrea and Somalia reside in Kenya. They stay for short, medium or long terms in the main urban centres (Mombassa and Nairobi) as well as small towns either as internal regional irregular migrants or as transit migrants – waiting to get sufficient resources and contacts to make their secondary movement.

Additionally, there are reportedly sizable migrant groups from the Democratic Republic of Congo (DRC), Rwanda, South Sudan, Sudan and even from India, Bangladesh and Pakistan. Many may not arrive with correct documentation but can frequently obtain documentation through bribery and forgery, or avoid arrest by reportedly paying off police and immigration officials.

The role of smuggling

Kenya is a regional hub for smuggling. Reportedly, Nairobi is a central hub for obtaining travel documents, false birth certificates, affidavits of relationships, visas for other countries (often illicitly) and is used as a staging point for secondary movement. Smugglers operate from Mombassa and Nairobi as well as from the refugee camps, offering onward clandestine movement towards South Africa, in particular, as well as further locations such as Europe and North America or Canada (by flights, with visas procured).

As mentioned, many Ethiopians and Somalis enter as irregular migrants and settle in parts of Nairobi with the intention of looking for work or moving on to other countries such as South Africa. Not much is known about the value of the smuggling business, though reportedly the fee to be smuggled on a truck from the border with Ethiopia to Nairobi is about USD600-700. The cost from Nairobi to South Africa is between USD1,100-1,500. In 2009, the annual revenue of smuggling Ethiopians and Somalis along the southern route to South Africa was estimated to be approximately USD40 million.132

The role of corruption in the smuggling chain

Besides Kenya’s geographical location and its relatively lower levels of poverty and greater opportunities (livelihoods, health, education), its endemic corruption makes it a popular transit country for smugglers – Kenya is perceived as one of the ‘highly corrupt’ countries in the world, ranking 136th on a list of 177 countries in 2013.133

According to the International Peace Institute, such an environment enables criminal networks to thrive, as they can buy protection, information, documentation and power.134 The IOM study on irregular migration from East Africa and the Horn to South Africa found that alleged corruption and complicity of national officials was one of the forces driving the regional international smuggling business, without which it would not be able to function the way it does.135

A large proportion of the migrants that were interviewed in IOM’s 2009 research, suggested that “the officials involved in complicity and corruption are not chance opportunists succumbing to occasional bribes, but should be considered part of the overall illegal and abusive enterprise”.136 The study by the International Peace Institute on transnational crime refers to several other studies that confirm that corrupt police, airport officials and customs officers facilitate smuggling and trafficking in Kenya.

Kenyans in irregular migration flows

In terms of irregular land or maritime migration, Kenyans themselves are rarely found in irregular migration flows in the Horn of Africa but instead obtain documentation and visas (which they may abuse though over-stay or non-renewal) and generally do not travel with smugglers. The number of irregular migrants from Kenya living and working outside their country is not known.

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132 Horwood (2009).
134 Gastrow (2011).
135 Horwood (2009).
136 Ibid.
Emigration of Kenyan nationals

Kenyans who leave the country as emigrants are in general skilled and leave, at least initially, through legal channels to seek training or work in different countries or including Uganda, Tanzania, South Africa, the USA, European countries, the Gulf States and the Middle East. Generally they may use facilitators or private employment and recruitment agencies to enable them to find study or job opportunities overseas. In some publicised cases Kenyans have become victims of abuse while living and working as labour migrants overseas (particularly in the Gulf States or Middle East).

Kenya as a country of asylum

Kenya hosts the largest population of Somali refugees and asylum seekers in the world (462,970) as well as a high number of Ethiopians (21,300) and South Sudanese (97,780). Kenya's two large refugee camp complexes are located in Dadaab and Kakuma. Kenya has threatened to close the Dadaab refugee camp and has taken steps to require urban refugees to relocate to camps during 2013 and 2014. The issue of hosting refugees, and in particular Somali refugees has become high politicised in Kenya with anti-migrant sentiment exacerbated by attacks in Kenya by Islamic extremists suspected to originate from Somalia. Further discussion of this is outside the scope of this Paper.

Internal displacement within Kenya

Calculating IDPs is a difficult and often controversial process. According to the International Displacement Monitoring Centre (IDMC) Overview of June 2014, ‘the most recent informed estimate – provided by UNHCR in January 2013 – of 412,000 IDPs does not include those displaced by natural disasters, development projects and pastoralist IDPs. Nor does it include any of the estimated 300,000 people who fled post-election violence in 2007-2008 and who are usually described as “integrated” IDPs.’

Protection risks and vulnerabilities

Protection risks and reports of abuse of those in irregular migration flows in Kenya are generally confined to the migrants’ interface with Kenyan authorities and not smugglers or criminal gangs. Many of those crossing into Kenya report harassment near the border and in urban centres by Kenyan police, who extort bribes from migrants. Before and after crossing the border, migrants with few resources often make long journeys through desert terrain. Apart from cases of bribery, some irregular migrants face detention and deportation (see below). The absence of sufficient protection for refugees and the direct abuse and violence perpetrated by Kenya’s security apparatus against refugees has been documented. The camps at Dadaab are reportedly the scene of insecurity, violence (including gender-based) and protection concerns, partly due to the Al Shabaab presence in the camps but also, again, at the hands of the Kenyan police.

For those that transit Kenya the greatest areas of risk and vulnerability are at the hands of smugglers taking them south. The IOM 2009 report, Pursuing the Southern Dream, offers a detailed analysis of routes and conditions of migrants going south who mostly start their journey with Kenyan smugglers. For those relatively few Kenyans who are smuggled to South Africa, the experiences are entirely different from those of Somalis and Ethiopians. They are not subjected to notable hardships or abuse. They frequently make the whole journey in the same vehicle on all-weather roads but they do, reportedly, have to bribe officials when crossing borders.

Migration and securitisation

Given the very large numbers of camp and urban refugees (over 600,000), asylum seekers and irregular economic migrants (unknown but judged to be in the hundreds of thousands) the authorities struggle to match their desire to control their borders and the movement of undocumented foreigners with their capacity. Compounded with this is the fact that Kenya has been involved in fighting Islamic extremists in

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137 As of December 2014; UNHCR (2015f).
138 IDMC (2014).
139 RCK (2012).
140 Ibid.
141 Horwood (2009).
Somalia and is facing internal security threats from Islamic fundamentalists.\textsuperscript{142} The issue of foreigners and security threats have been closely linked by politicians and the public in recent years. An anti-migrant and anti-refugee sentiment has been growing as the government tries to balance its desire to reduce the number of refugees and irregular migrants (citing security concerns) and their commitments to the Kenyan Constitution and international refugee convention commitments. Stricter encampment policies and deportations have been tried as well as setting a timetable to effect the return of hundreds of thousands of Somali refugees to their country of origin.

\textit{Arrest detention and deportation}

Under the 2011 \textit{Kenya Citizenship and Immigration Act}, a migrant who unlawfully enters or is unlawfully present in the country is committing a criminal offence. If convicted, the penalty may involve a fine (of up to \$5,500), imprisonment (of up to 3 years) or both. Importantly, this rule does not apply to newly arrived asylum-seekers. Under the Act, irregular migrants may also be detained in police custody, prison or immigration holding facilities pending their deportation. In reality asylum seekers are often categorised as irregular economic migrants.

In recent years, it has been estimated that, apart from the massive arrests during 2012 (named ‘\textit{Fagia Wageni}’ which translates as ‘Do away with/get rid of the foreigners’) and a 2014 security operation (\textit{Usalama Watch}),\textsuperscript{143} hundreds of irregular migrants have been arrested and detained in Kenya. Every month, the media reports on incidents of arrests, raids and detention (and deportation) of groups of migrants. As a conservative estimate, the Refugee Consortium of Kenya (RCK) estimates that, excluding those arrested in special operations, around 1,000 migrants (90 per cent of whom are Ethiopian) are held in detention every year. The prison conditions in Kenya fall short of internationally acceptable standards. Prison conditions expose asylum seekers and refugees to assault, sexual abuse, torture, ill-health, lack of counselling support, limited legal assistance and a poor diet.\textsuperscript{144}

\textsuperscript{142} The Westgate attack was perhaps the most publicized and dramatic act of terrorism in September 2013, leaving a central Nairobi shopping mall destroyed and 67 dead and 175 wounded.

\textsuperscript{143} At the end of March 2014, the Interior Ministry launched yet another security operation dubbed ‘\textit{Usalama Watch}’, again aimed at addressing rising terror attacks in Kenya. The operation was implemented following an attack in Mombasa on 23 March 2014 and explosions in Eastleigh on 31 March 2014, which killed at least ten people and injured scores of others. During this operation more than 4,000 individuals were arrested and detained, the majority of them Somali refugees and asylum seekers. An estimated 2,200 refugees have been sent to Dadaab and Kakuma refugee camps, while 359 Somalis were deported to Mogadishu, Somalia by April 2014 (Amnesty International (2014)).

\textsuperscript{144} Kiama and Likule (2013) p.34.
Puntland State of Somalia

**Transit migration through Puntland State**

Most irregular migrants in Puntland originate from Ethiopia and Somalia, using Bossaso and nearby areas of the coast to cross the Gulf of Aden into Yemen. Few migrants in Yemen originate from Puntland itself. Prior to 2009, Bossaso was the smuggling ‘epicentre’ in the region, with 3,000-4,000 migrants departing each month. However, in the last five years the majority of Ethiopians and many Somalis departed from Djibouti. The volume of smuggled migrants decreased from approximately 35,000 in 2009 to 17,000 in 2013. In 2014, however, approximately 50,000 (half of all Yemen-bound migrants) departed from Djibouti, of which 30 per cent were Somali. These figures illustrate the extent of the previously mentioned swing back to the use of Puntland as a key departure point – presumably welcome news for the illicit smuggling economy there.

**The role of smuggling**

Smuggling remains a substantial industry in Puntland State where smugglers operate with impunity in one of the most impoverished and inhospitable areas of the world. Migrant reports indicate that the fees to cross to Yemen from Puntland are between USD50-160 per head. This would suggest that in 2014 the migrant economy relating to transporting migrants was worth between USD2.5 and 8 million. Those directly involved (boat owners, captains and crew) would be few but presumably such vast profits in such a poor area as Bossasso would be shared amongst political strongmen and certain state officials who generally protect smugglers from prosecution and interference. Using the same estimates, maritime smugglers and their associates would have made (from 125,000 passengers) between USD6.25 and 20 million.

**Detention of migrants in Puntland**

Throughout 2013 and 2014, Ethiopian migrants arriving in Yemen continued to report arrests and detention by Puntland police at Garowe checkpoint. Detention of migrants (including irregular migrants, asylum seekers and refugees) in Puntland is usually at police stations, immigration detention facilities and checkpoints. Reportedly, Puntland authorities have set up checkpoints along the way from Garowe to Laas Caanood and further towards Somaliland, where migrants are intercepted and risk prolonged detention by authorities. These are mostly migrants who wish to travel west into Ethiopia, towards Sudan and Libya. In April 2012, the UN Independent Expert for Somalia visited several detention centres in Puntland (and Somaliland). Detention conditions were described as close to inhumane, overcrowded and frequently lacked water, sanitation, and ventilation.

**Risks and protection issues**

The overland trip to Bossasso in Puntland for Ethiopian migrants is notoriously dangerous, less so for Somali migrants heading to Yemen. Since 2008, reports have documented migrant’s accounts of various abuses during the journey, including forced payments at numerous checkpoints along the road. They also reported attacks by armed bandits and the theft of their money and belongings, with passengers killed in several instances. Most abuses occur in Somaliland and may be linked to unscrupulous land smugglers with criminal links.

Once in Bossaso, waiting to board a smuggler’s boat, migrants face similar risks to those departing from Obock in Djibouti. For some, this period may last months or years as they accumulate enough money, through casual labour, to pay for their passage. There are specific and frequent reports of sexual and physical abuse of migrants in Bossaso and elsewhere along the coast. The perpetrators are reportedly the armed groups that control the smuggling, as well as the captains and crew of vessels that transport the migrants.

The journey from Bossaso to Yemen is considered more hazardous than from Djibouti, with rougher seas and a far longer crossing. Cases of boats capsizing and deaths at sea are not uncommon. In recent years
hundreds have reportedly been found dead along Yemen’s southern coastline. Deaths at sea have reduced since the violent period of 2008-09 when over 1,500 migrants were murdered or died while being transported by smugglers. At that time it was common for migrants to be beaten, raped or murdered and thrown overboard during the crossing or forced off the vessel when close at the Yemeni shores – most migrants cannot swim and there were many deaths. Since 2011 most of the deaths at sea are due to capsizing in big seas with overcrowded vessels.
South Central Somalia

Scale of the movement from South Central Somalia

With an estimated 14 per cent of its population residing outside of the country, Somalia is a ‘globalised nation’. At least one million Somalis live in the diaspora, concentrated in three main areas: the Horn of Africa and Yemen, the Gulf States, Western Europe and North America.

Every month, thousands of Somalis are found in irregular migration flows moving along the main three routes listed (ranked according to magnitude these are along the eastern route, the southern route and the western route). As of July 2015, the Internal Displacement Monitoring Center (IDMC) estimates (quoting UNHCR statistics) that there are over 1.1 million internally displaced people in Somalia. About 893,000 IDPs live in south-central Somalia, 129,000 in Puntland and 84,000 in Somaliland. The number of Somalis who move on from Yemen to Saudi Arabia is unknown, but over 40,000 Somali migrants were forcibly deported from Saudi Arabia between December 2013 and August 2014.

Migration routes

Three main routes for Somali migrants and refugees can be identified: south, either staying in Kenya (about half a million) in the refugee camps of Dadaab and Kakuma or in urban areas (urban refugees numbers are over 50,000), or transiting through Kenya aiming to reach South Africa (some 6,000 per year, as estimated in 2009); east, crossing the Gulf of Aden to Yemen (approximately 86,000 between 2011-2014); and west, towards Libya with the intention to access Europe.

Main drivers

For many Somalis, displacement or migration are forced upon them by a wide range of factors that normally include one or more of the following: extreme poverty, prolonged insecurity, sexual violence and other serious human rights violations, lack of access to basic needs such as food, medical services, healthcare and livelihoods as well as natural disasters. Some migrants cite forced recruitment by militias and forced marriage of young women to militia commanders and their soldiers as motives for flight. The two-decade long insecurity/conflict in Somalia is extensively documented and has led some countries to offer ‘group status’ as refugees for Somali migrants/asylum seekers but, even as individuals, Somalis have found it easy to obtain determination as refugees for many years.

Drought-triggered food insecurity in the Horn of Africa and the intervention by the combined African military force, AMISOM, to eject the Al Shabaab group from Somalia has also resulted in large numbers of IDPs in different parts of South Central Somalia and Puntland, as well as a significant influx of Somali refugees into Ethiopia and Kenya.

The role of smuggling

Migrants report that there are brokers, fixers, facilitators and ‘travel agencies’ (all euphemisms for smugglers) readily available in the South Central areas (as well as Puntland and Somaliland areas). There is little information on the fees for migrant smuggling within Somalia. Recently, payments of USD4,000-5,000 for Somalis to be smuggled to South Africa via the Zambia route and USD2,500 for the Malawi route were reported. Smuggling fees from Somalia to Europe (via Nairobi and including passports, tickets, visas and bribing immigration officers) are believed to be in the range of USD7,000-20,000. Since Turkish Airlines in 2012 became the first international carrier to fly directly to Mogadishu,
migrants are, according to Somalia’s government, increasingly using fake passports belonging to Somali-European smuggling networks to fly to Europe via Istanbul.\textsuperscript{159}

\textbf{Returning Somali refugees/migrants}

Some Somalis from the diaspora, some Somali migrants from Yemen and some Somali refugees from Kenya have been spontaneously returning to Somalia during 2013 and 2014. The numbers are in their thousands but are continually outnumbered by the steady flow of asylum seekers and migrants leaving Somalia.

Organised return of refugees from Kenya is a controversial but much debated subject in Kenya, as security concerns dominate the political agenda. A tripartite agreement, signed by the Government of Kenya, the Federal Government of Somalia and UNHCR in November 2013, guides dialogue on the voluntary repatriation of Somali refugees living in Kenya. To date, UNHCR has struggled to persuade refugees to return or to find suitable areas in Somalia where conditions meet pre-set criteria for safe return. If and when the mass return of refugees occurs, the movement home of over one million refugees in the region will be a major ‘migratory’ event.

\textbf{Protection risks and vulnerabilities}

Somalis face many risks and vulnerabilities along their journey. Travelling by foot, vehicle and boat, they pass through hot and dry terrain and dangerous areas such as forests and national parks. During these travels, their physical and mental condition deteriorates; many are exposed to abuse and exploitation.\textsuperscript{160}

The main dangers not only come from the climate and geography but also, while still in Somalia, from officials, militias, local communities and others involved in the smuggling process. 65 per cent of the Somalis interviewed in a 2009 IOM study said they were beaten or physically robbed at least once during their journey to South Africa, while 6 per cent claimed that sexual abuse of someone in their group had taken place and 10 per cent spoke of witnessing death.\textsuperscript{161} In particular, those travelling to Bossaso in Puntland are vulnerable to smugglers and exploitative middle men who may extort or rob them of any money and valuables in their possession.

Those who travel north east from the Horn to Yemen face the dangerous sea crossing to Yemen, as described in other sections of this paper. Smugglers use unseaworthy and overcrowded boats and subject migrants on board to abuse, exploitation, extortion and even death. Fatalities not only happen while crossing the dangerous Gulf of Aden. There have been accidents in which Somali migrants drowned off the coast at Tanga, Tanzania and off Cabo Delgado, Mozambique.\textsuperscript{162} As with the other groups, the risks remain once Somali migrants are on Yemeni shores. Some are abducted and held for ransom. Female migrants are reportedly abducted and raped but as a group the Somalis appear less victimised than their Ethiopian counterparts. The majority of Somalis (over 90 per cent) seek refuge upon arrival in Yemen as they are granted refugee status on a \textit{prima facie} (group determination) basis.

\textsuperscript{159} Fox News (2013).
\textsuperscript{160} UNHCR and IOM (2010).
\textsuperscript{161} Horwood (2009).
\textsuperscript{162} UNHCR and IOM (2010).
Republic of Somaliland

Emigration of Somaliland nationals

Generally, few migrants found in the regional irregular migration flows originate from Somaliland - less than 3,000 in Yemen during 2012, for example, representing three per cent of total new arrivals there. Like Djibouti, Somaliland is a poor and arid area of the region but for reasons not fully understood Somalilanders do not have a tradition of migration since their unilateral declaration of independence, despite seeing so many Ethiopian and Somali migrants passing through their territory.

However, since 2013 there are increasing reports of unemployed but educated youth from Somaliland attempting to migrate to Europe using the western route through Libya. Somali authorities expressed concern over the growing youth migration and related reports of abuse and deaths. While few details are available on the overall volume of Somaliland migrants using this route, according to some reports between 50 and 150 Somalilanders are smuggled out of the country every month. The president nominated a ‘migration prevention and job creation [ministerial] committee’ in 2013 to address the problem, and the government also stiffened penalties for people smuggling and human trafficking aimed at reducing irregular migration.

Transit migration through Somaliland

Every month, thousands of Somali and Ethiopian migrants transit through Somaliland en route to Puntland or Djibouti, from where they are smuggled by boat to Yemen. The Loya’ada border town between Somaliland and Djibouti is the major transit point, with well-established smuggling networks. A few use Somaliland coastal departure points to sail directly to Yemen. Authorities claim that many migrants are not only using Somaliland for transit but also remain in Somaliland seeking work as low-paid irregular economic migrants.

Somaliland as a country of asylum

Increasing numbers of Somalis from South Central Somalia seek refuge in Somaliland. As registration of refugees in Somaliland was suspended between 2008 and late 2012 (following the Hargeisa bomb attack), the exact number of asylum seekers and bone fide refugees that have entered and transited through Somaliland is unknown. Registration commenced again towards the end of 2012. According to the UNHCR Operation in Somalia there were some 84,000 people classified as ‘population of concern’ in 2013. Of this number a minority are refugees or asylum-seekers with just 1,885 registered as refugees and 5,149 as asylum seekers. The vast majority of the people of concern were IDPs, mainly from Somaliland itself with additional numbers from South Central Somalia.

Labour migration in Somaliland

Aid agencies in Somaliland estimate there may be at least 20,000 undocumented migrants in Somaliland, including unknown numbers of Ethiopian economic migrants and others seeking asylum. Many work in menial jobs as cleaners, guards and domestic helpers. According to the government in 2013, the total may be as high as 80,000. In September 2013, the Somaliland government issued a demand for 80,000 (Ethiopian) ‘undocumented foreigners’ to leave. Some left and many remained. In the following months and throughout 2012 the Somaliland authorities had a tense and uneasy relationship with migrants, asylum seekers and refugees. At times the government authorities have been accused of refoulement and some incidents have turned violent. It is not clear how many economic migrants may live and work in Somaliland at present, or how many are merely using Somaliland as a springboard for secondary movement at a later date.

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163 Somaliland is a self-declared independent state that is internationally recognized as an autonomous region of Somalia.
164 It may be the case that many Somalilanders heading to Yemen register as Somalis from South Central because, as Somalilanders, they would normally not qualify for refugee status.
165 IRIN (2012b).
167 RMMS (2013c).
The use of immigration detention in Somaliland

Somaliland authorities are unhappy about the volume of migrants passing through and/or residing in their territory. As such, arrests and detention of migrants are common in Somaliland. In Loya’ada, for example, migrants are often detained for an unspecified time period, depending on the availability of transport to take them back to the Ethiopian border. In 2012, the Somaliland Mixed Migration Task Force (MMTF) reported that 27 Ethiopians were being held in poor conditions at the Loya’ada police station. In 2012, the MMTF estimated that on average 200 to 250 Ethiopians were detained and deported in this manner every month, without screening for protection needs. On 31 August 2012, dozens of Ethiopians were forcibly returned to Ethiopia, after which Human Rights Watch urged the Somaliland authorities to immediately stop deporting Ethiopian refugees and asylum seekers. Prison conditions in Somaliland, as in Puntland, are described as close to inhumane, overcrowded and frequently lack water, sanitation, and ventilation.

Protection risks and vulnerabilities

Somaliland has long been notorious amongst migrants as a dangerous territory to transit on their way to Bossaso. Multiple robberies and harassment from authorities, as well as incidents of sexual violence and even murder, have been reported over recent years. The climate and geography are also very harsh. During 2012 at least 20 Ethiopian migrants were known to have died of thirst in the middle of the desert, between Loya’ada and Ceel-gaal. A 2012 report by the Oromio Support Group paints a bleak picture of the living conditions of Ethiopian migrants in Hargeisa. They survive in overcrowded and unsanitary environments, with little protection, regular food shortages and a lack of medical care.

Many Somalilanders are subjected to rape, kidnapping and other human rights abuses as they pass through Sudan on their way to Libya. Reports of numbers of educated Somalilander youth, both male and female, (many seemingly ‘running away from home’ and lured by opportunities they imagine migration offers) increased in 2014. It is reported that smugglers are kidnapping migrant youth from Somaliland for ransom.

170 MMTF Somaliland (2012).
172 MMTF Somaliland (2012).
173 Trueman (2012).
Appendix C: The Regional Mixed Migration Secretariat (RMMS)

The author of this paper is the coordinator and founder of the Regional Mixed Migration Secretariat (RMMS). In the compilation of this paper the author has drawn on both his own experience and research as well as that of RMMS, which he has been closely involved in. While the report cannot be said to be a RMMS product the data and analysis in this report conforms closely to the scale, scope and substance of analysis RMMS makes concerning the Horn of Africa region.

The Regional Mixed Migration Secretariat (RMMS)

The RMMS is a regional hub aiming to provide support and coordination, analysis and research, information, data management and advocacy. The website at www.regionalmms.org illustrates the full range of publications, products and activities RMMS engages in. RMMS is the sole agency offering this level of research and analysis in the region and is often called upon as experts in regional and international conferences and other meetings.

Formed in 2011, the overall objective of the RMMS is to support agencies, institutions and fora in the Horn of Africa and Yemen sub-region to improve the management of protection and assistance to people in mixed migration flows in the Horn of Africa and across the Gulf of Aden and Red Sea in Yemen. Since then it has expanded its geographical scope and thematic interests to include continental (Africa) in inter-continental mixed migration.

The RMMS is hosted by the Danish Refugee Council, the co-founders and Steering Committee members for the RMMS include UNHCR, IOM, Danish Refugee Council (DRC), INTERSOS and the Yemen Mixed Migration Task Force. It has been funded primarily by the European Union and the Swiss government. Other donors include IGAD and the British Government and US Government (through IOM).

It operates as an independent agency acting as a catalyst, and where appropriate, as an ‘agent provocateur’ to stimulate forward thinking and policy development in the sector dealing with mixed migration. Its overarching focus and emphasis is on human rights, protection and assistance.
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