

## Djibouti Host Country Narrative

### Djibouti – Tier 2 Watch List

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Djibouti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Over 90,000 men, women, and children from Ethiopia, Somalia, and Eritrea are estimated to have transited through Djibouti as voluntary and undocumented economic migrants en route to Yemen and other locations in the Middle East; experts reported an increase of children, younger than in previous years, migrating through Djibouti. An unknown number of these migrants are subjected to forced labor and sex trafficking upon arrival in these destinations.

During their time in Djibouti, which may last for extended periods, this large migrant population, including foreign street children, is vulnerable to various forms of exploitation, including human trafficking. Some Djiboutian and migrant women and girls fall victim to domestic servitude or sex trafficking in Djibouti City, the Ethiopia-Djibouti trucking corridor, or Obock, the preferred departure point for Yemen. Some migrants intending to be smuggled may be moved or detained against their will and endure beatings and abuse within Djibouti. Smuggling networks, including Djiboutians and Djiboutian residents, may charge exorbitantly high rents or kidnap and hold migrants, including children, for ransom—increasing their vulnerability to trafficking and debt bondage; reports indicate some migrant women were subjected to domestic servitude and forced prostitution in Djibouti to pay these ransoms.

In addition, ransoms are, at times, paid by traffickers based in Yemen or Saudi Arabia, who reportedly intend to exploit migrants or sell women into prostitution or domestic servitude upon their arrival there. Some of Djibouti's older street children reportedly act as pimps of younger children. Street children—including those from Djibouti, Ethiopia, and Somalia—are sometimes forced by their parents or other adult relatives to beg as a source of family income; children may also be recruited from foreign countries for begging in Djibouti. Children are vulnerable to forced labor as domestic servants and coerced to commit petty crimes, such as theft.

The Government of Djibouti does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Djibouti is placed on Tier 2 Watch List for a fourth consecutive year. Djibouti was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking, and it has committed to devoting sufficient resources to implement that plan.

During the year, the government demonstrated continued interest in combating trafficking—most evident in the government’s completion of an extended national action plan through 2020. The government continued its partnership with IOM, which included joint trainings of officials and the publication of awareness-raising materials in 2014. The government identified three trafficking victims in 2014 and maintained its provision of basic healthcare to undocumented migrants, but remained limited in its ability to recognize or identify and protect migrants who were victims of human trafficking in Djibouti in part because of resource constraints. The government punished the one trafficker convicted in 2014 with a suspended sentence—an inadequate deterrent to trafficking crimes—and failed to investigate or initiate prosecutions for any sex trafficking crimes during the year.

#### RECOMMENDATIONS FOR DJIBOUTI:

Implement the national action plan; when implementing anti-trafficking laws, identifying victims, and combating trafficking generally, use a broad definition of trafficking in persons consistent with the 2000 UN TIP Protocol that does not rely on evidence of movement, but rather on exploitation of the victim; work with judges, prosecutors, and police to clarify the difference between cases of human trafficking and alien smuggling; enforce the anti-trafficking laws through investigation and prosecution of trafficking offenders, especially those responsible for child prostitution, domestic servitude, or other forced labor offenses, and provide data on convictions and sentences of trafficking offenders; institute a module on human trafficking as a standard part of the mandatory training program for new police and border guards; establish policies and procedures for government officials—including law enforcement, health, and social welfare officers—to

identify proactively and interview potential trafficking victims and transfer them to care; expand mechanisms for providing protective services to victims, possibly through the forging of partnerships with NGOs or international organizations; form partnerships with local religious leaders, encouraging them to educate their congregations about trafficking; and launch a nationwide anti-trafficking awareness campaign.

## PROSECUTION

The government made minimal law enforcement efforts to address human trafficking crimes. Djibouti's Law 210, Regarding the Fight Against Human Trafficking, enacted in December 2007, prohibits both forced labor and sex trafficking but does not adequately distinguish between human trafficking and alien smuggling. It provides for the protection of victims regardless of ethnicity, gender, or nationality, and prescribes penalties of two to five years' imprisonment, penalties which are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Law 111, Regarding the Fight Against Terrorism and Other Serious Crimes of 2011, increased penalties to 10 years' imprisonment for human trafficking crimes and adequately defines the crime in line with international law.

The government reported its conviction of one trafficker in 2014. In this case, the courts convicted a woman of trafficking in persons and aiding illegal migrants under Law 210 for aiding three non-Djiboutian women across the border into Djibouti, where she held the women against their will, forced them into jobs, and withheld their wages. The trafficker received a 24-month suspended sentence and served no time in prison, an ineffective deterrent to trafficking crimes. A judge ordered the trafficker to repay the wages she withheld from each victim. The government did not investigate or initiate prosecutions of other forced labor cases or any sex trafficking offenses during the reporting period. The labor inspectorate did not investigate any child labor infractions or refer any cases to law enforcement authorities in 2014. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government did not provide anti-trafficking training to law enforcement personnel during the reporting period. In March 2015, the prime minister hosted a technical meeting to increase international cooperation on

trafficking issues; senior Djiboutian officials and those from Ethiopia, Somalia, Tanzania, Uganda, Kenya, Australia, India, and Sri Lanka participated in the meeting.

## PROTECTION

Government efforts to protect victims of trafficking remained inadequate; it identified three adult female trafficking victims associated with the case who were prosecuted during the reporting period. While efforts to encourage victims to participate in the prosecution of their traffickers remained lacking in 2014, the judge overseeing the one trial heard during the year assured victims they would not be deported or harmed and provided them modest support. However, the government did not provide shelter, medical care, or counseling to these or any other victims of trafficking in 2014. It lacked a formal system to proactively identify victims of trafficking among high-risk populations, such as undocumented immigrants and persons in prostitution.

Official round-ups, detentions, and deportations of non-Djiboutian residents, including children, remained routine. Among undocumented foreigners, the government focused on identifying their country of origin and deporting them; it did not consistently screen this population for trafficking victimization. However, the gendarmes reportedly increased coordination with an international organization to transfer voluntary economic migrants, including potential victims of trafficking, to either medical facilities or the Migrant Response Center, as needed.

The government provided funding for local Djiboutian NGOs, which operated counseling centers and other programs that may have assisted trafficking victims. The government detained street children, including potential trafficking victims, following sweeps to clear the streets in advance of holidays or national events; after detention, if identified as Ethiopian or Somali, immigration officials transported the children to Ali Sabieh, near the Ethiopian border, and abandoned them there, leaving them vulnerable to potential re-trafficking. At the same time, in partnership with an international organization, the government provided training to senior officials on protection approaches for vulnerable and trafficked migrant children traveling through the country and larger Gulf of Aden. Although the government implemented a program to grant residency status to undocumented

Ethiopian migrants, a population vulnerable to trafficking in Djibouti, it did not formally offer foreign trafficking victims legal alternatives to removal to countries where they may face hardship or retribution. The Ministry of the Interior, the agency responsible for protection of refugees, and the Ethiopian embassy collaborated on the voluntary return of 600 Ethiopians from Djibouti in 2014, some of whom may have been trafficking victims.

## PREVENTION

Although the government updated and extended its national action plan through 2020, tangible efforts to prevent trafficking were minimal overall. In coordination with the government, an international organization distributed awareness-raising materials—targeting prospective migrants and those in transit—which covered the differences between trafficking and smuggling, the dangers of irregular migration, and provided phone numbers for emergency services in Djibouti. The anti-trafficking working group led by the Ministry of Justice continued to lead anti-trafficking efforts during the year; however, the lack of ministerial coordination across the government to combat this crime continued to be a concern. The government reportedly arrested clients of women in prostitution, but did not take any other known measures to reduce the demand for commercial sex acts or make efforts to minimize the demand for forced labor. It provided Djiboutian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.