The GLOCEPS
Policy Brief

Forestalling Eastern Africa's labor bondage crisis in the Middle East and South East Asia

Stephen Nduvi, Denis Muniu, Veronica Chepseba, Roseline Kiswii & Nancy Omondi

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Executive Summary

The escalating migrant workers' crisis from Eastern Africa to foreign countries calls for revitalized efforts by state and non-state actors to avert the situation. The crisis is worsening by the day as labor markets in Eastern Europe expand in addition to the traditional ones in Middle Eastern and Southern Asia. Key contributing factors include the widening illicit international market for labor migrants; limited public sensitization on procedures for labor immigration; weak control of human trafficking in ungoverned spaces; reintegration initiatives of migrant workers' returnees; incoherent national and regional labor migration policies; online migrants' misinformation and disinformation scams; and individualization of migrant workers. Therefore, there is a need to synergize national and regional anti-trafficking initiatives to ensure coherent and coordinated policy approaches to forestall labor trafficking. Key recommendations include strengthening the effectiveness of regional and country-specific anti-human trafficking policies; intensifying migrant awareness creation through local media and social gatherings and full disclosure of information contained in employment contracts before departure; strengthening stakeholders' collaboration in labor migration policy design and implementation at regional and national levels; revitalizing government-led reintegration initiatives

for migrant returnees; strengthening trans-border intelligence collaboration; employment of artificial intelligence tools to enhance real-time monitoring and combatting of human trafficking activities; and establishment of a regional non-governmental labor migrants union.

Context

Increased demand for cheap labor globally especially in the South East Asia and Middle East has exacerbated exploitative labor migration trends. The situation is heightened by globalization as the world opens to cross-border migration, amplifying risks for the proliferation of human trafficking. Also, the expanding markets for migrants in Eastern Europe at the backdrop of domestic economic upheavals and weak anti-trafficking initiatives at national, regional, and global levels. Additionally, the youth bulge, coupled with high unemployment rates, limited access to quality education, and the challenges of rural living, also aggravate the labor trafficking crisis, especially for youthful demographics.

According to the International Organization for Migration (IOM), there are about 272 million migrants globally, 46% of whom are from Eastern Africa headed to the Middle East. Conflict, drought, famine and other economic challenges in the region are key causal factors. African migrants majorly relocate to these countries in search of economic opportunities to better their lives. With the continued rise in

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migration trends, complex issues like human trafficking have emerged raising an alarm about the criminal syndicates' involvement. Trafficking networks registered as recruitment agencies lure vulnerable workers to the Middle East and South East Asian countries with false promises of good paying jobs. While many countries have been forced to adopt stringent immigration laws and policies to protect their citizens, curbing trafficking activities remains elusive.

There are global, regional, and national mechanisms to combat illegal labor mobility. At the global level, there is the United Nations Convention against Transnational Organized Crime, and the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women, and Children which provide a framework to curb human trafficking. Region-wise, the European Union (EU) has strong migration policies to combating the crime. Joint efforts between the European Multidisciplinary Platform Against Criminal Threat Organizations together with the International Criminal Police Organization (INTERPOL) have helped disrupt human trafficking organizations and rescued 293,333 victims between 2018 and 2023. Additionally, in Africa, the African Union Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants (AU HOAI) has been instrumental in curbing the vice. To address migration challenges in the region, African countries have adopted the Migration Policy Framework for Africa and Plan of Action (2018-2030). The Eastern African Police Chiefs Cooperation Organization (EAPCCO) also provides a collaborative avenue for capacity building among law enforcement agencies in addressing cross-border crimes like human trafficking.

In the Eastern Africa region, the EAC's Common Market Protocol (CMP), IGAD's Free Movement of Persons of Protocol (FMP) enables the movement of

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people, goods and services in the region. They have adopted bilateral agreements between member states to create a sense of community and cooperation. The Eastern African countries have also signed bilateral agreements to export unskilled workers to foreign countries, especially to the Middle East. These include countries like Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, Lebanon, and the United Arab Emirates (UAE). However, loopholes in the enforcement of various labor migrant frameworks at national, regional, and international levels undermine the effective protection of the rights of migrants. The situation has led to mushrooming of fake recruitment agencies operating in disguise of legitimate businesses which have been luring vulnerable migrant workers promising them of acquiring well-paying jobs.

At the national level, Kenya has various legal and policy initiatives on labour mobility including the Kenya Diaspora policy 2024, the Kenya Labour Migration Bill 2024 that seeks to regulate private employment agencies and the recruitment of workers within and outside Kenya; and the Kenya Citizenship and Immigration Act 2011 that facilitates inter-agency collaboration in managing migration.

Nonetheless there are gaps in implementation of these migrant policies as states have failed to effectively protect their migrant workers who have fallen prey to labor bondage overseas. Although many African countries have opened their borders to free labor movement within the continent, enforcement of anti-trafficking measures remain a challenge in curbing irregular migration. In cases where a country has strict controls over migrating to work in hostile countries, desperate workers still find exit through favorable neighbor country. Their destinations are among others the UAE, Saudi Arabia, Qatar, Lebanon, Oman, Kuwait, Jordan and Bahrain.

Regional challenges of regulating migrant workers' mobility have led to a proliferation of Transnational Organized Criminal (TOCs) groups mostly based in South East Asia, targeting Eastern African migrant workers. The migrants are destined for countries like Thailand, Myanmar, Laos, Cambodia, Singapore, Indonesia, Philippines, and Brunei among others. The criminal rings are majorly run by the Chinese who set up companies in these countries to run their operations. In Myanmar, the Chinese have colluded with the military junta rebels, Karen Border Guard Force. In exchange for security personnel, the rebels have allowed them to run the infamous fraud factories where trafficked migrant workers are stationed. They are forced to partake in online gambling, crypto-currency fraud, romance scams, and investment fraud.

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Key Issues

The following issues remain pertinent in tackling Eastern Africa's labor migration and bondage crisis in foreign countries.

Expanded illicit international market for labor migrants

Labor migrant opportunities are growing beyond the traditional known migrants' market in the Middle East leading to a significant expansion of the illegal labor migration market. Traditional markets for Eastern African labor migrants have largely included nations such as Saudi Arabia, the UAE, Qatar, and Kuwait. However, the rise in opportunities for skilled, semi-skilled, and unskilled labor demand in non-traditional markets such as Eastern Europe, particularly in Russia and Ukraine has triggered increased human trafficking. Additionally, other new migrants' markets in South East Asia including states such as Myanmar, Thailand, Philippines and Vietnam have witnessed increased human trafficking especially from citizens drawn from Eastern African states.

Equally the increasing demand for low-wage domestic laborers and large-scale infrastructure jobs in the Middle East is proliferating human trafficking activities from Eastern Africa. Uganda, Kenya, and Ethiopia are the major source countries of migrant workers in Kuwait, Saudi Arabia, and the UAE.

Public awareness on labor immigration procedures

Limited awareness among Eastern African citizenry seeking employment abroad about the terms and conditions of job offers, as well as the procedures for labor migration, contributes to the prevalence of labor bondage crises in foreign countries. Many job seekers lack the basic knowledge about their rights, contractual obligations, and the legal frameworks governing foreign employment, leaving them vulnerable to exploitation. For instance, in Kenya, the Ministry of Foreign and Diaspora Affairs (MFDA) and the Ministry of Labor and Social Protection (MLSP) have not been able to conduct adequate public awareness to sensitize Kenyans on immigration procedures. This gap has often resulted in individuals falling prey to deceptive recruitment practices such as exaggerated labor migration costs, leading to situations of forced labor and debt bondage in unfamiliar environments. Additionally, non-disclosure of full information on nature of employment contracts abroad exacerbates labor bondage as once employed an individual cannot maneuver the harsh conditions of breaching the contract. In some instances, some employers demand a three months' monetary compensation on procedural resignation.

Weak control of ungoverned spaces

Weak surveillance and detection of labor migration recruitment and export from ungoverned spaces in Eastern Africa's region emboldens labor bondage crisis in foreign countries. The traditional methods of identifying and preventing human trafficking activities often fall short due to the complex, adaptive strategies employed by traffickers. The situation is aggravated by weak control of ungoverned spaces including conflict stricken areas, water bodies, slums, and rural areas where activities of illegal recruitment of labor migrants take place. For instance, absence of

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passport controls in Port Victoria has continued to intensify proliferation of undocumented casual workers from Uganda. Compounding the labor migrants' crisis is the shifting of the operations of recruiting agencies from urban areas to rural areas where government operatives cannot easily notice illegal recruitment. Moreover, in rural areas, impoverished families who perceive working abroad as prestigious, fall prey due to lack of situational awareness of the work environment. This has given chance to the use of friendship and family ties who have worked abroad, to win trust of those seeking to work abroad thus becoming part of these labor migrant cartels as they can easily lure relatives for recruitment at small fees. Consequently, the inability to detect and respond to trafficking activities weakens the real-time disruption of emerging trafficking networks. Therefore, the pervasive and covert nature of human trafficking necessitates innovative and robust solutions to effectively combat this global scourge.

Government-led reintegration initiatives of migrant workers' returnees

Weak reintegration mechanisms for migrant workers in Eastern Africa impair successful return of migrant workers to their home countries. This is at the backdrop of the unique challenges that migrant workers face upon return to their home countries. These include suffering from trauma from exploitation, social exclusion, financial instability, skills mismatch, and family adjustment challenges upon return. This impedes their successful re-entry into the society and workforce. The absence of the ease of transition of returning workers into their home economies and societies makes them vulnerable to temptations to migrate again to foreign countries due to lack of economic opportunities at home.

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Countries across the world are increasingly recognizing the significance of reintegrating returning migrant workers into their home societies. For instance, jurisdictions such as Morocco, Ghana, Ethiopia, Mexico, Pakistan, Bangladesh, India and Philippines have either policy frameworks or initiatives to effectively reintegrate returnees. Experts opine that reintegration initiatives can mitigate the associated re-entry challenges while building the socio-economic resilience of the returnees to contribute positively to their home economies. The initiatives are crucial in upholding international standards on upholding the human rights and dignity of migrant workers as outlined by the International Labor Organization (ILO) and the International Organization for Migration (IOM). Equally, the

policies can support and enhance the returnees' economic and social reintegration, and promote mental health and well-being as a result of trauma from exploitation.

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Incoherent national and regional labor migration policies

Eastern African states have differing regulations and enforcement standards on migrants creating gaps that traffickers easily exploit. The lack of a regional approach and active engagement of all relevant stakeholders in labor migration policy design and implementation at regional and national levels makes it challenging to protect migrants. This incoherence leads to poorly coordinated policies to address future skills demand and supply for migrant labor. Poor or stringent labor migration governance and implementation limits access to legal pathways to skills portability, forcing migrants to rely on smugglers. Limited regional collaboration and un-harmonized trafficking penalties undermines the effectiveness of anti-trafficking measures. This includes coordinated border management and shared databases for effective monitoring of trafficking activities. For instance, in the Eastern Africa region, Eritrea and Ethiopia are safe havens for human trafficking networks due to weak preventative measures and the existence of a significant demographic of the youthful population with little to no level of education. These countries act as conduits for human trafficking networks for rogue labor traffickers from Kenya and Uganda.

The absence of social protection safety nets at both local and international levels significantly contributes to limited welfare protection of labor migrant returnees in bondage. Inadequate diplomatic engagement mechanisms on labor migrants' opportunities and challenges overseas contribute to their exploitation. The absence of an East African regional extradition treaty with Middle East and South East Asia countries has often led to unresponsive efforts in tackling the needs of the labor migrants in bondage overseas. For instance, the Philippines and Saudi Arabia established the Transfer of Sentenced Persons Agreement (TSPA), the Extradition Treaty, and the Treaty on Mutual Legal Assistance on Criminal Matters to enable Filipino workers jailed in Saudi Arabia to be repatriated. With no regional extradition treaty between Eastern Africa and Middle Eastern or South East Asian countries, East African workers trapped in exploitative conditions often face indefinite detention, as there is no clear framework or timeline for their deportation. Furthermore, incoherent education and vocational training policies has led to a mismatch between the skills available in the labor market, and the demand abroad, leading to incidences of trafficking due to improper

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documentation. The implications of the policy gaps are compounded by failure to address future skills demand and supply for migrant workers in the Eastern Africa region, making individuals vulnerable to exploitation by traffickers.

To address the labor migrants' crisis, the fight against human trafficking requires a collective approach from regional governments, criminal justice system, and civil societies and private partners in destination and home countries. Nevertheless, this has not been the case. For example, in 2016, Kenya signed a bilateral agreement with Saudi Arabia to export unskilled workers and the Joint Technical Committee was tasked with handling labor issues. However, it is yet to be instituted till date. There is also a long standing disagreement on who between the MFDA and the MLSP should handle issues with labor exploitation abroad. Failure to properly regulate private recruitment agencies has exacerbated the crisis. The rise of unregistered cartels and agencies taking illegal migrant workers to the Middle East and South East Asia has worsened cases of labor trafficking. This unethical collaboration also happens in the courts whereby traffickers receive small penalties or cases are swept under the rug. Best practices internationally recommend stronger penalties as a measure of deterrence.

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The EU Commission under the Global Alliance to Counter Migrant Smuggling, proposed new legislation to fight migrant smuggling that was adopted into law. The sentence for human trafficking resulting in death was brought up from 8 years to 15 years' imprisonment significantly improving the fight against the crime. In addition, according to the law, individuals who facilitate unauthorized entry and transit are heavily penalized.

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Online misinformation and disinformation scams

Transnational Organized Crime Groups (TOCGs) have increasingly leveraged digital media and technological innovations to exploit vulnerable individuals through illegal labor exportation schemes. These groups, often posing as legitimate recruitment agencies, use online platforms to post fake job advertisements, luring unsuspecting individuals into dangerous situations. The job descriptions provided are typically vague, leaving workers at the mercy of abusers in destination countries. The lack of capacity to detect false recruitment schemes exposes individuals to online scams, heightening the risk of human trafficking. However, the same technological platforms could serve as valuable tools for educating the public on the importance of verifying job opportunities abroad. Social media, with its broad reach, is an effective interface for

disseminating information quickly. Governments and NGOs can harness these platforms to detect patterns of abuse and exploitation, enabling timely interventions and policy reforms. Furthermore, technology can empower workers by providing access to information about their rights and equipping them with tools to advocate for better treatment in foreign labor markets.

Technology's influence on labor issues, particularly in Eastern Africa, extends beyond organized crime to broader structural concerns. While digital platforms enable workers to voice their grievances, these often lack structured mechanisms for engaging with authorities meaningfully, resulting in their concerns being overlooked. Furthermore, despite the potential of data collection technologies to provide insights into migrants' conditions, governments often fail to analyze or act on this information, rendering it ineffective in driving meaningful change. In addition, the increased surveillance capabilities of technology can stifle worker activism, with individuals fearing repercussions for voicing concerns.

Equally, the rising and uncontrolled usage of social media and online platforms have amplified human trafficking activities in Eastern Africa region. The inadequate capacity of enforcement agencies in social media surveillance, and real-time detection of online crimes has led to an increase in illegal virtual recruitment and mobilization. Recruitment misinformation and disinformation on social media, coupled with limited awareness of labor migration processes, exposes many vulnerable Kenyans to the risk of being trafficked to foreign countries.

Leveraging the use of advanced technologies such as Natural Language Processing, Machine Learning, AI-powered facial recognition systems, and deep learning algorithms could enhance real-time monitoring and combatting of human trafficking activities. The technology can be trained to recognize indicators of trafficking activities, such as unusual travel patterns suspicious financial transactions, and specific language used in online advertisements for fake jobs abroad. Therefore, these systems can intensify the automation of human trafficking surveillance and detection enhancing the speed and accuracy of identifying potential trafficking cases. This will enable timely interventions by law enforcement agencies. However, implementation of these advanced technologies will have to overcome challenges including data privacy, inadequate capacities of law enforcement personnel, and ethical considerations.

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Individualization of migrant workers

Migrant workers in Eastern Africa are often left to fight for their rights on an individual basis due to the absence of a credible unified voice at the national and regional level to articulate their grievances in foreign countries. Unionization of migrant workers from the region gives them a stronger bargaining power to advocate for their rights, negotiate for better wages, and advocate for better working conditions. However, in the Eastern Africa region only government-led labour mobility unions exists without absence of a vibrant civil society-led entity. The Common Market

Protocol and the African Trade Union Migration Network (ATUMNET) have been critical regional and continental mechanisms for actively monitoring and evaluation systems for the elimination of discriminatory policies to protect migrant workers' from exploitation. The establishment of a regional non-governmental migrant union would build their capacity to safeguard them from exploitation. Active collaboration of the unions will increase repatriation efforts and allow migrants to better address their challenges as evidenced by other jurisdictions. Establishing similar unions in Kenya will provide a system where migrant workers can be empowered on their rights and offered pre-departure training, making it easier to integrate in the destination countries. For instance, Migrant Workers Alliance for Change, a Canadian-based trade union, the National Domestic Workers Alliance (NDWA) of the United States, and European Commission against Racism and Intolerance (ECRI) are country-specific non-governmental alliances that advocate for guaranteeing and protection of the interests of migrant workers.

Conclusion

The Eastern African labor migrant crisis poses profound impediments to governance, foreign policy, societal well-being and service delivery in the region necessitating urgent and coordinated regional action. Key factors such as the proliferation of illicit international labor markets, human trafficking in ungoverned spaces, fragmented labor migration policies, and widespread misinformation undermine state authority and expose systemic governance gaps. These dynamics erode societal well-being by exacerbating exploitation, destabilizing families and straining community resources. Furthermore, the absence of reintegration frameworks for returning migrants and limited advocacy mechanisms further aggravate the crisis, complicating service delivery and accountability. The crisis also has foreign policy implications, as expanding labor markets in Eastern Europe and South East Asia adds new complexities to regional migration flows and heightens diplomatic pressures on Eastern Africa regional states. Therefore, addressing these interconnected challenges calls for coherent and coordinated policy approaches to forestall labor trafficking from the Eastern Africa region.

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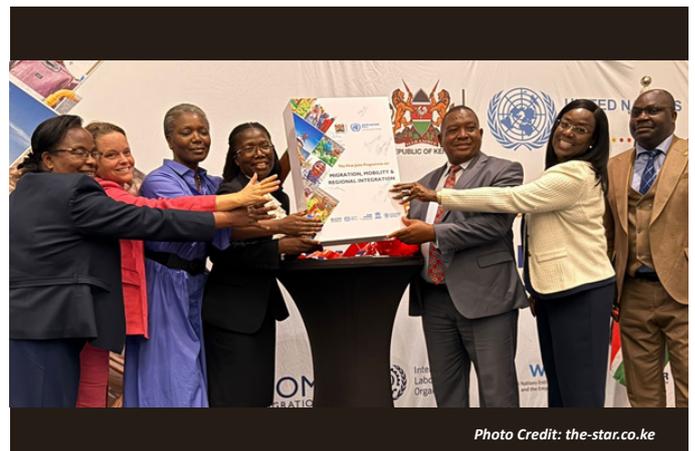
Recommendations

1. Ministries in charge of diaspora affairs in various countries should;

   a) intensify migrant awareness creation through social media, local media radio and TV channels, barazas, schools, churches, to adequately inform locals seeking jobs abroad on terms and conditions of job offers in foreign countries and labor migrant procedures;

   b) strengthen stakeholders' collaboration in labor migration policy design and implementation at regional and national levels;

Recommendations

    c)   lobby for harmonization of regional and country-specific labor anti-trafficking policies including enhancing trafficking penalties to strengthen the effectiveness of anti-trafficking measures; and

    d)   revitalize government-led reintegration initiatives for migrant returnees to ease the transition into their home economies and societies.

2. Ministries in charge of internal security in various countries should;

    a)   enhance surveillance and detection of illegal labor migration recruitment and export from ungoverned spaces in Eastern Africa;

    b)   strengthen collaboration in border management and sharing of migrant databases and intelligence for effective monitoring of trafficking activities at borders; and

    c)   leverage the use of advanced technologies such as natural language; and the adoption of technology-aided surveillance tools such as processing, machine learning, AI-powered facial recognition systems, and deep learning algorithms to enhance real-time monitoring and combatting of human trafficking activities.

3. The civil society organizations should lobby for the establishment of a regional non-governmental migrant union that would build the capacity of migrant workers and safeguard them from exploitation abroad.

4. The Eastern African parliaments should constantly oversight labor migration issues. This will keep the illegal activities in the limelight on a constant basis.

5. The Eastern African governments should make concerted efforts to ensure that there is an enabling environment for youth employment.