Better Migration Management (BMM) in Kenya

Context and objective

Kenya is one of the main hubs for all types of migration in the region. The country hosts some one million migrants, mainly from Somalia, South Sudan, Congo, and Ethiopia. It also has a significant refugee and asylum seeker population estimated at around half a million (UN, 2019). Kenya faces serious challenges in terms of the smuggling of migrants and human trafficking, with extensive and entrenched criminal networks. According to the US Trafficking in Persons Report 2019, Kenya remains a country of origin, transit, and destination for forced labour and sex trafficking involving men, women, and children. In recent years, the Kenyan Government has made efforts to reduce the harm caused by smuggling and trafficking in persons by launching a national referral mechanism and introducing new regulations for private labour recruitment agencies.

In 2016, the European Union and Germany established the Better Migration Management (BMM) programme to improve migration management in the Horn of Africa. It aims to curb the trafficking and smuggling of migrants within and from the region and to strengthen migrants’ rights to protection. Activities have been implemented in four interlinked areas: policy harmonisation and regional cooperation, capacity building, protection, and awareness raising.

Achievements

Regarding inter-institutional coordination on migration, BMM focused on improving the functionality of existing processes, thereby building on the work already done by Kenya in developing policy and institutional frameworks to address trafficking in persons. The programme notably supported the government in operationalising and enhancing the multisectoral National Coordination Mechanism to manage irregular migration. Moreover, BMM supported implementation of the Counter Trafficking in Persons Act 2010 by assisting the Kenyan Counter Trafficking in Persons Advisory Committee with its operationalisation. Policy harmonisation was also improved through validation of the draft migration policy for Kenya and establishment of the quarterly Kenyan Migration Factsheet with migration data from across government agencies.

BMM has also facilitated consultation meetings in Kenya on the Global Compact for Safe, Orderly and Regular Migration.

Results of phase 1 (2016-2019)

- 57,496 migrants, potential migrants, and host community members involved in outreach activities
- 3,800 government and civil society representatives engaged in workshops, trainings, or other events. 12 government institutions and 7 civil society actors supported
- 91 capacity building measures for 1,568 government and civil society representatives implemented
The project supported the establishment of the Kenya Institute of Migration Studies (KIMS) which offers a post-graduate diploma in migration studies to immigration officials from all member states of the Intergovernmental Authority on Development (IGAD). The first course was launched in May 2019 with the purpose of improving their capacity in migration and border management. The course combines practical hands-on skills with academic expertise in one intensive academic year. BMM also assisted the relevant governmental agencies in its efforts to introduce the National Referral Mechanism in the counties, a system put in place to facilitate the referral of victims of trafficking to suitable and effective services.

The project has promoted regional and bilateral collaboration, among other things, by organising a regional conference on human rights in Nairobi in October 2018. The meeting aimed to address the challenges posed by migration and to protect the rights of all migrants and their families. The event was attended by more than 160 representatives from BMM partner countries. The project has also supported intensive collaboration between the Kenya National Commission on Human Rights and Djibouti’s Commission Nationale des Droits de l’Homme. Moreover, BMM has supported cross-border cooperation between Kenya and Ethiopia on border management to enhance communication between the two countries and to improve cooperation on countering smuggling and trafficking.

BMM strengthened the capacities of government officials and representatives of civil society organisations (CSOs) through training courses, study trips, and thematic workshops. The project assisted the Directorate of Criminal Investigations’ Anti-Human Trafficking and Child Protection Unit (AHTCPU) with improving police capacity to effectively respond to, investigate, and prosecute cases of human trafficking and smuggling of migrants. The unit investigated more than 140 cases in 2019.

At regional level, BMM offered training to 522 representatives of thirteen different institutions from five countries in the Horn of Africa region. Delivered at UNODC’s Regional Training Centre in Nairobi, the training covered the smuggling of migrants and trafficking in persons. The project also conducted training for relevant government officials on integrated border management, document security, and fraud detection.

BMM has expanded services and protection for migrants. More than 1,400 governmental officials, members of CSOs, social workers, and human rights advocates have been trained to identify and support victims of trafficking and vulnerable migrants and refer them to appropriate shelters and service providers. BMM also facilitated the regional Forum to Promote Safe and Fair Migration with around 40 civil society organisations and implemented a Victim Case Management System (VCMS) in the region to improve the documentation of human trafficking. Furthermore, the project mapped some 600 governmental and non-governmental protection and assistance services for victims of trafficking and vulnerable migrants. The information will be made available as a referral resource for first responders in the second project phase.

Finally, BMM provided information and advice on migration, notably by running awareness campaigns to connect potential migrants with information about legal migration opportunities and alternative livelihood options. Particular emphasis was placed on informing Kenyan young people about life skills, safe migration, and job and study opportunities abroad.

**Victims need shelters**

‘Shelters are required by victims of trafficking to provide a safe space and dedicated time to heal. Many victims experience physical harm. The services that they need most are psychosocial and medical support, legal assistance, help with arranging immediate next steps, family reunification, and shelter itself. Some victims have the opportunity to return home to a supportive family, while others require intensive support for many years. Some child victims of trafficking come from severely impoverished families who have been directly involved with the trafficking and are thus not safe for the child to return to.’

Jakob Christensen is a Programme Manager at Awareness Against Human Trafficking (HAART) Kenya. The CSO runs one of the main shelters for victims of trafficking in Nairobi. BMM supported HAART with setting up shelters for victims.