



Migrants, while clandestinely transported by truck from Ethiopia to Djibouti.
Photo: © Sisay Demile, 2018.

The State, Brokers and Migration in Ethiopia

Can the Criminalisation of Brokers Mitigate Irregular Migration?



Key lessons

- The intensification of migration controls through the criminalisation of brokers simply increases the need for those facilitating migration to be more creative.
- This migration control regime attracts actors who are illegal in the eyes of the law and increases the risks faced by migrants rather than mitigating them.
- The Government of Ethiopia and other stakeholders such as the EU need to address the fundamental causes of migration and offer alternative legal channels of migration rather than targeting brokers.

This Policy Brief outlines how the Ethiopian government approaches irregular migration from the country in a context of growing international pressure to control such migration. Challenging socioeconomic and political conditions

in the country, combined with extremely limited options for legal international migration, compel young men and women to undertake long and dangerous overland journeys across deserts and seas to reach destinations in Europe, the



Middle East and southern Africa. Brokers play an indispensable role in facilitating such mobility. The Ethiopian government has adopted a proclamation which criminalises smugglers and human traffickers, and has simultaneously intensified the detention of migration brokers. However, so far, these measures have neither stopped brokerage nor effectively addressed the challenge of irregular migration. Smugglers have circumvented new controls by turning smuggling into a community enterprise, by involving unemployed young people, cross-border traders, farmers, pastoralists and law enforcement bodies.

A major migration hub

Ethiopia is a major hub of international migration in the Horn of Africa. Owing to its geostrategic location, the country is very important as an origin, a transit point and a destination for international migration. According to secondary sources (Mixed Migration Centre 2016) annual emigration from Ethiopia is roughly half a million, and 60–70 per cent of those emigrating are irregular migrants who use various land and sea routes and enlist the help of informal brokers and smugglers. Irregular migration from Ethiopia is a result of the unfavourable political environment, precarious socioeconomic conditions such as unemployment, shortages of farmland that deprive younger people of life chances, and aspirations for a better life in the future.

Interviews with aspiring, current and return migrants in Addis Ababa, Hadya and Wallo between March and December 2018 show that young people not only dream of international migration but are also willing to take long and dangerous routes and travel across deserts, hazardous terrain and seas towards Europe via

Sudan, crossing the Sahara Desert, Libya and the Mediterranean Sea. Some, the largest in proportion (UN 2015; Mixed Migration Centre 2016), make long journeys towards the Middle East via Djibouti, Somalia and Yemen by crossing the Red Sea and the Gulf of Eden. The rest take overland and sea routes towards South Africa by crossing several international borders (Fekadu *et al.* 2019). Reports of Ethiopian migrants' deportations, detentions and deaths on their way to these destinations have become increasingly common. For instance, between June and November 2018 the International Organization for Migration (IOM) assisted in the deportation of close to 400 migrants stranded in Tanzania, most of them from Hadya; this was out of the more than 2,000 Ethiopians in different detention centres in Tanzania alone. Again, in June 2019, the IOM assisted in the deportation of another 2,100 Ethiopians stranded in Yemen.¹ Furthermore, informants in Hadya said that they received roughly one body of a migrant who had died en route or at his/her destination every week. Those who have been deported back home after being intercepted on the way, also reveal human rights abuses committed by the law enforcement agencies, and traffickers and other criminal elements in the different countries they had to travel through and also during their stays in detention centres.

The number of deaths, large number of deportations and reports of human rights abuses brought back home by the deportees and returnees reveal that migrants and their families do have sufficient information about the risks of migration before a journey is embarked upon. Thus, decisions to migrate are made by consciously weighing up the potential risks along the route against the benefits of living elsewhere or continuing their lives back at home.

¹ <https://ethiopia.iom.int>



Intercepted migrants in Mille detention centre (Ethiopia–Djibouti border).
Photo: © Sisay Demile, 2018.

Criminalisation of brokers as migration governance

Recently the Ethiopian government and its international partners, especially the EU, have been making concerted efforts to control irregular migration from Ethiopia. The Government of Ethiopia has enacted a number of regulatory frameworks to encourage legal and safer migration and to mitigate irregular migration. Unlike the revolutionary socialist military regime (1974–90), which curtailed labour exits, the current regime (1991 to date) has liberalised emigration policy in Ethiopia. The 1998 proclamation that established private employment agencies (PEAs), bodies that would be responsible for facilitating overseas employment, recruiting workers, and protecting the rights, safety and dignity of Ethiopians employed abroad, resulted in the establishment of 400 PEAs. As a result, PEAs became the main

mediators of labour migration from Ethiopia to the Middle East and sent hundreds of thousands of labour migrants, mainly female domestic workers, to posts abroad. For instance, according to data from the Ministry of Labour and Social Affairs (MOLSA), close to half a million citizens migrated to the Middle East between 2011 and 2013 through the PEAs.

However, PEAs were only licensed to arrange placements in countries in the Middle East. Labour migrations to other parts of the world, such as South Africa, Sudan, northern Africa, and Europe were facilitated by informal brokers alone. This has made informal brokers indispensable for aspiring migrants and their families. Indeed, in Hadya, brokers facilitating migration to South Africa are given a nickname, *berri kefach* (door openers), in recognition of the crucial role they have played in the formation of a big Hadya diaspora in South Africa.



In 2013, two important developments took place: first, the safer labour migration stream to the Middle East was (according to migrant accounts) banned by the Government of Ethiopia in response to media reports about abuses of domestic workers in the destination countries. That ‘temporary’ ban continued for over five years. Second, the government launched an organised campaign against informal brokers at the same time. A proclamation named Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (Proclamation 909/2015) was adopted swiftly and ‘anti-human-trafficking taskforces’ were established at different levels of the bureaucracy to target informal brokers. To broaden migration control activities, law enforcement organisations, religious leaders and traditional authorities have been persuaded to form anti-human-trafficking committees at the local level. Checkpoints have been set up along the main migration routes to intercept irregular migrants and capture brokers and smugglers. Hundreds of brokers have been convicted of trafficking and smuggling and are serving long prison sentences as a result of this organised campaign. The research team met brokers who had been imprisoned in Wallo and Hadya, where 62 and 50 individuals respectively had been sentenced to long prison terms after having been convicted of human trafficking and smuggling in persons (Ayalew *et al.* 2018; Fekadu *et al.* 2019).

The Ethiopian government’s efforts were backed by the EU’s externalisation of its border controls. The research team visited, for instance, NGOs that had been funded by the EU to train members of anti-human-trafficking taskforces on the route to Europe via Sudan, and it has also observed IOM officers in Metema (Ethiopia–Sudan border) and Desheto (Ethiopia–Djibouti border) actively assisting the transportation of intercepted migrants back to their place of origin.

Why criminalisation of brokers cannot control irregular migration

Brokerage is demand-driven

Our research shows that aspiring migrants look for brokers and ask them to facilitate their migration. It is not the other way around, as state campaigns suggest. In other words, as long as young people are willing to migrate, and families and communities are ready to support their intention to leave, there will continue to be a demand for informal brokers.

Migrants feel more protected with brokers

Those who migrate with the help of brokers are better protected and better treated than those who travel without brokers. Thus, border policing and detention of brokers simply remove migrants’ protection and increase the risks associated with migration.

Brokers are part of the everyday life of the community

At the places of origin, brokers live and work alongside local people. They adhere to local norms and take part in community life. People are grateful to them for facilitating the migration of the young people, who are contributing to the local economy. For instance, the impact of the diaspora on transport facilities and financial institutions in Hadya is visible. The brokers also share the profits of smuggling with the communities by involving them in migration facilitation. They thus have the support and respect of the local communities and the customary and religious institutions (churches, mosques).



Local communities benefit much more from migration facilitation than they do from official migration control

The structure of the migration industry reveals that many people take part in migration facilitation both at the point of origin and at several transit points on the journey. In these places many unemployed young people, underpaid civil servants, underpaid law enforcement agents, local militias, traders, hotel operators, minibus owners and lorry drivers profit from migration facilitation. All of these diverse actors located at different places support the migration industry. The total cost these days ranges from US\$700 to US\$5,000 per person depending on the route and individual negotiations. This is a 100 per cent increase compared to five years ago

because of more intensive surveillance. Women typically enter debt migration arrangements paying up to 50 per cent more than men. The control regime does not generate resources and support on such a scale.

Advances in technology make control very difficult

The expansion of communication to the borderlands, and sophisticated mobile money transfer technologies have helped migrants and their smugglers to facilitate migration without being tied to a fixed location. Thus, brokers can change their location to evade detection while continuing their business, including by escaping to neighbouring countries.

Recommendations

- 1 The Government of Ethiopia and other stakeholders that are actively engaging in migration governance in Africa, such as the EU, need to better understand the fundamental reasons for irregular migration and the reasons for the continuation of brokerage, rather than focusing on criminalising brokers. Bans and criminalisation only increase the costs and risks of migration rather than stopping clandestine migration.
- 2 The reach and efficiency of formal migration processes need to be improved. This includes speeding up the licencing of PEAs and restarting their services. In addition to migration facilitation to the Middle East, there should also be negotiations with receiving countries in Europe and elsewhere to formalise migration channels and arrange work visas.
- 3 The Ethiopian government should negotiate with transit countries to better protect the human rights of migrants who are intercepted. Better humanitarian interventions, which do not criminalise irregular migrants, such as humane rescuing practices and better reintegration of victims, should be implemented.



Further reading

Ayalew, T.; Adugna, F. and Deshingkar, P. (2018) 'Social Embeddedness of Human Smuggling in East Africa: Brokering Ethiopian Migration to the Sudan', *African Human Mobility Review*, 4(3), pp. 1333–1358.

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